

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

**February 21, 2023 – 9:30 A.M.**

**WEBSITE ADDRESS: [www.birminghamal.gov](http://www.birminghamal.gov)**

**INVOCATION: Pastor Michael Todd, of New Rising Star Church, Sylacauga Campus**

**PLEDGE OF ALLEGIANCE: Councilor Valerie A. Abbott**

**ROLL CALL**

**MINUTES NOT READY: October 3, 2022 – February 14, 2023**

**COMMUNICATIONS FROM THE MAYOR**

**NOMINATIONS OF 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**

**P(ph)**

**ITEM 1.**

An Ordinance “TO FURTHER AMEND THE ZONING DISTRICT MAP OF THE CITY OF BIRMINGHAM” (**Case No. ZAC2022-00006**) to change zone district boundaries from B-2 General Business District to “Q” I-1 Qualified Light Industrial District, filed by Don Cosper, applicant, representing the owner, Steven Bailey, for property located at 2509 Ensley Avenue West, and situated in the NE¼ of Section 06, Township 18-S, Range 3-West, Birmingham and the **hearing** of all interested parties. [**Second Reading**] (Submitted by Councilor Abbott, Chair, Planning and Zoning Committee) (No Recommendation by the Z.A.C.) (NOT Recommended by the Planning and Zoning Committee)\*\*

**CONSENT(ph)**

**ITEM 2.**

A Resolution relative to the application of The Garage Birmingham, LLC, for the transfer of a Restaurant Retail Liquor License to be used at **The Garage**, 2304 10<sup>th</sup> Terrace South, Birmingham, and the **hearing** of all interested parties. (Submitted by Councilor Tate, Chair, Public Safety Committee) (Recommended by the Public Safety Committee)

**CONSENT(ph)**

**ITEM 3.**

A Resolution relative to the application of Friends Foundation of the Birmingham Public Library, for a Special Retail Liquor License 160 to be used at **Birmingham Central Library Meeting Facilities**, 2100 Park Place, Birmingham, and the **hearing** of all interested parties. (Submitted by Councilor Tate, Chair, Public Safety Committee) (Recommended by the Public Safety Committee)

**CONSENT(ph)**

**ITEM 4.**

A Resolution relative to the application of Konzept Group, LLC, for a Lounge Retail Liquor Class I License to be used at **Bodega**, 3401 5<sup>th</sup> Avenue South, Birmingham, and the **hearing** of all interested parties. (Submitted by Councilor Tate, Chair, Public Safety Committee) (Recommended by the Public Safety Committee)

CONSENT(ph)

**ITEM 5.**

A Resolution relative to the application of Bosses Private Lounge, LLC, for a Lounge Retail Liquor Class I License to be used at **Bosses @ Midtown**, 201 Richard Arrington Jr. Boulevard South, Birmingham, and the **hearing** of all interested parties. (Submitted by Councilor Tate, Chair, Public Safety Committee) (Recommended by the Public Safety Committee)

CONSENT(ph)

**ITEM 6.**

A Resolution relative to the application of Boundless, LLC, for a Special Retail Liquor License 160 to be used at **Lumi**, 2201 2<sup>nd</sup> Avenue South, Suite 202, Birmingham, and the **hearing** of all interested parties. (Submitted by Councilor Tate, Chair, Public Safety Committee) (Recommended by the Public Safety Committee)

CONSENT(ph)

**ITEM 7.**

A Resolution relative to the application of Volume Services, Inc., for a Special Retail Liquor License 160 to be used at **SodexoLive!**, 2221 9<sup>th</sup> Avenue North, Birmingham, and the **hearing** of all interested parties. (Submitted by Councilor Tate, Chair, Public Safety Committee) (Recommended by the Public Safety Committee)

(ph)

**ITEM 8.**

A Resolution relative to the application of S&A Investment, LLC, for a Lounge Retail Liquor Class II License to be used at **The Late Rollers Package Store**, 1101 3<sup>rd</sup> Avenue West, Suite C, Birmingham, and the **hearing** of all interested parties. (Submitted by Councilor Tate, Chair, Public Safety Committee) (No Recommendation by the Public Safety Committee)

CONSENT(ph)

**ITEM 9.**

A Resolution relative to the application of True Story Brewing Company, LLC, for a Restaurant Retail Liquor License to be used at **True Story Brewing Company**, 5510 Crestwood Boulevard, Birmingham, and the **hearing** of all interested parties. (Submitted by Councilor Tate, Chair, Public Safety Committee) (Recommended by the Public Safety Committee)

**CONSENT**(ph)

**ITEM 10.**

A Resolution relative to the application of Woodlawn Theatre Bham, LLC, for a Special Retail Liquor License 160 to be used at **Woodlawn Theatre**, 5503 1<sup>st</sup> Avenue North, Birmingham, and the **hearing** of all interested parties. (Submitted by Councilor Tate, Chair, Public Safety Committee) (Recommended by the Public Safety Committee)

**INTRODUCTION AND FIRST READING OF ORDINANCES AND RESOLUTIONS**

**CONSENT**

**ITEM 11.**

An Ordinance “TO FURTHER AMEND THE BIRMINGHAM FUND BUDGET” for the fiscal year ending June 30, 2023, by appropriating \$25,803.59 to Equipment Management, Fleet Replacement. Funding Source is reimbursement received from insurance proceeds. (Submitted by the Mayor) (Recommended by the Mayor and the Budget and Finance Committee)\*\*

