

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

November 22, 2022 – 9:30 A.M.

WEBSITE ADDRESS: www.birminghamal.gov

INVOCATION: Reverend Timothy Woods, Pastor of Hopewell Missionary Baptist Church

PLEDGE OF ALLEGIANCE: Council Pro-Tempore Crystal Smitherman

ROLL CALL

MINUTES NOT READY: June 21, 2022 – November 15, 2022

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

ITEM 1.

An Ordinance amending Ordinance No. 22-154 to rename the Redeveloper listed in the Redevelopment Agreement with City of Birmingham, NCRC Housing Rehab Fund, LLC (NCRC), as **Housing Reinvestment Corporation of America (HRCA)**, a subsidiary of NCRC under which the City shall convey to HRCA a total of fifty-two (52) lots located in the Pratt City Community at 1430 Pratt Highway, Birmingham, and also award funds under the community Development Block Grant Disaster Recovery Program (CDBG-DR), in the amount of \$2,987,000.00 to HRCA, for the development of single family affordable, energy-efficient houses containing approximately 1200 to 1700 square feet of living space. (Submitted by the City Attorney) (Recommended by the Director of Community Development)**

CONSENT(ph)

ITEM 2.

A Resolution authorizing the abatement of the nuisances existing on the following properties and the costs of such abatement to be assessed against and constitute a lien upon such properties, and the **hearing** of all interested parties: (Submitted by the Mayor) (Recommended by the Public Improvements Committee)

- 1 12-31-3-01-62.000-RR; 600 ROLLINGWOOD RD, LOT 27 REESE KING ADD TO HUFFMAN ESTATES,
- 3 13-25-2-03-39.000-RR; 205 KILLOUGH DR, THAT PT OF LOT 5-A KILLOUGH KLIFFS RESUR LYING IN SEC 25 T16S R2W,
- 4 13-26-1-04-01.000-RR; 207 KILLOUGH DR, THAT PT OF LOT 5-A KILLOUGH KLIFFS RESUR LYING IN SEC 26 T16S R2W,
- 6 21-35-3-03-10.000-RR; 233 OREGON ST, LOT 9 BLK 6 HOBSON,
- 7 21-35-3-03-12.000-RR; 224 NEVADA ST, LOT 11 BLK 6 HOBSON,
- 10 21-35-3-05-02.000-RR; 205 MEMPHIS ST, LOTS 1 & 2 BLK 12 HOBSON,
- 11 21-35-3-05-03.000-RR; 209 MEMPHIS ST, LOT 3 BLK 12 HOBSON,
- 12 21-35-3-05-04.000-RR; 213 MEMPHIS ST, LOTS 4 & 5 BLK 12 HOBSON,
- 13 21-35-3-05-09.000-RR; 224 LEXINGTON ST, LOTS 10 & 11 BLK 12 HOBSON,
- 14 21-35-3-05-10.000-RR; 220 LEXINGTON ST, LOT 12 BLK 12 HOBSON,

