

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

March 9, 2021 – 9:30 A.M.

WEBSITE ADDRESS: www.birminghamal.gov

Event Address for Attendees:

<https://birmingham.webex.com/birmingham/onstage/g.php?MTID=e692fc80dcdddb02c00d21cbc0859356>

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

Access code: 187 019 3779

INVOCATION

PLEDGE OF ALLEGIANCE: Council President Pro Tempore Wardine Alexander

ROLL CALL

APPROVAL OF MINUTES FROM PREVIOUS MEETINGS: September 1, 2020

MINUTES NOT READY: September 8, 2020 – March 2, 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

INTRODUCTION AND FIRST READING OF ORDINANCES AND RESOLUTIONS

CONSENT

ITEM 1.

An Ordinance authorizing the Mayor to execute a Trail Construction Easement Agreement, under which the City will grant an easement to **Freshwater Land Trust** over and across property extending from 1st Avenue South, unnamed Birmingham Alley, and 2nd Avenue South to 41st Street in Avondale for the development of a public, pedestrian trail to be known as the “Jones Valley Trail Extension.” **

CONSENT

ITEM 2.

An Ordinance accepting the dedication of 4th Street West, for the realignment of right of way with the entrance of the Farmer’s Market, **Case No. SUB2021-00008**. (Submitted by Councilor Smitherman, Chairman, Public Improvements Committee) (Recommended by the Subdivision Committee of the Birmingham Planning Commission) (No Recommendation by the Public Improvements Committee) **

CONSENT

ITEM 3.

A Resolution authorizing the Mayor to execute a License and Service Agreement between **Tyler Technologies, Inc.** (Tyler) and the City of Birmingham to purchase and maintain Inmate Inquiry, a web-based software platform under Sourcewell Contract #090320-TTI which will allow the public to view recent booking records on the internet and the vendor will grant a license to use and will maintain the Tyler software for a period of up to three (3) years, the purchase, the maintenance and support costs over the next three (3) years to be as follows: FY21 is \$26,520.00; FY22 is \$4,200.00; and FY23 is \$4,200.00. The City is authorized to expend an amount not to exceed \$34,920.00. [**Funding Source: FY21 - 102_000.525-010 POL102CP 003624 - \$26,520.00; FY22 - 001_037_01920_01922.526-001 - \$4,200.00; FY23 001_037_01920_01922.526-001 - \$ 4,200.00**] (Submitted by the City Attorney) (Recommended by the Public Safety Committee and the Budget and Finance Committee)

CONSENT

ITEM 4.

A Resolution authorizing the Mayor to expend funds in an amount not to exceed \$200.00 to purchase virtual meeting space for the South Roebuck Neighborhood Association Meetings, said funds to come from the South Roebuck Neighborhood Association funds. (Submitted by the City Attorney) (Recommended by the Mayor and the Budget and Finance Committee) **

CONSENT

ITEM 5.

A Resolution fixing a special assessment in the amount of \$6,374.00 against the property located at 5921 Malcolm 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 6.

A Resolution fixing a special assessment in the amount of \$6,326.16 against the property located at 3016 Avenue D, 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 7.

A Resolution fixing a special assessment in the amount of \$3,706.00 against the property located at 3921 George 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 8.

A Resolution fixing a special assessment in the amount of \$3,123.76 against the property located at 207 – 27th Street Ensley, 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 9.

A Resolution fixing a special assessment in the amount of \$6,260.00 against the property located at 3221 Balsam 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 10.

A Resolution fixing a special assessment in the amount of \$3,686.00 against the property located at 3317 Wenonah Road 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 11.

A Resolution fixing a special assessment in the amount of \$4,866.16 against the property located at 618 – 15th Street Ensley, 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 \$6,061.64 against the property located at 817 – 22nd Street Ensley, 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 \$9,572.88 against the property located at 2607 Ensley Avenue Ensley, 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 \$2,304.00 against the property located at 2607 Ensley Avenue (Rear) Ensley, 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 \$8,792.80 against the property located at 2410 Avenue J, 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 \$5,676.00 against the property located at 1424 – 66th Street West, 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 \$5,408.00 against the property located at 2301 Avenue I, 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 \$7,147.32 against the property located at 1609 Avenue H, 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 \$6,582.22 against the property located at 813 – 21st Street Ensley, 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 \$5,087.20 against the property located at 2815 Avenue F, 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 \$4,243.12 against the property located at 1315 Avenue F, 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 \$3,952.40 against the property located at 2607 Avenue J, 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 \$9,912.72 against the property located at 2912 Avenue C, 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 fixing a special assessment in the amount of \$9,568.88 against the property located at 2360 – 22nd Street, Birmingham, for the cost incurred for the emergency demolition of an unsafe building or structure. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