**CONSENT**

**ITEM 12.**

An Ordinance “TO FURTHER AMEND THE GRANTS FUND BUDGET” for the fiscal year ending June 30, 2023, by appropriating \$37,164.00 to Municipal Court, Court Referral Officer (CRO) Grant per award received. (Submitted by the Mayor) (Recommended by the Mayor and the Budget and Finance Committee)\*\*

**CONSENT**

**ITEM 13.**

An Ordinance “TO FURTHER AMEND THE GRANTS FUND BUDGET” for the fiscal year ending June 30, 2023, by appropriating \$5,000,000.00 to Community Development, Emergency Rental Assistance per grant award received. (Submitted by the Mayor) (Recommended by the Mayor and the Budget and Finance Committee)\*\*

**CONSENT**

**ITEM 14.**

An Ordinance “TO FURTHER AMEND THE GRANTS FUND BUDGET” for the fiscal year ending June 30, 2023, by appropriating \$3,400,000.00 to Community Development, Emergency Rental Assistance per grant award received. (Submitted by the Mayor) (Recommended by the Mayor and the Budget and Finance Committee)\*\*

**CONSENT**

**ITEM 15.**

An Ordinance “TO FURTHER AMEND THE GENERAL FUND BUDGET” for the fiscal year ending June 30, 2023, by transferring \$1,600.00 from District #2 Discretionary Projects, and appropriating \$1,600.00 to Non-Departmental, Transfer to Fund 031 Neighborhood Allocations Fund, and “TO FURTHER AMEND THE NEIGHBORHOOD ALLOCATIONS FUND BUDGET” for the fiscal year ending June 30, 2023, by appropriating \$1,6000.00 to Park and Recreation, Annual Fishing Rodeo. (Submitted by the Mayor) (Recommended by the Mayor and the Budget and Finance Committee)\*\*

**CONSENT**

**ITEM 16.**

An Ordinance “TO FURTHER AMEND THE NEIGHBORHOOD ALLOCATIONS FUND BUDGET” for the fiscal year ending June 30, 2023, by transferring \$30,000.00 from Council PIC, District #8 to Bush Hills Neighborhood Association for drainage improvements. (Submitted by the Mayor) (Recommended by the Mayor and the Budget and Finance Committee)\*\*

**CONSENT**

**ITEM 17.**

An Ordinance “TO FURTHER AMEND THE NEIGHBORHOOD ALLOCATIONS FUND BUDGET” for the fiscal year ending June 30, 2023, by transferring \$20,000.00 from Council PIC, District #5 and \$20,000.00 from Council PIC, District #8 and “TO FURTHER AMEND THE NEIGHBORHOOD ALLOCATIONS FUND BUDGET” for the fiscal year ending June 30, 2023, by appropriating \$40,000.00 to Carver Theater/Jazz Hall of Fame. (Submitted by the Mayor) (Recommended by the Mayor and the Budget and Finance Committee)\*\*

**CONSENT**

**ITEM 18.**

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 \$5,000.00 to Memorial Park for general use per donation received from the Jefferson County Community Service Fund. (Submitted by the Mayor) (Recommended by the Mayor and the Budget and Finance Committee)\*\*

CONSENT

**ITEM 19.**

An Ordinance “TO FURTHER AMEND THE NEIGHBORHOOD ALLOCATIONS FUND BUDGET FUND BUDGET AND CAPITAL IMPROVEMENT FUND BUDGET” for the fiscal year ending June 30, 2023, by transferring \$5,000.00 from Highland Park Neighborhood Association and appropriating \$5,000.00 to Department of Transportation, R&M Infrastructure Street & Traffic Signs (i.e. speed cushions) for traffic calming efforts. (Submitted by the Mayor) (Recommended by the Mayor and the Budget and Finance Committee)\*\*

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**ITEM 20.**

An Ordinance approving and authorizing the Mayor to execute, for and as the act of said City, a Contract for Sale of Real Estate with **Emily Kate Silliman**, under which Emily Kate Silliman will purchase certain vacant real estate located at 1203 Cresthill Road, Birmingham, for the assessed value of \$28,700.00 and upon such other terms and conditions as are contained in the contract, and authorizing the Mayor to execute a deed and such other documents and instruments as are required to finalize the sale of the property upon the terms of the contract. **[First Reading]** (Submitted by the City Attorney) (Recommended by the Mayor and the Budget and Finance Committee) \*\*

CONSENT

**ITEM 21.**

A Resolution authorizing the Mayor to execute a Lease Purchase Schedule No. 810-6809124-002 with **Dell Financial Services, LLC**, that is subject to and incorporates the terms and conditions of the Master Lease Agreement dated March 31, 2020, under which the City of Birmingham will obtain financing to purchase computer equipment to include servers, storage, desktops, laptops, etc. from ConvergeOne through a State of Alabama Contract for the sale of certain software, hardware and related services under the terms of the State of Alabama Master Agreement Number – MA 180000000161-999 in a total amount not to exceed \$41,582.10 for a period not to exceed ten (10) years in accordance with Code of Alabama 1975 Section 41-16-57(f). **[Dell Financial Service Master Lease No. 595295-59684, G/L Account: 001\_022\_00002698 Non-Capital]** (Submitted by the City Attorney) (Recommended by the Mayor, the Budget and Finance Committee and the Director of Information Management System)