- 15 21-35-3-05-11.000-RR; 216 LEXINGTON ST, LOT 13 BLK 12 HOBSON,
- 18 21-35-3-06-15.000-RR; 304 LEXINGTON ST, LOT 15 BLK 11 HOBSON,
- 19 21-35-3-07-06.000-RR; 325 NEVADA ST, LOT 7 & 8 BLK 8 HOBSON,
- 21 21-35-3-13-03.000-RR; 405 OREGON ST, LOT 2 BLK 4 HOBSON,
- 22 21-35-3-13-04.000-RR; 409 OREGON ST, LOT 3 BLK 4 HOBSON,
- 25 21-35-3-13-10.000-RR; 420 NEVADA ST, LOT 11 BLK 4 HOBSON,
- 26 21-35-3-13-11.000-RR; 416 NEVADA ST, LOT 12 BLK 4 HOBSON,
- 28 21-35-3-15-04.000-RR; 419 MEMPHIS ST, LOT 5 BLK 10 HOBSON,
- 30 21-35-4-00-01.000-RR; 101 LEXINGTON ST, SE 1/4 SEC 35 TSP 17S R 4W EXC
BEG SW COR SE 1/4 TH E 215 FT TH N 75 FT TH W 190 FT TH N 100 FT TH E
190 FT TH N 200 FT TH E 205 FT TH N 290 FT TH W 205 FT N 100 FT TH W 190
FT TH N 95 FT TH E 395 FT TH N 150 FT W 205 FT TH N 100 FT TH E 205 FT TH
N 83.5,
- 31 21-35-4-00-06.000-RR; 237 LEXINGTON ST, POB 400 FT S N OF THE N E INTER
OF 4TH AVE & LEXINGTON ST TH N 50 FT ALG ST TH E 190 FT TH S 50 FT
TH W 190 FT TO POB SE1/4 SEC 35 TWSP 17S R4W,
- 32 21-35-4-00-12.000-RR; 409 LEXINGTON ST, P O B 100 FT S S OF THE S E INTER
OF 4TH AVE & LEXINGTON ST TH S 50 FT ALG ST TH E 190 FT TH N 50 FT
TH W 190 FT TO P O B LYING IN SW 1/4 OF SE 1/4,
- 33 21-35-4-00-14.000-RR; 429 LEXINGTON ST, P O B N E INTER OF 5TH AVE &
LEXINGTON ST TH N 50 FT S ALG ST TH E 190 FT S TH S 50 FT S TO 5TH AVE
TH W 190 FT S ALG AVE TO P O B LYING IN SW 1/4 OF SE 1/4 SEC 35 TP 17 S R
4W,
- 34 21-35-4-00-17.000-RR; 413 LEXINGTON ST, COM SW COR OF SW 1/4 OF SE 1/4
SEC 35 TP 17S R 4W TH NLY 225 FT TH ELY 25 FT TO POB TH CONT ELY 190
FT TH NLY 50 FT TH WLY 190 FT TH SLY 50 FT TO POB SECT 35 TWSP 17S
RANGE 4W,
- 35 21-36-2-01-01.000-RR; 520 TEMPLETON RD, LOT 1 BLK 7 ENSLEY LD COS
10TH ADD TO ENSLEY ALA LESS PT IN MULGA LOOP RD R/W,
- 36 21-36-2-01-04.000-RR; 508 TEMPLETON RD, LOT 4 BLK 7 ENSLEY LD COS
10TH ADD TO ENSLEY ALA LESS PT IN MULGA LOOP RD R/W,
- 37 22-12-2-16-07.000-RR; 4824 30TH ST N, LOT 9 BLK 3 C M GREEN RLTY CO
ADD TO NO BHAM,
- 38 22-13-4-15-19.000-RR; 3424 32ND AVE N, LOT 20 BLK 3 DOUGLASVILLE,
- 39 22-13-4-16-07.000-RR; 3417 32ND AVE N, W 1/2 LOT 6 BLK 4 DOUGLASVILLE,
- 40 22-13-4-16-08.000-RR; 3415 32ND AVE N, E 1/2 OF LOT 7 BLK 4 SUR OF
DOUGLASVILLE,

- 41 22-13-4-16-09.000-RR; 3413 32ND AVE N, W 1/2 OF LOT 7 BLK 4 DOUGLASSVILLE,
- 44 22-14-1-29-13.000-RR; 2508 38TH AVE N, LOT 46 BLK 45 PARK PLACE,
- 45 22-14-1-29-14.000-RR; 2510 38TH AVE N, LOT 45 BLK 45 PARK PLACE ADDN #2 PARK PLACE,
- 46 22-14-1-29-15.000-RR; 2512 38TH AVE N, LOT 44 BLK 45 PARK PLACE,
- 47 22-14-3-21-09.000-RR; 3315 23RD ST N, W 50 FT OF LOT 11 BLK 126 NORTH BHAM,
- 49 22-14-3-30-01.000-RR; 2229 32ND AVE N, E 49 FT OF LOTS 1 & 2 BLK 167 NORTH BHAM,
- 50 22-14-4-40-05.000-RR; 2400 34TH AVE N, LOTS 11 THRU 14 BLK 105 NO BHAM,
- 52 22-14-4-41-04.001-RR; 2417 34TH AVE N, LOT 5 BLK 125 NO BHAM,
- 57 22-15-3-07-03.000-RR; 507 38TH AVE W, LOT 3 BLK 1 A J HOOPER SUB,
- 58 22-15-3-07-13.000-RR; 500 37TH TER W, LOTS 19 & 20 BLK 1 A J HOOPER SUB,
- 61 22-24-4-21-32.000-RR; 1400 32ND ST N, LOT 4 BLK 22 BHAM RLTY COS ADD NO 4,
- 62 22-24-4-21-42.000-RR; 1434 32ND ST N, N 52 FT LOT 13 BLK 22 BHAM RLTY COS ADD NO 4,
- 63 22-24-4-24-05.000-RR; 1318 29TH ST N, S 50 FT OF LOT 1 BLK 30 BHAM RLTY COS ADD NO 4,
- 65 22-25-2-17-13.000-RR; 2410 13TH AVE N, BEG AT A PT 90 FT E OF THE INT OF N ROW OF 13TH AVE NORTH & E ROW OF 24TH ST NORTH FOR POB TH E 50 TH N 60 TH W 50 FT TH S 60 TO POB BEING PT OF LOTS 5 & 6 BLK 669 BHAM,
- 68 22-26-1-05-06.000-RR; 1816 17TH CT N, P O B 196S FT E OF THE N INTER OF 18TH PL N & 17TH CT N TH E 65 FT ALG CT TO ALLEY TH N LY 147S FT TH W 51.5 FT TH S 141.6 FT TO P O B BEING PT OF BLK 3 S V COPELAND SUR,
- 70 22-27-4-29-07.000-RR; 1201 3RD ST N, LOTS 1 & 2 BLK 3 MAP OF NEW ZEALAND,
- 71 22-27-4-41-01.000-RR; 301 12TH AVE N, LOTS 7 & 8 BLK 2 NEW ZEALAND SUB ALSO BEING AT INTER OF N W COR SD LOT 8 & N 12TH AVE TH W 108S FT TO RR R/W TH S E 105S FT ALG RR R/W TH E 75S FT TO W LINE OF LOTS 7 & 8 TH N 100 FT ALG W LINE OF LOTS TO P O B,
- 72 22-32-4-20-02.000-RR; 2649 PIKE RD, E 37-1/2 FT OF LOT 4 & W 25 FT LOT 5 BLK 14 SHADYSIDE,
- 73 22-32-4-20-04.000-RR; 2645 PIKE RD, LOT 2 & W 12.5 FT OF LOT 3 BLK 14 SHADYSIDE,

