

**REGULAR MEETING OF THE COUNCIL
CITY OF BIRMINGHAM, ALABAMA
PRE-COUNCIL MEETING – 9:00 A.M.
BOUTWELL AUDITORIUM – 2ND FLOOR
1930 REVEREND ABRAHAM WOODS, JR. BLVD, 35203**

May 23, 2023 – 9:30 A.M.

WEBSITE ADDRESS: www.birminghamal.gov

INVOCATION: Lee Wendell Loder, Senior Pastor of Gifted City Church

PLEDGE OF ALLEGIANCE: Councilor Jonathan T. Moore

ROLL CALL

MINUTES NOT READY: February 21, 2023 – May 16, 2023

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

CONSENT(ph) ITEM 1.

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 22-12-3-08-07.000-RR; 3133 45TH AVE N, LOTS 18 & 19 BLK 7 LINCOLN HEIGHTS,
- 2 22-15-4-23-26.000-RR; 1400 35TH AVE N, LOTS 1 & 2 SMTH & KIRKLAND SUR,
- 3 22-24-3-40-03.000-RR; 1609 21ST PL N, E 92 FT OF LOTS 5 6 & 7 SUDDUTH RLTY CO RESUR BLK 666,
- 4 22-24-4-15-11.000-RR; 1518 31ST ST N, P O B 60S FT SE OF SW INTER 16TH AVE N & 31ST ST N TH SE 55.6 FT ALG 31ST ST N TH SW 119.5 FT TO ALLEY TH NW 50 FT TH NE 95.7 FT TO P O B BEING PT LOT 4 BLK 26 BHAM RLTY COS ADD NO 4,
- 5 22-25-2-28-05.000-RR; 1509 21ST PL N, N 45 FT LOT 15 & 16 SUDDUTH RLTY COS RESUR BLK 666 PLUS A STRIP 25 FT WIDE E OT & ADJ TO SD LOT 16,
- 6 22-26-1-03-14.000-RR; 1569 20TH ST N, LOT 31 BLK 9 DRUID HILLS SUDDUTH RLTY COS 6TH ADD TO BHAM,
- 7 22-26-1-04-14.000-RR; 1934 16TH AVE N, LOTS 10+11 BLK 6 1ST ADD TO DRUID HILLS,
- 8 22-26-1-04-16.000-RR; 1594 20TH ST N, LOT 2 BLK 14 1ST ADD TO DRUID HILLS,
- 9 22-26-1-07-09.000-RR; 1901 16TH AVE N, LOT 18 BLK 5 1ST ADD TO DRUID HILLS,
- 10 22-26-1-12-08.000-RR; 1603 18TH PL N, LOTS 1 & 2 BLK 7 HENRY & COPELAND SUR ALSO LOTS 41 & 42 BLK 7 NORTH HAVEN,
- 11 22-26-1-18-21.000-RR; 1832 19TH ST N, LOT 18 EXC W 60 FT & E 70 FT LOT 19 BLK 4 HENRY & COPELAND,
- 12 22-26-1-30-08.000-RR; 1809 14TH CT N, N 1/2 LOT 8 AND N 1/2 LOT 9 BLK 2 HENRY AND COPELAND SURVEY,
- 13 22-26-1-30-09.000-RR; 1801 14TH CT N, N 1/2 LOT 7 BLK 2 HENRY & COPELAND SUR,
- 14 22-26-3-14-17.000-RR; 334 14TH AVE N, POB 590 FT E OF NE INT OF 4TH PL N & 14TH AV N TH W 30 FT TH N 85 FT 130 S TH E 30 FT TH S 85 FT 130 S TO POB LYING IN NW,