**CONSENT**

**ITEM 22.**

A Resolution authorizing the Mayor to execute a one (1) year Vendor Agreement to purchase Dell Computers, Storage products and other related products and services from **ConvergeOne, Inc.**, under State of Alabama Master Agreement Number – MA 999 180000000161-999 for use by the City of Birmingham Equipment Management Shop, Crossplex and Telcomm staff and authorizing the City to expend an amount not to exceed \$36,348.00. [**Funding Source: 001\_037\_01910\_01913\_526-003**] (Submitted by the City Attorney) (Recommended by the Mayor, Budget and Finance Committee and the Director of Information Management System)

**CONSENT**

**ITEM 23.**

A Resolution authorizing the Mayor to execute a Lease Purchase Schedule No. 810-6809124-001 with **Dell Financial Services, LLC**, that is subject to and incorporates the terms and conditions of the Master Lease Agreement dated March 31, 2020, under which the City of Birmingham will obtain financing to purchase Dell EMC, data storage, cloud, converged and data protection through Ahead, an approved reseller of National Cooperative Purchasing Alliance (NCPA) a Cooperative Purchasing Program authorized by the State of Alabama Department of Examiners of Public Accounts for use by the City of Birmingham in a total amount not to exceed \$185,690.48 for a period not to exceed ten (10) years in accordance with Code of Alabama 1975 Section 41-16-57(f). [**Dell Financial Service Master Lease No. 595295-59684, G/L Account: 001\_022\_00002698 Non-Capital**] (Submitted by the City Attorney) (Recommended by the Mayor, the Budget and Finance Committee and the Director of Information Management System)

**CONSENT**

**ITEM 24.**

A Resolution authorizing the Mayor to execute a one (1) year Vendor to purchase Dell EMC, data storage, cloud, converged and data protection through **Ahead**, an approved reseller of National Cooperative Purchasing Alliance (NCPA) a Cooperative Purchasing Program authorized by the State of Alabama Department of Examiners of Public Accounts for use by the City of Birmingham and authorizing the City to expend an amount not to exceed \$169,248.46. [**Funding Source: 001\_037\_01910\_01913\_526-003**] (Submitted by the City Attorney) (Recommended by the Mayor, Budget and Finance Committee and the Director of Information Management System)

**CONSENT**

**ITEM 25.**

A Resolution approving and authorizing the Mayor to execute an American Rescue Plan Act of 2021 Coronavirus State and Local Fiscal Recover Funds Subaward Agreement between the City and the **Board of Trustees of the University of Alabama for the University of Alabama at Birmingham** (“UAB”), under which UAB will implement the If I Had A Hammer’s Pre-Apprenticeship Program at Birmingham City Schools (“Birmingham Hammer”), which will prepare participating Birmingham City School students experiencing academic learning and job training loss due to COVID restrictions to enter careers in the skilled trades by providing workforce development education in the skills in which applicants are least prepared, including math, initial skill sets, professionalism, presentation at interviews, and reliability, thereby, eliminating barriers of employment by connecting program participants with the program’s apprenticeship and/or industry partners. The City agrees to reimburse UAB for costs actually incurred and paid by UAB for the performance of the activities under the Agreement in accordance with the program budget and in an amount not to exceed \$100,000.00. (Submitted by the City Attorney) (Recommended by the Mayor) \*\*

**CONSENT**

**ITEM 26.**

A Resolution authorizing the Mayor to execute an agreement between the City of Birmingham and **CI Technologies, Inc.**, St. Augustine, Florida, for the purchase of CrimeNTel Windows and Web Software, BlueTeam Software, EIPro Software, software license maintenance and support services for use by the Birmingham Police Department in an amount not to exceed \$87,000.00. **[Funding Source: FY2023, 001\_037\_01920\_01922.526-001]** (Submitted by the City Attorney) (Recommended by the Mayor, the Budget and Finance Committee and the Director of Information Management System)

**CONSENT**

**ITEM 27.**

A Resolution authorizing the Mayor to execute, for and as the act of said City, an agreement between the City of Birmingham and **Grayshift, LLC** under which Grayshift, LLC shall provide hardware, software, professional services, and ongoing maintenance and support services related to its GrayKey Product, a proprietary software which allows digital forensic access for iOS devices for use by the Birmingham Police Department for a term of one (1) year, and the City shall pay Grayshift, LLC an amount not to exceed \$10,995.00. **[Funding Source: FY2023 001\_037\_01920\_01922.526-001]** (Recommended by the Mayor, the Budget and Finance Committee and the Director of Information Management System)

**CONSENT****ITEM 28.**

A Resolution authorizing the Mayor to execute and deliver a Funding Agreement with **HBCU SpringComing, LLC**, under which the City will provide funding to HBCU SpringComing in an amount not to exceed \$165,000.00 from monies received by the City under the American Rescue Plan Act pursuant to Amendment 772 to assist, as a Sponsor, in the two day event that celebrates the HBCU experience through events, panels and service activities to be held in Birmingham, Alabama on March 17 - 18, 2023. [**Funding Source: 039\_000.534-040 G&A Marketing and Promotion**] (Submitted by the City Attorney) (Recommended by the Mayor and the Director of the Department of Innovative and Economic Opportunity)