- 74 23-02-1-07-04.000-RR; 225 93RD ST N, LOTS 10 & 11 BLK 7 ROEBUCK HIGHLANDS,
- 75 23-14-2-17-01.000-RR; 7765 2ND AVE S, LOT 16-A 77TH STREET CENTER SURVEY,
- 76 23-14-2-28-12.000-RR; 630 77TH ST S, LOTS A & B & C W M CANNON RESUR OF LOTS 5 & 6 BLK 89 SO HGLDS OF EAST LAKE 19/22,
- 77 23-14-3-03-14.002-RR; 7428 OPORTO MADRID BLVD S, LOT 8 BLK 78 SOUTH HIGHLANDS OF EAST LAKE EXC E 10 FT TO CITY OF BHAM,
- 78 23-15-3-01-02.000-RR; 229 69TH PL N, LOT 14 BLK 2 C J & W R SHARP,
- 79 23-15-3-01-03.000-RR; 225 69TH PL N, LOT 13 BLK 2 C J SHARP,
- 80 23-15-3-05-01.000-RR; 228 69TH PL N, LOT 14 BLK 1 C J & W R SHARP,
- 84 23-15-3-11-30.000-RR; 220 68TH PL N, LOT 21 BLK 11-G C D EBERSOLES 11-G WALKER LD CO SUR OF EAST WOODLAWN,
- 85 23-15-3-20-14.000-RR; 113 67TH PL N, LOT 22 BLK 12-G FULLER SUB,
- 87 23-17-2-09-14.000-RR; 4100 40TH AVE N, LOT 14 BLK 6 INGLENOK RLTY CO SUR BOYLES HGLDS,
- 88 23-17-2-09-15.000-RR; 4104 40TH AVE N, LOT 15 & W 1/2 LOT 16 BLK 6 INGLENOK RLTY CO SUR BOYLES HGLDS,
- 89 23-17-2-09-19.000-RR; 4128 40TH CT N, LOT 21 BLK 6 INGLENOK RLTY CO SUR BOYLES HGLDS,
- 90 23-17-2-09-20.000-RR; 4132 40TH CT N, LOT 22 BLK 6 INGLENOK RLTY CO SUR BOYLES HGLDS,
- 93 23-17-2-15-15.000-RR; 4129 40TH AVE N, LOT 6 BLK 8 INGLENOK RLTY CO SUR BOYLES HGLDS,
- 94 23-17-2-15-19.000-RR; 4109 40TH AVE N, LOT 11 BLK 8 INGLENOK RLTY CO SUR BOYLES HGLDS,
- 98 23-23-2-18-01.000-RR; 7735 68TH ST S, LOT 13-A BLK 3 CENTRAL ADD TO GATE CITY RESUR LOTS 13 & 14 BLK 3 LESS & EXC PT TO RD ROW,
- 102 29-06-4-01-08.000-RR; 1817 29TH ST, LOT 8 BLK 5 BHAM ENSLEY,
- 103 29-06-4-02-05.000-RR; 1723 29TH ST, LOT 6 BLK 6 BHAM ENSLEY IMP CO SUR,
- 105 29-06-4-21-01.000-RR; 1545 34TH ST, LOT 1 BLK 25 BHAM-ENSLEY,
- 106 30-02-1-04-02.000-RR; 4513 5TH AVE, E 75 FT OF LOT 2 BLK 1 SUR OF ADLER-WEAVER,