- 15 22-26-3-14-18.000-RR; 336 14TH AVE N, BEG 249.9 FT S OF & 53 FT E OF INT S/L 14TH CT N & E/L 3RD PL SEC 26 TP 17 S R 3W TH SLY 118.7 FT TH ELY 63 FT TH NLY 119.1 FT TH WLY 57.5 FT TO POB SECT 26 TWSP 17S RANGE 3W,
- 16 22-26-3-14-26.000-RR; 368 14TH AVE N, LOT 1 ESTES HALE DEV CO INC,
- 17 22-26-3-19-06.000-RR; 1217 3RD PL N, LOT 20 R L WILLISTON TR SUB OF BLK 11 MCDANIEL SUR,
- 19 22-27-4-03-15.000-RR; 220 14TH AVE N, LOTS 21+22 MURRELLE LD CO ADD NO 1,
- 20 22-27-4-04-12.000-RR; 1316 2ND ST N, LOT 5 MURRELLE LAND COS ADD #1 IN E 1/2 OF SE 1/4 OF SEC 27 TP 17S R 3W,
- 21 22-27-4-18-03.000-RR; 1319 2ND PL N, W 1/2 OF LOT 6 BLK 8 MAP OF NEW ZEALAND,
- 22 22-27-4-18-09.000-RR; 1301 2ND PL N, W 1/2 LOT 1 BLK 8 MAP OF NEW ZEALAND,
- 23 22-27-4-29-03.000-RR; 1225 3RD ST N, LOT 7 BLK 3 MAP OF NEW ZEALAND,
- 24 22-31-1-41-08.000-RR; 1321 AVENUE H, LOTS 11 THRU 14 BLK 13-H ENSLEY LD COS 2ND ADD TO ENSLEY,
- 25 22-31-2-12-08.000-RR; 522 16TH ST, METES AND BOUNDS: SE 40 FT OF LOTS 13+14+15+16 BLK 15-E ENSLEY SEC 31 TWSP 17S R3W,
- 26 22-32-3-12-13.000-RR; 2508 17TH ST, METES AND BOUNDS: LOT 14 BLK 85 BHAM ENSLEY LAND AND IMP CO,
- 27 22-32-3-12-14.000-RR; 2512 17TH ST, METES AND BOUNDS: LOT 15 BLK 85 BHAM ENSLEY LAND AND IMP CO,
- 28 22-32-3-12-15.000-RR; 2516 17TH ST, METES AND BOUNDS: LOT 16 BLK 85 BHAM ENSLEY LAND AND IMP CO,
- 29 22-32-3-12-18.000-RR; 2528 17TH ST, BHAM-ENSLEY LAND AND IMP CO LOT 19 BLK 85 LYING NW OF INTERSTATE HWY 59,
- 30 22-32-3-12-19.000-RR; 2532 17TH ST, BHAM-ENSLEY LAND AND IMP CO LOT 20 BLK 85 LYING NW OF INTERSTATE HWY 59,
- 31 22-32-3-12-20.000-RR; 2536 17TH ST, BHAM ENSLEY LAND AND IMP CO LOTS 21 & 22 BLK 85 LYING NW OF INTERSTATE HWY 59,
- 32 22-32-3-13-23.000-RR; 2336 17TH ST, LOT 21 BLK 86 BHAM-ENSLEY LAND AND IMP CO,
- 33 22-32-3-13-24.000-RR; 2340 17TH ST, LOT 22 BLK 86 BHAM ENSLEY,
- 34 22-32-3-20-09.000-RR; 2309 17TH ST, LOT 9 BLK 83 BHAM-ENSLEY LAND AND IMP CO,