**CONSENT****ITEM 29.**

A Resolution authorizing the Mayor to execute an Agreement with the **National Collegiate Athletic Association (NCAA)**, under which the Birmingham CrossPlex shall host the 2023 and 2026 Division III Men and Women Indoor Track and Field Championship March 10 - 11, 2023 and March 13 – 14, 2026, and the City shall expend funds in an amount not to exceed \$112,000.00 for the Championships in their respective years (2023 and 2026), and the NCAA shall reimburse the City the same within sixty (60) days of the Events. (Submitted by the City Attorney) (Recommended by the Mayor and the Budget and Finance Committee)

**CONSENT****ITEM 30.**

A Resolution authorizing the Mayor to execute any and all documents required for the City to complete and submit a grant application for **U.S. Department of Transportation National Infrastructure Investments (i.e., the Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Grant Program)** under the Infrastructure Investment and Jobs Act (“Bipartisan Infrastructure Law”), Amendment No. 2 for up to \$30,000,000.00 in funding to support an urban trail, Complete Street, and improved transit corridor with commitment of \$4,000,000.00 in matching funds from the City. (Submitted by the City Attorney) (Recommended by the Mayor, the Budget and Finance Committee and the Finance Department-Grants Division)

**CONSENT**

**ITEM 31.**

A Resolution approving and authorizing the Mayor to execute for and as the act of said City, an Amended and Restated License Agreement between the City of Birmingham, **the Birmingham Park and Recreation Board and the USFL League, LLC**, to amend and restate the License Agreement dated January 21, 2022 (the “Original Agreement”) as authorized by the Birmingham City Council on January 11, 2022 by Resolution No. 64-22. The City will provide in-kind services to the USFL in the amount up to, but not to exceed \$500,000.00 to assist with its use of the Legion Field Stadium, its personnel, police, fire & rescue for the purpose of a practice facility in support of two USFL teams in the City in 2023. (Submitted by the City Attorney) (Recommended by the Mayor) \*\*

**CONSENT**

**ITEM 32.**

A Resolution authorizing the Mayor to execute and deliver various agreements with various vendors for the education and training of the City’s Neighborhood Association Advisory board members, in an aggregate total not to exceed \$5,000.00 to provide the following goods and services for the benefit of the Neighborhood Association Advisory Boards: The City will contract for service providers to assist with Neighborhood Association Advisory Board Training Events and promote them in substantial form under which the City of Birmingham will host these events from July 2022 through June 30, 2023. This allocation is exclusively for the purposes stated. Said funds shall be paid from Professional Fees Election Expense Funds. **[Funding Source: Professional Fees Election Expense 001\_013\_03780.527.025]** (Submitted by the City Attorney) (Recommended by the Mayor and the Budget and Finance Committee) \*\*

**CONSENT**

**ITEM 33.**

A Resolution authorizing the Mayor to expend funds for the purchase of chairs for the Ensley Recreation Center in an amount not to exceed \$1,500.00, said funds to come from the Ensley Neighborhood Association funds. **[G/L Account: 031\_200\_12080\_12081\_15198.540.001]**. (Submitted by the City Attorney) (Recommended by the Mayor and the Budget and Finance Committee)

CONSENT

**ITEM 34.**

A Resolution authorizing the Mayor to expend funds in an amount not to exceed \$1,200.00 for the allocation of funding to **the Birmingham Board of Education** for the purchase of books, certificates and gift bags for students participating in the “Super Reader Program” at Sun Valley Elementary School, said funds to come from the Echo Highlands Neighborhood Association. [G/L Account: **031\_200\_12070\_12073\_15198.540.001**]. (Submitted by the City Attorney) (Recommended by the Mayor and the Budget and Finance Committee)

CONSENT

**ITEM 35.**

A Resolution authorizing the Mayor to expend funds in an amount not to exceed \$502,000.00 for the registration of up to 198 Neighborhood Association officers and volunteers of the City of Birmingham’s Neighborhood Associations, not to exceed two (2) per Neighborhood Association, and three (3) CRR’s as employees of the City, to attend the **2023 Neighborhoods USA (NUSA) Conference** in El Paso, Texas, May 24, 2023 to May 27, 2023. The event will serve to educate and train the Neighborhood Association officers and CRR’s on a vision of communities and provide information that will benefit those seeking resources for community and economic development within the City. Said funding to come from the respective Neighborhood Associations for an amount not to exceed \$5,000.00 per Neighborhood Association. (Submitted by the City Attorney) (Recommended by the Mayor and the Budget and Finance Committee)\*\*

CONSENT

**ITEM 36.**

A Resolution authorizing the Mayor to extend an agreement with **Blue Cross and Blue Shield of Alabama** for Medical Benefits Administrative Services for a term of one (1) year commencing on July 1, 2023 and ending June 30, 2024 and authorizing the Mayor to execute any necessary documents on behalf of the City. [Appropriated for FY 2023/2024, G/L Accounts: **401\_000.535-001(Actives Group #65215) and 401\_000.535-901 (Retirees Group #75861)**] (Submitted by the Mayor) (Recommended by the Chief Human Resources Officer)

**CONSENT**

**ITEM 37.**

A Resolution authorizing the Mayor to extend an agreement with **EyeMed** for Active Employee Paid Vision Insurance for a term of two (2) years commencing on July 1, 2023 and ending June 30, 2025 and authorizing the Mayor to execute any necessary documents on behalf of the City. **[Appropriated for FY 2023/2025, G/L Account: 001\_215-103]** (Submitted by the Mayor) (Recommended by the Chief Human Resources Officer)