- 107 30-02-1-04-03.000-RR; 4517 5TH AVE, E 45 FT LOT 3 & W 7 FT LOT 2 BLK 1 SUR OF ADLER & WEAVER 3/75,
- 108 30-02-1-04-04.000-RR; 4521 5TH AVE, W 55 FT LOT 3 BLK 1 SUR OF ADLER WEAVER,
- 110 30-02-1-04-06.000-RR; 513 JERSEY ST, S 1/2 OF LOT 4 BLK 1 SUR OF ADLER WEAVER,
- 112 30-02-1-05-02.000-RR; 4609 5TH AVE, LOTS 3 & 4 BLK 2 RESUR OF ADLER WEAVER,
- 114 30-02-1-06-06.000-RR; 501 LEXINGTON ST, N 46-1/2 FT LOT 4 BLK 3 RESUR OF ADLER-WEAVER,
- 116 30-02-1-06-08.000-RR; 519 LEXINGTON ST, N 45 FT OF LOTS 8 & 9 N 45 FT OF W 30 FT OF LOT 10 BLK 3 RESUR OF ADLER WEAVER,
- 118 30-02-2-02-26.000-RR; 4835 6TH AVE, LOTS 31 THRU 34 BLK 1 OAKMONT SUR,
- 119 30-02-2-03-01.000-RR; 5100 ' 8TH AVE, COM SW COR OF SE 1/4 OF NW 1/4 SEC 2 TP 18S R 4W TH N 730 FT TO POB TH ELY 517 FT 495 FT(S) TH N 320.4 FT 340 FT(S) TH E 32.8 FT TH N 260.2 FT TO ROW OF 8TH AVE TH SWLY ALG ROW 200 FT S TH SLY 150 FT TH W 150 FT TH S 235 FT S TH W 6.7 FT TH NWLY 128.9 FT,

INTRODUCTION AND FIRST READING OF ORDINANCES AND RESOLUTIONS

CONSENT

ITEM 3.

An Ordinance “TO FURTHER AMEND THE NEIGHBORHOOD ALLOCATION” for the fiscal year ending June 30, 2023, by transferring \$3,000.00 from Killough Springs Neighborhood Association and “TO FURTHER AMEND THE CAPITAL FUND BUDGET” for the fiscal year ending June 30, 2023, by appropriating \$3,000.00 to Department of Transportation, R&M Infrastructure Street and Traffic Signs (i.e. speed cushions) for traffic calming efforts. (Submitted by the Mayor) (Recommended by the Mayor and the Budget and Finance Committee)**

CONSENT

ITEM 4.

An Ordinance “TO FURTHER AMEND THE GRANTS FUND BUDGET” for the fiscal year ending June 30, 2023, by appropriating \$10,764,981.00 to Mayor’s Office for Good Jobs Challenge per grant award received. (Submitted by the Mayor) (Recommended by the Mayor and the Budget and Finance Committee)**

CONSENT**ITEM 5.**

An Ordinance “TO FURTHER AMEND THE DONATIONS FUND BUDGET” for the fiscal year ending June 30, 2023, by appropriating \$5,000.00 to Harrison Park and \$10,000.00 to Memorial Park for general use per donation received from Jefferson County Community Service Fund. (Submitted by the Mayor) (Recommended by the Mayor and the Budget and Finance Committee)**

CONSENT**ITEM 6.**

An Ordinance authorizing the Mayor to enter into a Purchase Agreement with the **University of Alabama at Birmingham**, for the purchase, by the City of Birmingham, of drugs and supplies for the Birmingham Fire and Rescue Service. The City of Birmingham will pay to UAB their acquisition cost plus seven percent (7%) administrative fee with funding coming from the BFRS annual budget for drugs and supplies. **[Funding Source: 001_022_17000_17400.524-025-Mediacal Supplies]** (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 an Agreement with **Avenu Insights & Analytics, LLC**, under which Avenu Insights & Analytics, LLC will provide to the City of Birmingham data integration services which will allow transfers with City of Birmingham business license statuses to Accela for the Planning, Engineering and Permits Department allowing Accela fields to be updated with recent statuses of business license for the permit review process preventing the issuance of a permit without a license for a period not to exceed one (1) year for a total amount not to exceed \$21,600.00. (Submitted by the City Attorney) (Recommended by the Mayor and the Budget and Finance Committee)

CONSENT**ITEM 8.**

A Resolution, pursuant to §11-40-1 and §16-11-9.1 Codes of Alabama, 1975, authorizing the Mayor to execute an Agreement with **the Birmingham Board of Education**, in an amount not to exceed \$1,500.00 to provide the following goods and services for the benefit of students of the Birmingham City Schools: The Board shall coordinate with Carver High School associated with expenses related to transporting the Carver High School Band to Arthur Shores Park to perform in the Christmas parade on December 2, 2022. The allocation is exclusively for the purposes stated. Said funds will come from the Druid Hills Neighborhood Association. (Submitted by the City Attorney) (Recommended by the Mayor and the Budget and Finance Committee)

CONSENT

ITEM 9.