CONSENT**ITEM 25.**

A Resolution approving and accepting the lump sum bid of **Coston General Contractors, Inc.**, McCalla, Alabama, in the amount of \$77,925.00 for the Kitchen Repair at Fire Station #29, this being the lowest and best bid submitted, and authorizing the Mayor to enter into a contract with said Coston General Contractors, Inc. in substantially the form contained within the bid documents and in accordance with said bid, providing that the total compensation payable under that contract not exceed the appropriation. [**G/L Account: 102_000.511-022; Project Code: DCP102CP 003999_003**] (Submitted by the Mayor) (Recommended by the Director of Capital Projects) (One Bid Submitted)

CONSENT**ITEM 26.**

A Resolution approving and accepting the unit price proposal of **Stone and Sons Electrical, Inc.**, 2530 Queenstown Road, Birmingham, in the amount of \$130,763.56, for Five Mile Road at Azalea Way Traffic Signalization, this being the lowest and best proposal submitted, and authorizing the Mayor to enter into a contract with said Stone and Sons Electrical, Inc. in substantially the form contained within the proposal documents and in accordance with said proposal, providing that the total compensation payable under that contract not exceed the appropriation. [**G/L Account: 102_000.513-002; Project Code: DOT102CP 004028**] (Submitted by the Mayor) (Recommended by the Director of Transportation) (One Proposal Submitted)

CONSENT**ITEM 27.**

A Resolution approving and accepting the GSA (General Services Administration) cooperative bid award of **Carahsoft Technology Corporation**, Reston, Virginia, for DocuSign Enterprise Pro Edition Software, GSA Schedule No. GS-35F-0119Y for a period of one (1) year for the Information Management Systems Department. [**GL Account: 153_000.527-050**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Information Management Systems)

CONSENT

ITEM 28.

A Resolution approving and accepting the NCPA (National Cooperative Purchasing Alliance) cooperative bid award of **POM**, Russellville, Arkansas, for Parking Meters Contract Number 05-40 for a period of one (1) year for the Transportation Department. [G/L Account: **035_052.513-009**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Transportation)

CONSENT

ITEM 29.

A Resolution approving and accepting the bid renewal of **Humphries Farm Turf Supply, Inc.**, Arab, Alabama, for pine straw and pine mulch, as needed at the unit prices on file in the office of the Purchasing Agent, for a period of one (1) year, for the City of Birmingham Department of Public Works, which will begin the 2nd year of the current bid. [G/L Account: **001_049_41200_41201.513-006**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Department of Public Works) (Two Bids Submitted)

CONSENT

ITEM 30.

A Resolution approving and accepting the bid renewal of **Swift Straw II**, Atlanta, Georgia, for pine straw and pine mulch, as needed at the unit prices on file in the office of the Purchasing Agent, for a period of one (1) year, for the City of Birmingham Department of Public Works. This will begin the 2nd year of the current bid. [G/L Account: **001_049_41200_41201.513-006**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Department of Public Works) (Two Bids Submitted)

CONSENT

ITEM 31.

A Resolution approving and accepting bid award of **Hayes Shoes**, Birmingham, for Safety-Work Shoes and Boots, PACA Cooperative Contract Bid Number 14-19 for a period of one (1) year for various city departments. [G/L Account **001_019_0090_00094.522-001**] (Submitted by the Mayor) (Recommended by the Purchasing Agent)

CONSENT**ITEM 32.**

A Resolution approving and accepting bid award of **Safety Shoe Distributors, LLP**, Birmingham, for Safety-Work Shoes and Boots, PACA Cooperative Contract Bid Number 14-19 for a period of one (1) year for various city departments. [**G/L Account 001_019_0090_00094.522-001**] (Submitted by the Mayor) (Recommended by the Purchasing Agent)