**CONSENT**

**ITEM 38.**

A Resolution authorizing the Mayor to extend an agreement with **Behavioral Health Systems (BHS)** for Mental Health, Substance Use and Employee Assistance Program (EAP) Benefits Administrative Services for a term of two (2) years commencing on July 1, 2023 and ending June 30, 2025 and authorizing the Mayor to execute any necessary documents on behalf of the City. **[Appropriated for FY 2023/2025, G/L Account: 401\_000.535-001]** (Submitted by the Mayor) (Recommended by the Chief Human Resources Officer)

**CONSENT**

**ITEM 39.**

A Resolution determining that the building or structure located at 108 – 85<sup>th</sup> Street North, Birmingham, to be unsafe, a public nuisance, and directing that it be demolished. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

**CONSENT**

**ITEM 40.**

A Resolution determining that the building or structure located at 1705 Bessemer Road, Birmingham, to be unsafe, a public nuisance, and directing that it be demolished. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

**CONSENT**

**ITEM 41.**

A Resolution determining that the building or structure located at 2720 Lee Avenue, Birmingham, to be unsafe, a public nuisance, and directing that it be demolished. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

**CONSENT**

**ITEM 42.**

A Resolution determining that the building or structure located at 1622 – 31<sup>st</sup> Street North, Birmingham, to be unsafe, a public nuisance, and directing that it be demolished. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

**CONSENT**

**ITEM 43.**

A Resolution determining that the building or structure located at 2829 – 41<sup>st</sup> Court North, Birmingham, to be unsafe, a public nuisance, and directing that it be demolished. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

**CONSENT**

**ITEM 44.**

A Resolution determining that the building or structure located at 207 Killough Drive, Birmingham, to be unsafe, a public nuisance, and directing that it be demolished. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

**CONSENT**

**ITEM 45.**

A Resolution determining that the building or structure located at 1140 – 44<sup>th</sup> Place North, Birmingham, to be unsafe, a public nuisance, and directing that it be demolished. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

**CONSENT**

**ITEM 46.**

A Resolution determining that the building or structure located at 4345 Greenwood Street, Birmingham, to be unsafe, a public nuisance, and directing that it be demolished. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

**CONSENT**

**ITEM 47.**

A Resolution determining that the building or structure located at 5021 – 1<sup>st</sup> Avenue North Rear, Birmingham, to be unsafe, a public nuisance, and directing that it be demolished. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

**CONSENT**

**ITEM 48.**

A Resolution determining that the building or structure located at 5757 Martin Luther Avenue Roosevelt City, Birmingham, to be unsafe, a public nuisance, and directing that it be demolished. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

**CONSENT**

**ITEM 49.**

A Resolution determining that the building or structure located at 4512 – 11<sup>th</sup> Avenue North Main, Birmingham, to be unsafe, a public nuisance, and directing that it be demolished. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

**CONSENT**

**ITEM 50.**

A Resolution determining that the building or structure located at 1401 – 16<sup>th</sup> Street S.W., Birmingham, to be unsafe, a public nuisance, and directing that it be demolished. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

**CONSENT**

**ITEM 51.**

A Resolution determining that the building or structure located at 1411 – 30<sup>th</sup> Street North, Birmingham, to be unsafe, a public nuisance, and directing that it be demolished. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

**CONSENT**

**ITEM 52.**

A Resolution determining that the building or structure located at 2428 – 39<sup>th</sup> Avenue North, Birmingham, to be unsafe, a public nuisance, and directing that it be demolished. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

**CONSENT**

**ITEM 53.**

A Resolution determining that the building or structure located at 425 - 34<sup>th</sup> Avenue West, Birmingham, to be unsafe, a public nuisance, and directing that it be demolished. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

**CONSENT**

**ITEM 54.**

A Resolution determining that the building or structure located at 6924 Division Avenue, Birmingham, to be unsafe, a public nuisance, and directing that it be demolished. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

**CONSENT**

**ITEM 55.**

A Resolution determining that the building or structure located at 2204 – 33<sup>rd</sup> Avenue North aka 2200 – 33<sup>rd</sup> Avenue North, Birmingham, to be unsafe, a public nuisance, and directing that it be demolished. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

**CONSENT**

**ITEM 56.**

A Resolution determining that the building or structure located at 242 – 54<sup>th</sup> Street North aka 244 – 54<sup>th</sup> Street North, Birmingham, to be unsafe, a public nuisance, and directing that it be demolished. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

**CONSENT**

**ITEM 57.**

A Resolution determining that the building or structure located at 1946 Warrior Road Rear aka 1946 Warrior Road, Birmingham, to be unsafe, a public nuisance, and directing that it be demolished. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

**CONSENT**

**ITEM 58.**

A Resolution determining that the building or structure located at 213 – 2<sup>nd</sup> Court North aka 215 – 2<sup>nd</sup> Court North, Birmingham, to be unsafe, a public nuisance, and directing that it be demolished. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

**CONSENT**

**ITEM 59.**

A Resolution determining that the building or structure located at 233 – 2<sup>nd</sup> Street Thomas, Birmingham, to be unsafe, a public nuisance, and directing that it be demolished. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

**CONSENT**

**ITEM 60.**

A Resolution determining that the building or structure located at 1524 – 18<sup>th</sup> Street North, Birmingham, to be unsafe, a public nuisance, and directing that it be demolished. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

**CONSENT**

**ITEM 61.**

A Resolution determining that the building or structure located at 209 – 67<sup>th</sup> Place North, Birmingham, to be unsafe, a public nuisance, and directing that it be demolished. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