A Resolution, pursuant to §11-40-1 and §11-47-9 Codes of Alabama, 1975, authorizing the Mayor to execute and deliver an agreement with **Birmingham Times Media Group, LLC**, in an amount not to exceed \$65,000.00 to provide the following goods and services for 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 fifty (50) weekly copies of the Birmingham Times Newspaper. The total amount will be disbursed in two (2) equal installments of \$32,500.00, beginning on October 2022 and ending June 30, 2023. [**Funding Source: 001_010_04200.527-050**] (Submitted by the City Attorney) (Recommended by the Mayor and the Budget and Finance Committee)

CONSENT

ITEM 10.

A Resolution authorizing the Mayor to execute, for and as the act of said City, a Project Funding Agreement with **Dreamz Bar & Lounge, Inc.**, under which Dreamz Bar & Lounge will develop a restaurant as part of a project involving improvements to approximately 3,500 square feet of space located at 1506 Pearson Avenue SW, Birmingham, and the City will provide financial incentives to Dreamz Bar & Lounge of \$100,000.00 in support of the Project. [**G/L Account: 001_003_00940.545-001 Economic Incentive Agreements**] (Submitted by the City Attorney) (Recommended by the Mayor and the Budget and Finance Committee)**

CONSENT

ITEM 11.

A Resolution authorizing the Mayor to execute, for and as the act of said City, an Incentive Agreement with **Parkway Auto Group, LLC d/b/a Birmingham Mitsubishi**, in which the dealer will pay to the City on a quarterly basis an amount equal to 0.25% of the gross proceeds of sale of used automobiles sold by the dealer during the prior quarter and the City will pay to the dealer on a quarterly basis an amount equal to 1.0% of the gross proceed of sale of new automobiles sold by the dealer during the prior quarter. [**Funding Source: Sales Tax Rebate on New Car Sales**] (Submitted by the City Attorney) (Recommended by the Mayor and the Budget and Finance Committee)**

CONSENT**ITEM 12.**

A Resolution authorizing the Mayor to execute a professional services Agreement with **the Penny Foundation** to implement, administer and manage the fiscal and budgetary aspects of Common Ground, a cognitive based conflict resolution initiative using the Pinwheel Group's Habilitation, Empowerment, and Accountability Therapy (H.E.A.T.) a curriculum designed for people of color and/or others facing socioeconomic issues which applies a holistic, culturally relevant, responsive, strength-based model that emphasizes a positive and engaging approach to handling anger management and conflict resolution throughout each Birmingham City high school, middle school and K-8, and alternative learning schools during the school year as well as in each sector of the City's communities on behalf of the City for an amount not to exceed \$100,000.00 for services described in the Scope of Work to administer the Common Ground Program budget of \$1,000,000.00 with all services to be performed over the next three (3) fiscal years ending on June 30, 2025. [G/L Account: 001_061_01000.527-091] (Submitted by the City Attorney) (Recommended by the Mayor and the Budget and Finance Committee)

CONSENT**ITEM 13.**

A Resolution authorizing Jefferson County, Alabama to abate the City's noneducational municipal ad valorem taxes in connection with **Novu Parkside Residences, LLC's** redevelopment and reuse of the Brownfield Site for a period of three (3) years for each parcel of property obtained by Novu Parkside Residences for the Project, said abatement to start on a property-by-property basis on the October 1st following the date on which such property is or becomes owned, for federal income tax purposes, by Novu Parkside Residences, and authorizing the Mayor to execute all documents necessary to accomplish the purposes herein. Notwithstanding the foregoing consent, the abatement of noneducational municipal ad valorem taxes shall be subject to termination by Jefferson County, Alabama in the event that Novu Parkside Residences fails to implement the voluntary cleanup plan approved by ADEM in accordance with Chapter 9C of Title 40 of the Code of Alabama, 1975. (Submitted by the City Attorney) (Recommended by the Mayor, the Economic Development and Tourism Committee and the Budget and Finance Committee)**

CONSENT**ITEM 14.**

A Resolution authorizing the Mayor to issue, on behalf of the City, a firm commitment to allocate \$250,000.00 in local grant match for the **Consolidated Rail Infrastructure and Safety Improvements (CRISI)** planning grant application, if the grant application is awarded. (Submitted by the Mayor) (Recommended by the Recovery Czar/Chief Community Planner)**

CONSENT**ITEM 15.**

A Resolution authorizing the Mayor to expend funds to purchase cleaning supplies for the Oakwood Place Neighborhood Association's clean up days and to authorize the execution of agreements in an amount not to exceed the sum of \$1,000.00. [G/L Account: **031_200_12200_122203_15198.540-001**] (Submitted by the City Attorney) (Recommended by the Mayor and the Budget and Finance Committee)

CONSENT**ITEM 16.**

A Resolution authorizing the Mayor to appropriate funds in the amount of \$1,500.00 per neighborhood, per calendar year, for the authorized services to be used to electronically notify neighborhood residents of meeting dates and times, such as automated calling services minutes. [G/L Account: **031_200_12120_12122_15198.540-001**] (Submitted by the City Attorney) (Recommended by the Mayor and the Budget and Finance Committee)