CONSENT**ITEM 33.**

A Resolution approving and accepting the renewal bid of **Swarco Industries, LLC**, Columbia, Tennessee, for the purchase of traffic control highway maintenance items, Group 1: type 1 glass spheres with moister resistant coating, as needed at unit price on file in the office of the Purchasing Agent for a period of one (1) year, for the City Stores Warehouse, which will begin the 2nd year of the current bid. [**Appropriated for in the FY 2020-2021 Budget; G/L Account: 00.152-003**] (Submitted by the Mayor) (Recommended by the Purchasing Agent) (Two Bids Submitted)

CONSENT**ITEM 34.**

A Resolution approving and accepting the renewal bid of **Vulcan, Inc. d/b/a Vulcan Signs**, Foley, Alabama, for the purchase of traffic control highway maintenance items, Group 2: sign mounting hardware and Group 4: steel traffic sign post, as needed at unit price on file in the office of the Purchasing Agent for a period of one (1) year, for the City Stores Warehouse, which will begin the 2nd year of the current bid. [**Appropriated for in the FY 2020-2021 Budget; G/L Account: 00.152-003**] (Submitted by the Mayor) (Recommended by the Purchasing Agent) (Two Bids Submitted)

CONSENT**ITEM 35.**

A Resolution approving payment to **Alabama Department of Environmental Management (ADEM)**, Montgomery, Alabama, in the amount of \$38,655.00, for solid waste and general permit renewal for the New Georgia Landfill, for the Public Works Department, in accordance with Section 3-1-7 of the Birmingham City Code. [**G/L Account: 001_049_40200_40229.534-062**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Public Works)

CONSENT**ITEM 36.**

A Resolution approving payment to **Bridgestone Americas Tires dba Southern Tire Mart LLC**, Birmingham, in the amount of \$200,000.00 for the purchase of miscellaneous automobile passenger tires, light truck tires, medium truck tires, off road tires, specialty tires, foam tires and rims for the Equipment Management Department, in accordance with State of Alabama Master Agreement Number 180000000110, Contract Number VC000040598. [**G/L Account: 001.151-004**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Equipment Management)

CONSENT**ITEM 37.**

A Resolution approving payment to **Donohoo Chevrolet**, Fort Payne, Alabama, for the purchase of 2021 Chevrolet Tahoe four door commercial with four wheel drive 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 T191L Master Agreement #MA999 21000000043. [**Appropriated for in the FY 2020-2021 Budget; G/L Account: 102_000.600-007; Project: EM102CP 004006_001**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Equipment Management)

CONSENT**ITEM 38.**

A Resolution approving payment to **Limbaugh Toyota, Inc.**, Birmingham, for the purchase of 2021 Toyota Corolla LE, Camry Hybrid LE and RAV4 LE 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 Master Agreement #MA999 20000000224. [**Appropriated for in the FY 2020-2021 Budget; G/L Account: 102_000.600-007; Project: EM102CP 0A4006_001**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Equipment Management)

CONSENT**ITEM 39.**

A Resolution approving payment to **Marineland Inc. dba Cahaba Tractor Company**, Pelham, Alabama, in the amount of \$16,993.11, for the purchase of a new full-size Kubota diesel utility vehicle, in accordance with the Sourcewell purchasing cooperative, contract #062117-KBA, for the City of Birmingham Fire Department. **[G/L Account: 001_022_99999.600-010]** (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Fire Chief)

CONSENT**ITEM 40.**

A Resolution approving payment to **North American Fire Equipment Co., Inc.**, Decatur, Alabama, in the amount of \$28,947.00, for the purchase of paratech multiforce remote placement kit, in accordance with the Houston-Galveston Area Council (H-GAC) Contract, Contract #EE08-19, for the Birmingham Fire & Rescue Department. **[G/L Account: 001_022_17000_17401.518-001]** (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Fire Chief)