**CONSENT**

**ITEM 62.**

A Resolution determining that the building or structure located at 2404 Avenue Y, Birmingham, to be unsafe, a public nuisance, and directing that it be demolished. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

**CONSENT**

**ITEM 63.**

A Resolution fixing a special assessment in the amount of \$94,712.00 against the property located at 3928 – 7<sup>th</sup> Avenue Wylam aka 609 Erie Street, Fairfield 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 64.**

A Resolution fixing a special assessment in the amount of \$8,422.26 against the property located at 2313 – 24<sup>th</sup> 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 65.**

A Resolution fixing a special assessment in the amount of \$7,450.40 against the property located at 240 – 54<sup>th</sup> Street 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 66.**

A Resolution fixing a special assessment in the amount of \$11,484.00 against the property located at 8134 – 4<sup>th</sup> Avenue South, 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 67.**

A Resolution fixing a special assessment in the amount of \$7,978.00 against the property located at 415 Avenue T, Pratt 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 68.**

A Resolution fixing a special assessment in the amount of \$4,882.72 against the property located at 4521 – 5<sup>th</sup> Avenue Wylam, 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 69.**

A Resolution fixing a special assessment in the amount of \$6,733.60 against the property located at 913 Avenue E, 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 70.**

A Resolution fixing a special assessment in the amount of \$3,704.84 against the property located at 2318 Rambow 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 71.**

A Resolution fixing a special assessment in the amount of \$4,526.40 against the property located at 896 Walnut Street, Building 1, 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 72.**

A Resolution fixing a special assessment in the amount of \$1,710.80 against the property located at 7609 – 4<sup>th</sup> Avenue South, 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 73.**

A Resolution fixing a special assessment in the amount of \$4,664.85 against the property located at 4504 – 9<sup>th</sup> Terrace 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 74.**

A Resolution fixing a special assessment in the amount of \$6,680.00 against the property located at 3909 – 27<sup>th</sup> Street 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 75.**

A Resolution fixing a special assessment in the amount of \$3,244.00 against the property located at 211 – 62<sup>nd</sup> Street South, 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 76.**

A Resolution fixing a special assessment in the amount of \$7,820.00 against the property located at 1800 Alameda 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 77.**

A Resolution fixing a special assessment in the amount of \$2,698.20 against the property located at 400 – 14<sup>th</sup> 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 78.**

A Resolution fixing a special assessment in the amount of \$3,089.04 against the property located at 1145 – 5<sup>th</sup> 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 79.**

A Resolution fixing a special assessment in the amount of \$6,080.00 against the property located at 116 – 68<sup>th</sup> Place North, 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 80.**

A Resolution accepting and approving the bid of **Jim Burke Automotive, Inc.**, Birmingham, for the purchase of passenger vehicles (Nissan Altima and Nissan Maxima), as needed at unit prices on file in the office of the Purchasing Agent, for a period one (1) year, for Equipment Management and various other Departments, this being the lowest priced, responsive, responsible bid submitted. [**Appropriated for in FY 2022 - 2023 Budget; G/L Account: 102\_000.600-010; Project: EM102CP 0C4006\_001**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Equipment Management) (Two Bids Submitted)

CONSENT**ITEM 81.**

A Resolution accepting and approving the bid of **Donohoo Chevrolet, LLC**, Fort Payne, Alabama, for the purchase of passenger vehicles (Chevrolet Tahoe and Tahoe Premier) with extended warranties, as needed at unit prices on file in the office of the Purchasing Agent, for a period one (1) year, for Equipment Management and various other Departments, this being the lowest priced, responsive, responsible bid submitted. [**Appropriated for in FY 2022 - 2023 Budget; G/L Account: 102\_000.600-010; Project: EM102CP 0C4006\_001**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Equipment Management) (Two Bids Submitted)

CONSENT**ITEM 82.**

A Resolution approving payment to **The Sherwin Williams Company**, Birmingham, for the purchase of a 4', type IA aluminum step ladder, in the amount of \$96.04, at the unit price on file in the office of the Purchasing Agent, for the Public Works Department, in accordance with Section 3-1-7 of the Birmingham City Code. [**Appropriated for in FY 2022 - 2023 Budget; G/L Account: 001\_049\_40200\_40229.511-002**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Public Works)

CONSENT**ITEM 83.**

A Resolution approving payment to **Strickland Paper Company, Inc.**, Birmingham, for the purchase of office furniture in the amount of \$1,267.06 at unit prices on file in the office of the Purchasing Agent, for the City Attorney Office, in accordance with National Cooperative Purchasing Alliance, Contract #11-18. [**Appropriated for in the FY 2022-2023 Budget; G/L Account: 001\_028\_01600.525-005**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the City Attorney)

CONSENT**ITEM 84.**

A Resolution approving payment to **Strickland Paper Company, Inc.**, Birmingham, for the purchase of office furniture in the amount of \$15,258.31 at unit prices on file in the office of the Purchasing Agent, for the Capital Projects Department, in accordance with National Cooperative Purchasing Alliance, Contract #11-18. [**Appropriated for in the FY 2022-2023 Budget; G/L Account: 001\_060\_99999.525-005**] (Submitted

by the Mayor) (Recommended by the Purchasing Agent and the Director of Capital Projects)

**CONSENT**

**ITEM 85.**

A Resolution authorizing the Chief Financial Officer to make three (3) refunds in the total amount of \$291,140.43. (Submitted by the Mayor) (Recommended by the Chief Financial Officer) \*\*