CONSENT**ITEM 17.**

A Resolution, pursuant to the provisions of §2-3-27 of the General Code of the City of Birmingham, 1980, as amended, authorizing the City Attorney, upon her recommendation, to settle the lawsuit of *Laurie Jackson, as Administrator of the Estate of Reginald Jackson v. Firefighter-Paramedic Brandon Waterhouse and Firefighter-EMT Stuart Bachus*, in the Circuit Court of Jefferson County, bearing the case number 01-CV-2019-904801, and authorizing the Mayor, City Attorney, or one of her assistants, to execute all documents necessary to accomplish the settlement of this claim in an amount not to exceed a total of \$100,000.00. [G/L Account: **001-028-01600-534-013**] (Submitted by the City Attorney) (Recommended by the Mayor)**

CONSENT**ITEM 18.**

A Resolution, pursuant to the provisions of §2-3-27 of the General code of the City of Birmingham, 1980, as amended, authorizing the City Attorney, upon her recommendation, to settle claims that have been brought against the City of Birmingham, and authorizing the Mayor, City Attorney, or one of her assistants, to execute all documents necessary to accomplish the settlement of this claim in an amount not to exceed a total of \$19,394.30. **[G/L Account: 001-028-01600-534-013]** (Submitted by the City Attorney) (Recommended by the Mayor)**

CONSENT**ITEM 19.**

A Resolution, pursuant to the provisions of §2-3-27 of the General code of the City of Birmingham, 1980, as amended, authorizing the city Attorney, upon her recommendation, to settle the lawsuit of *Tyra Fuller v. City of Birmingham, Officer Anthony Spencer*, in the Circuit Court of Jefferson County, bearing the case number 01-CV-2021-900694, and authorizing the Mayor, City Attorney, or one of her assistants, to execute all documents necessary to accomplish the settlement of this claim in an amount not to exceed a total of \$100,000.00. **[G/L Account: 001-028-01600-534-013]** (Submitted by the City Attorney) (Recommended by the Mayor)**

CONSENT**ITEM 20.**

A Resolution accepting the contract and unit price bid of **Gillespie Construction, LLC**, Jasper, Alabama in the amount of \$731,423.00 for the 1832 Center Place South Storm Sewer Replacement, located in Birmingham, Alabama, this being the lowest responsible and responsive bid submitted, and authorizing the Mayor to enter into a contract with Gillespie Construction, LLC, in substantially the form contained within the bid documents and in accordance with said bid, providing that the total compensation payable under the contract not exceed the appropriation. **[Project Code: DOT047CP 003048]** (Submitted by the Mayor) (Recommended by the Director of Capital Projects) (Two Bids Submitted)

CONSENT**ITEM 21.**

A Resolution accepting the contract and lump sum bid of **Sherrod Construction Co. Inc.**, Vestavia, Alabama, in the amount of \$668,223.00 for the Oxmoor Valley Community Center Parking Lot located at 1992 Wenonah-Oxmoor Road, Birmingham, this being the lowest responsible and responsive bid submitted, and authorizing the Mayor to enter into a

contract with Sherrod Construction Co., Inc., in substantially the form contained within the bid documents and in accordance with said bid, providing that the total compensation payable under the contract not exceed the appropriation. [Project Codes: **PR102CP 003757, DCP102CP 003999 and PW102CP 0A3999**] (Submitted by the Mayor) (Recommended by the Director of Capital Projects) (Two Bids Submitted)

CONSENT**ITEM 22.**

A Resolution amending Resolution No. 1719-21, adopted by the Council on October 5, 2021, accepting and approving the bid for **EcoSouth Services of Birmingham, LLC**, Axis, Alabama, for garbage disposal services, as needed at the unit prices on file in the Office of the Purchasing Agent, for a period of three (3) years for various City locations, is hereby amended to correctly reflect the new vendor ownership name change to **GFL Environmental**, Detroit, Michigan. (Submitted by the Mayor) (Recommended by the Purchasing Agent) (Two Bids Submitted)

CONSENT**ITEM 23.**

A Resolution accepting and approving the bid of **Wittichen Supply Co.**, for HVAC Parts and supplies, as needed at unit prices on file in the Office of the Purchasing Agent, for a period of one (1) year contingent upon Council approval, for the City of Birmingham Public Works Department, per the PACA Purchasing Cooperative, Bid #87-22. [G/L Account: **001_049_40200_40229.511-009**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Public Works)

CONSENT**ITEM 24.**

A Resolution accepting and approving the bid of **SHI International Corporation**, Dallas, Texas, for COTS Software and Services as needed at unit prices on file in the Office of the Purchasing Agent, for a period of one (1) year contingent upon Council approval, for City of Birmingham Information Management Systems Department, per the State of Alabama Cooperative contract Master Agreement Number MA 999 1700000198. [G/L Account: **001_037_01910_01911.526-002**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Information Management Systems)