CONSENT**ITEM 41.**

A Resolution approving payment to **Southern Emergency Consultants**, Roanoke, Alabama, for the purchase of 2021 Wheeled Coach Transit Mid-Roof/LED Lights/Ferno Stat Track w/optional features as needed at unit prices on file in the Office of the Purchasing Agent for a period of one (1) year, for the Fire Department based on bid awarded contract #2020-04, by the Savvik Buying Group, St. Cloud, Minnesota, a national governmental purchasing cooperative, and authorizing the Mayor to execute any necessary documents on behalf of the City. **[Appropriated for in FY 2020-2021 Budget; G/L Account: 102_000.600-010; Project: EM102CP 0A4006_002]** (Submitted by the Mayor) (Recommended by the Purchasing Agent, the Director of Equipment Management and the Fire Chief)

CONSENT**ITEM 42.**

A Resolution approving the advanced expense accounts of city employees. (Submitted by the Mayor) (Recommended by the Director of Finance) **

P**ITEM 43.**

A Resolution setting a public hearing **April 13, 2021** to consider the adoption of a resolution assenting to the vacation of 308 square feet of air space along 2nd Avenue South (between 16th Street South and 17th Street South) and 3,007 square feet of alley right of way along 17th Street South (between 2nd Avenue South and 3rd Avenue South), and located at 201 16th St. S., 1621 & 1625 2nd Ave. S.) on behalf of Red Mountain Theatre Property Company LLC and Red Corner LLC., owners, so that the developer can construct balconies on the proposed apartment building,, **Case No. SUB2020-00070**. The hearing will be held at a regular meeting in City Council Chambers, Third Floor, City Hall of Birmingham on Tuesday, April 13, 2021, commencing at 9:30, unless the Governor’s State of Emergency Proclamation and authorization for electronic meetings are extended past March 8, 2021, due to the continuing COVID-19 pandemic. In the event that the Governor’s Proclamation is extended beyond March 8, the Council meeting and this hearing will be held virtually via Cisco WebEx.

To participate in this meeting, you will need to follow the link provided below or use the call-in information provided. This link will also be available for public participation even if the Council meets in the Council Chambers.

If you would like to attend via your computer, follow this link:

<https://birmingham.webex.com/birmingham/onstage/g.php?MTID=e8b3fa3dd462a79dfbf03024bc8c909b6>

If you would like to attend via phone, dial 1-415-655-0002, and then enter: 187 104 4543##.

If you have joined by computer and wish to speak to the item, please use the “raise hand button” in the Webex application. If you have joined by phone, you will be given the opportunity to speak after recognition of the speakers using the online platform. If you have joined the meeting by telephone and would like to request to speak, dial *3 when prompted during the hearing.

Please be patient. Speakers will be given the usual three-minute limit for comments.

If you have any questions about participation in one of these hearings, you may contact The Council’s Public Information Office by e-mailing Kimberly.garner@birminghamal.gov

[First Reading] (Submitted by Councilor Smitherman, Chairperson, Public Improvements Committee) (Recommended by Subdivision Committee of the Birmingham Planning Commission and the Public Improvements Committee) **

P

ITEM 44.

A Resolution setting a public hearing **April 13, 2021** to consider the adoption of a resolution assenting to the vacation of 6,339 square feet of the right of way that is located parallel to and between 24th Street S. and Red Mountain Expressway and perpendicular to and between 9th Court South and 10 Avenue South, and located at 2547 & 2557 9th Avenue South, on behalf of **the Housing Authority of the Birmingham District**, owner, so that the owner can consolidate property, **Case No. SUB2020-00079**. The hearing will be held at a regular meeting in City Council Chambers, Third Floor, City Hall of Birmingham on Tuesday, April 13, 2021, commencing at 9:30, unless the Governor’s State of Emergency Proclamation and authorization for electronic meetings are extended past March 8, 2021, due to the continuing COVID-19 pandemic. In the event that the Governor’s Proclamation is extended beyond March 8, the Council meeting and this hearing will be held virtually via Cisco WebEx.

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[First Reading] (Submitted by Councilor Smitherman, Chairperson, Public Improvements Committee) (Recommended by Subdivision Committee of the Birmingham Planning Commission) (No Recommendation by the Public Improvements Committee) **

COMMUNICATIONS FROM THE CITY CLERK

ITEM 45.

Receiving the Emergency Repair Notice from the Purchasing Agent relative to the plumbing repairs at the Boutwell Auditorium. **

OLD AND NEW BUSINESS

PRESENTATIONS

REQUEST FROM THE PUBLIC

ADJOURNMENT