**CONSENT**

**ITEM 86.**

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

**CONSENT**

**ITEM 87.**

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

**ITEM 88.**

A Resolution finding that the following forty-nine (49) properties have noxious or dangerous weeds growing thereon declaring said properties to be a public nuisance and providing that notice shall be posted on each of said properties and notice sent by certified mail to the last person assessing these properties for state taxes and further providing for a public hearing **March 28, 2023** to hear and consider all objections or protests to proposed abatement of these nuisances by the City: (Submitted by the Mayor) (Recommended by the Public Improvements and Beautification Committee)

- 1 22-23-2-01-07.000-RR; 2909 22ND ST N, LOTS 11 THRU 13 BLK 207 NORTH BHAM,
- 2 22-23-2-02-01.000-RR; 2201 29TH AVE N, LOTS 5 THRU 16 BLK 227 NORTH BHAM,
- 3 22-23-2-10-09.000-RR; 2100 29TH AVE N, LOT 12 & W 1/2 OF LOT 11 BLK 208 NORTH BHAM,
- 4 22-23-2-11-03.000-RR; 2100 30TH AVE N, W 42 FT OF LOT 12 BLK 188 NORTH BHAM,
- 5 22-23-2-11-04.000-RR; 2102 30TH AVE N, E 8 FT OF LOT 12 & W 21 FT OF LOT 13 BLK 188 NORTH BHAM,

- 6 22-23-2-11-05.000-RR; 2104 30TH AVE N, E 29 FT OF LOT 13 IN BLK 188 NORTH BHAM,
- 7 22-27-4-02-04.000-RR; 236 14TH AVE N, P O B N E INTER OF 14TH AVE & N 2ND PL TH N 105S FT ALG PL TH E 50S FT TH S 105S FT TO 14TH AVE TH W 50S FT ALG AVE TO P O B BEING PT NE SE ¼,
- 8 22-27-4-03-17.000-RR; 232 14TH AVE N, LOT 19 MURRELLE LD CO ADD NO 1 ADD,
- 9 22-27-4-16-05.000-RR; 1341 3RD ST N, LOT 3 BLK 10 MAP OF NEW ZEALAND SEC 27 TWSP 17S R3W,
- 10 22-27-4-16-06.000-RR; 300 13TH CT N, W 70 FT LOTS 1 & 2 BLK 10 MAP OF NEW ZEALAND,
- 11 22-27-4-16-07.000-RR; 304 13TH CT N, E 45 FT OF W 115 FT LOTS 1 & 2 BLK 10 MAP OF NEW ZEALAND,
- 12 22-27-4-16-08.000-RR; 310 13TH CT N, E 45 FT OF W 160 FT OF LOTS 1 & 2 BLK 10 MAP OF NEW ZEALAND,
- 13 22-27-4-17-01.001-RR; 305 13TH CT N, COM TH SW COR LOT 7 BLK 7 NEW ZEALAND 71/93 TH E 50 FT TO POB TH CONT E 45 FT TH N 100 FT TH W 45 FT TH S 100 FT TO POB SECT 27 TWSP 17S RANGE 3W,
- 14 22-27-4-17-01.002-RR; 301 13TH CT N, N 75 FT OF TH W 50 FT OF LOTS 7 & 8 BLK 7 NEW ZEALAND PB 71 PG 93,
- 15 22-27-4-28-04.000-RR; 1253 3RD ST N, LOT 6 BLK 6 MAP OF NEW ZEALAND,
- 16 22-27-4-28-05.000-RR; 1249 3RD ST N, LOT 5 BLK 6 MAP OF NEW ZEALAND,
- 17 22-27-4-28-07.000-RR; 1241 3RD ST N, LOT 3 BLK 6 MAP OF NEW ZEALAND,
- 18 22-31-1-32-15.000-RR; 1241 AVENUE J, N 20 FT OF LOT 3 BLK 2-K MORO PARK,
- 19 22-31-4-01-07.000-RR; 1283 AVENUE M, LOTS 6 & 7 BLK 3 MORO PARK,
- 20 22-31-4-01-08.000-RR; 1289 AVENUE M, LOT 5 BLK 3 MORO PARK,
- 21 22-31-4-05-04.000-RR; 1323 AVENUE J, LOT 7 BLK 13-J JOHN CARRETTES,
- 22 22-31-4-05-05.000-RR; 1325 AVENUE J, LOT 8 BLK 13-J JOHN CARRETTES,
- 23 22-31-4-05-06.003-RR; 1329 AVENUE J, LOT C BLK 13-J NSI RESURVEY OF LOTS 9 & 10 BLK 13-J OF JOHN CORRETTE SUB PB 180 PG 33,
- 24 22-31-4-14-07.000-RR; 1417 AVENUE K, LOTS 9 & 10 BLK 14-K ENSLEY LAND COMPANY SECOND ADD TO ENSLEY,
- 25 22-31-4-17-02.000-RR; 1419 AVENUE H, LOTS 9+10 BLK 14-H ENSLEY,
- 26 22-31-4-17-03.000-RR; 1421 AVENUE H, LOTS 11 & 12 BLK 14-H ENSLEY PB 4 PG 3,