CONSENT**ITEM 25.**

A Resolution amending Resolution No. 285-22 to revise the initial City Assistance described therein and approving and authorizing the Mayor to execute, for and as the act of said City, an Amended and Restated Project Agreement between the City of Birmingham and **The Hardwick, LLC**, under which The Hardwick will undertake a project to redevelop, rehabilitate, and enhance property located at 2308 First Avenue South, Birmingham known as “The Hardwick,” consisting in part of approximately 48,750 square feet of Class A office space and 9,354 square feet of retail and restaurant space, and amend and restate the original agreement to include that the City and The Hardwick agree to revise the initial City Assistance provided to The Hardwick to now reflect two (2) incentives of (i) a Lump Sum amount up to, but not to exceed \$855,000.00, to assist with the development of the project; and (ii) a Revenue Sharing incentive based on a percentage of actual sales tax revenue following each year during the payment term of the Agreement in an amount up to, but not to exceed \$2,000,000.00 from the project sales tax revenue, in support of the Project. (Submitted by the Mayor) (Recommended by the Mayor and the Budget and Finance Committee)**

CONSENT**ITEM 26.**

A Resolution amending Resolution No. 1786-20, adopted by the Council September 1, 2020, fixing a special assessment against various properties throughout the City for the abatement of noxious or dangerous weeds to remove 1349 15th Street SW, Birmingham, due to the owner cutting the property before contractor cut (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

CONSENT**ITEM 27.**

A Resolution approving payment to **The Sherwin-Williams Company**, Birmingham, Alabama, in the amount of \$942.24, for the purchase roof repair sealant, in accordance with the PACA Purchasing Cooperative Bid #3-21, for the City of Birmingham Public Works Department. [G/L Account: 001_049_40200_40229.511-003] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Public Works)

CONSENT**ITEM 28.**

A Resolution approving payment to **Uline**, Chicago, Illinois, in the amount of \$500.69 for three (3) carpet mats, for the Birmingham Police Department, in accordance with Section 3-1-7 of the Birmingham City Code. [G/L Account: 001.151-004] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Chief of Police)

CONSENT

ITEM 29.

A Resolution approving the itemized expense accounts of elected and appointed officials. (Submitted by the Mayor) (Recommended by the Director of Finance)**

CONSENT

ITEM 30.

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

CONSENT

ITEM 31.

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

CONSENT

ITEM 32.

A Resolution approving the advanced expense account of a city employee. (Submitted by the Mayor) (Recommended by the Director of Finance)**

OLD AND NEW BUSINESS

PRESENTATIONS

REQUEST FROM THE PUBLIC

ADJOURNMENT

NOTE: The following matters were withdrawn:

Those properties declared by Resolution No. 1836-22, on October 18, 2022, to be noxious and dangerous, whereon said weeds have been abated:

- 2 13-24-2-01-01.008-RR; 640 WOODBROOK RD, LOT 35-A RESUR OF LOTS 35 THRU 38 SUN VALLEY FOREST 1ST SECT 121/61,
- 5 21-35-3-03-04.000-RR; 209 OREGON ST, LOT 3 BLK 6 HOBSON SUR OF HOBSON,
- 8 21-35-3-04-07.000-RR; 232 MEMPHIS ST, LOT 10 BLK 7 HOBSON,
- 9 21-35-3-04-12.000-RR; 208 MEMPHIS ST, LOT 16 BLK 7 HOBSON,
- 16 21-35-3-06-04.000-RR; 309 MEMPHIS ST, LOT 3 BLK 11 HOBSON,
- 17 21-35-3-06-13.000-RR; 310 LEXINGTON ST, LOT 13 BLK 11 HOBSON,
- 20 21-35-3-09-06.000-RR; 318 OREGON ST, LOT 6 BLK 2 HOBSON,
- 23 21-35-3-13-05.000-RR; 413 OREGON ST, N 48 FT LOT 4 BLK 4 HOBSON,
- 24 21-35-3-13-08.000-RR; 4900 5TH AVE, LOTS 9 & 10 BLK 4 HOBSON 4/103,
- 27 21-35-3-14-07.000-RR; 417 NEVADA ST, LOT 6 BLK 9 HOBSON,
- 29 21-35-3-15-07.000-RR; 4814 5TH AVE, E 55 FT OF LOTS 6 THRU 8 BLK 10 HOBSON,
- 42 22-13-4-16-10.000-RR; 3411 32ND AVE N, E 1/2 OF LOT 8 BLK 4 DOUGLASVILLE,
- 43 22-14-1-16-11.000-RR; 2712 35TH AVE N, THE NE 50 FT OF SW 150 FT OF BLK 82 PARK PLACE,
- 48 22-14-3-21-10.000-RR; 2300 33RD AVE N, LOT 12 BLK 126 NORTH BHAM,
- 51 22-14-4-41-04.000-RR; 2415 34TH AVE N, LOT 6 BLK 125 NO BHAM,
- 53 22-14-4-41-05.000-RR; 2409 34TH AVE N, LOT 7 BLK 125 NO BHAM,
- 54 22-14-4-41-06.000-RR; 2407 34TH AVE N, LOT 8 & THE E 20 FT OF LOT 10 BLK 125 NO BHAM,
- 55 22-14-4-41-08.000-RR; 3315 24TH ST N, SW 80 FT LOT 10 BLK 125 NO BHAM,
- 56 22-14-4-41-15.000-RR; 3312 25TH ST N, E 75 FT LOT 20 BLK 125 NO BHAM,
- 59 22-24-4-20-10.000-RR; 1405 32ND ST N, LOT 24 BLK 20 BHAM RLTY COS ADD NO 4,
- 60 22-24-4-21-28.000-RR; 1318 32ND ST N, LOT D BLK 22 BHAM RLTY COS ADD NO 4,
- 64 22-25-1-09-12.000-RR; 1222 29TH ST N, N 60 FT OF S 120 FT OF LOTS 1 & 2 BLK 657 BHAM,
- 66 22-26-1-02-07.000-RR; 1585 DRUID HILL DR, LOT 22 BLK 8 DRUID HILLS,
- 67 22-26-1-02-14.000-RR; 1571 DRUID HILL DR, LOT 29 BLK 8 DRUID HILLS,

- 69 22-27-4-03-12.000-RR; 208 14TH AVE N, LOT 25 MURRELLE LD CO ADD NO 1,
- 81 23-15-3-05-03.000-RR; 220 69TH PL N, LOT 12 BLK 1 EX SE 10 FT C J & W R SHARP SUR,
- 82 23-15-3-11-03.000-RR; 225 68TH ST N, LOT 50 C D EBERSOLE SUBDIV OF BLK 11-G WALKER LD CO SUR OF EAST WOODLAWN,
- 83 23-15-3-11-14.000-RR; 117 68TH ST N, LOT 38 EBERSOLE SUB OF BLK 11-G WALKER LD CO,
- 86 23-15-3-28-09.000-RR; 201 66TH PL N, LOT 10 FRAZIER & EBERSOLE SUB OF BLK 13-G,
- 91 23-17-2-14-18.000-RR; 4124 40TH AVE N, LOT 4 BLOCK 7 INGLENOK RLTY CO SUR BOYLES HGLDS,
- 92 23-17-2-14-21.000-RR; 4148 40TH AVE N, LOT 7 BLK 7 INGLENOK RLTY CO SUR BOYLES HGLDS,
- 95 23-22-2-31-06.000-RR; 6219 2ND AVE S, LOT 38 EX S 28 FT WARE STEWART WALDROP & HAWKINS,
- 96 23-22-2-32-08.000-RR; 6212 2ND AVE S, LOT 5 BLK 4 MRS P KILPATRICK SUB,
- 97 23-22-3-23-04.000-RR; 621 64TH ST S, LOTS 7 & 8 BLK 11 OAKRIDGE PARK SUR,
- 99 23-26-3-22-32.000-RR; 232 REDWOOD ST, LOT 67 CRESTLINE GARDENS,
- 100 23-29-4-13-01.000-RR; 4417 5TH AVE S, N 1/2 LOT 6 AUSTINS SUB OF MORROW & HICKMAN PROPERTY LESS PT IN 44TH PL S R/W,
- 101 23-29-4-13-09.000-RR; 4321 5TH AVE S, W 75 FT S OF N 150 FT S LOT 1 AUSTINS SUB OF MORROW & HICKMAN PROPERTY,
- 104 29-06-4-02-07.000-RR; 1719 29TH ST, LOT 8 BLK 6 BHAM-ENSLEY,
- 109 30-02-1-04-05.000-RR; 4529 5TH AVE, N 1/2 LOT 4 BLK 1 SUR OF ADLER WEAVER,
- 111 30-02-1-04-08.000-RR; 4524 6TH AVE, WEST 50 FT OF LOT 5 BLK 1 ADLER WEAVER SURVEY 3/75,
- 113 30-02-1-05-05.000-RR; 4625 5TH AVE, LOT 7 BLK 2 RESUR OF ADLER WEAVER,
- 115 30-02-1-06-07.000-RR; 505 LEXINGTON ST, S 156.5 FT OF LOT 4 BLK 3 RESUR OF ADLER-WEAVER,
- 117 30-02-1-06-10.000-RR; 527 LEXINGTON ST, S 50 FT OF LOTS 8 & 9 & S 50 FT OF W 30 FT OF LOT 10 BLK 3 RESUR OF ADLER WEAVER,