- 27 22-31-4-18-01.000-RR; 1422 AVENUE H, LOTS 13+14 BLK 14-G ENSLEY,
- 28 22-31-4-18-02.000-RR; 1416 AVENUE H, LOTS 15 & 16 BLK 14-G ENSLEY,
- 29 22-31-4-22-12.000-RR; 1502 AVENUE K, LOTS 23 & 24 BLK 15-J ENSLEY LAND  
COMPANYS 2ND ADD TO ENSLEY 4/37,
- 30 22-32-3-14-02.000-RR; 1609 AVENUE V, LOTS 29-30 BLK C TUXEDO PARK,
- 31 22-35-2-12-06.000-RR; 1024 5TH ST N, LOTS 13 & 14 T H MOLTON SUR,
- 32 22-35-2-13-04.000-RR; 1021 5TH PL N, LOT 6 & E 52 FT LOT 7 WILLIAMS 1ST  
ADD TO PROSPECT HTS,
- 33 22-35-2-13-05.000-RR; 1017 5TH PL N, LOT 5 WILLIAMS 1ST ADD TO  
PROSPECT HTS,
- 34 22-35-2-13-06.000-RR; 1013 5TH PL N, PART LOT 4 WILLIAMS 1ST ADD TO  
PROSPECT HEIGHTS & PART LOT 5 T T DAUGHDRILL DESC AS BEG AT NW  
COR LOT 4 WILLIAMS 1ST ADD TO PROSPECT HEIGHTS PB 17 PG 9 TH 90.8  
TO NE COR LOT 4 S 35 FT S W 90.8 FT N 35 FT S TO BEG,
- 35 22-35-2-13-07.000-RR; 1011 5TH PL N, PART LOT 4 WILLIAMS 1ST ADD TO  
PROSPECT HEIGHTS & PART LOT 5 T T DAUGHDRILL DESC AS COMM AT  
SE INTER 5TH PL N & I-59 TH S ALG 5TH PL 195 FT TO POB TH E 90.8 FT TH S  
43 FT TH NW 90.8 FT TH N 35 FT TO BEG,
- 36 22-35-2-13-08.000-RR; 1009 5TH PL N, PART LOTS 3 4 & 5 T T DAUGHDRILL &  
LOT 1 & N1/2 LOT 2 SECOND ADD TO PROSPECT HEIGHTS DESC AS COMM  
AT SE INT 5TH PL N & I 59 THENCE S ALONG 5TH PL N 230 FT S TO P O B  
THENCE SE 90.8 FT S 67.5 NW 45.8 FT W 35 FT N 72 FT S TO BEG,
- 37 23-14-1-18-09.000-RR; 7833 RUGBY CT, LOT 17 BLK 2 FIFES 1ST ADD TO EAST  
LAKE,
- 38 23-14-2-20-01.001-RR; 508 VANDERBILT ST, LOT 9-A RUGBY GARDENS  
RESUR OF LOTS 8 & 9 BLK 2 63/86,
- 39 23-15-2-24-15.000-RR; 572 68TH PL N, P O B W INTER 68TH PL N & I-59 TH S 55  
FT ALG 68TH PL N TH W 84 FT S TO I-59 TH NE 61 FT S ALG I-59 TH E 57 FT S  
TO P O B BEING PT LOT 29 BLK 2 WAHOUMA PARK,
- 40 23-15-3-07-04.000-RR; 6824 5TH CT N, LOT G OUTLAWS RESUR PT OF BLKS 2-  
3-4-6 LAKEWOOD PARK,
- 41 23-17-2-14-08.000-RR; 4229 40TH CT N, LOT 7 BLK 3 ROCKETS 1ST ADD TO  
INGLENOOK,
- 42 23-17-2-14-09.000-RR; 4223 40TH CT N, LOT 8 BLK 3 ROCKETT 1ST ADD TO  
INGLENOOK,
- 43 23-20-1-25-19.000-RR; 966 50TH ST N, LOT 20 BLK 4 G D STATON,
- 44 23-20-1-29-01.000-RR; 4601 9TH TER N, LOTS 1 THRU 13 BLK 10 BROWN &  
REED ADTN TO BROOKLYN,

- 45 23-20-2-03-53.000-RR; 1200 44TH PL N, LOT 23 KENMORE SUB,
- 46 23-20-3-02-11.000-RR; 901 44TH ST N, LOT 10 BLK 2 KINGSTON,
- 47 23-20-4-27-18.000-RR; 4721 2ND AVE N, LOT 9 BLK 17 WOODLAWN RLTY CO  
3RD ADD,
- 48 23-20-4-27-20.000-RR; 4715 2ND AVE N, LOT 7 BLK 17 WOODLAWN RLTY CO  
3RD ADD,
- 49 23-21-2-18-06.000-RR; 967 50TH ST N, LOT 39 HOLSTUNS ADD TO  
WOODLAWN,

## COMMUNICATION FROM THE CITY CLERK

### ITEM 89.

A notice from the City Attorney, pursuant to the provisions of §2-3-27(d) of the General Code of the City of Birmingham, as amended, giving notice of the Final Judgment rendered in favor of the Plaintiff in *King Fred Property Management & Construction, LLP v. City of Birmingham*, in the United States District Court for the Northern District of Alabama, Southern Division, Case No. 2:20-cv-01270-MHH, in the amount of \$186,528.56, which includes attorney fees and interest. It is the intent of the Office of the City Attorney to satisfy said judgment in full, with funds to come from Account Number 001-028-01600-534-013. \*\*

## OLD AND NEW BUSINESS

## PRESENTATIONS

## REQUEST FROM THE PUBLIC

## ADJOURNMENT