- 35 22-32-3-20-17.000-RR; 2308 18TH ST, LOT 14 BLK 83 BHAM ENSLEY LAND AND IMP CO,
- 36 22-32-3-20-18.000-RR; 2312 18TH ST, LOT 15 BLK 83 BHAM ENSLEY LAND AND IMP CO,
- 37 22-32-3-20-22.000-RR; 2326 18TH ST, METES AND BOUNDS: LOT 19 BLK 83 BHAM-ENSLEY LAND AND IMP CO,
- 38 22-32-3-20-23.000-RR; 2330 18TH ST W, METES AND BOUNDS: FRAC LOT 20 BLK 83 BHAM-ENSLEY LAND AND IMP CO BEING NW OF INTERSTATE 59,
- 39 22-32-3-20-24.000-RR; 2334 18TH ST, METES AND BOUNDS: LOT 21 BLK 83 BHAM-ENSLEY LAND AND IMP CO BEING ALL THAT PT LYING NW OF INTERSTATE HWY 59,
- 40 22-32-3-20-25.000-RR; 2338 18TH ST, LOT 22 & 23 BLK 83 BHAM-ENSLEY LAND AND IMP CO LYING NW OF INTERSTATE 59,
- 41 22-32-3-22-01.000-RR; 2313 18TH ST, LOTS 6 THRU 9 BLK 82 BHAM ENSLEY LAND & IMP CO BEING THAT PT OF LOTS LYING NW OF INTERSTATE 59,
- 42 22-32-4-08-01.000-RR; 2601 16TH ST, P O B SE INTER 16TH ST & AVE Z TH E 50 FT S ALG 16TH ST TO I 59 TH SW 67 FT S ALG I59 TO W LINE SE 1/4 SEC 32 T17S R3W TH N 30 FT S ALG W LINE SE 1/4 T O P O B BEING PART LOT 1 BLK A SHADY SIDE,
- 43 22-33-1-13-13.000-RR; 882 7TH PL W, LOT 7 BLK 3 SUR OF UNIVERSITY HTS,
- 46 22-34-1-20-08.000-RR; 16 9TH COURT ALY N, S 90 100S FT OF W 40 FT OF LOT 3 & S 90 100S FT OF E 40 FT OF LOT 4 BLK 32 SMITHFIELD SMITHFIELD (NORTH),
- 48 22-34-2-05-30.000-RR; 550 10TH CT W, LOT 13 BLK 8 COLLEGE HILLS,
- 50 22-34-2-18-10.000-RR; 875 7TH PL W, LOT 20 BLK 2 MAP OF UNIVERSITY HEIGHTS,
- 51 22-34-2-20-19.000-RR; 874 5TH PL W, METES AND BOUNDS: LOT 7 BLK 4 COLLEGE HILLS,
- 52 22-34-3-06-03.000-RR; 841 6TH ST W, METES AND BOUNDS: LOT 3 BLK 3 R N GREEN S ADD TO OWENTON,
- 53 22-34-3-10-21.000-RR; 830 6TH ST W, LOT 9 & N 1/2 LOT 10 BLK 2 R N GREENS ADD TO OWENTON,
- 54 23-08-3-14-05.000-RR; 4229 46TH AVE N, LOT 5 BLK 7 BOYLES HGLDS,
- 55 23-08-3-14-06.000-RR; 4225 46TH AVE N, LOT 6 BLK 7 BOYLES HGLDS,
- 56 23-08-3-14-07.000-RR; 4215 46TH AVE N, LOT 8 & 9 BLK 7 BOYLES HGLDS PB 7 PG 107,
- 57 23-08-3-14-07.001-RR; 4221 46TH AVE N, LOT 7 BLK 7 BOYLES HGLDS PB 7 PG 107,

- 60 23-15-3-06-05.000-RR; 301 68TH PL N, LOTS 1 & 6 BLK 5 LAKEWOOD PARK,
- 61 23-15-3-09-16.000-RR; 300 68TH PL N, LOTS 27 & 28 BLK 4 LAKEWOOD PARK,
- 62 23-15-3-10-01.000-RR; 233 68TH PL N, LOT 17 C D EBERSOLE TRUSTEES SUB OF BLK 11G EAST WOODLAWN,
- 63 23-15-3-10-03.000-RR; 225 68TH PL N, LOT 15 EBERSOLE SUB BLK 11G EAST WOODLAWN,
- 64 23-15-3-10-06.000-RR; 213 68TH PL N, LOT 12 C D EBERSOLE SUB OF BLK 11G EAST WOODLAWN,
- 65 23-15-3-11-20.000-RR; 116 68TH PL N, LOT 31 EBERSOLE SUB BLK 11-G,
- 66 23-15-3-11-27.000-RR; 208 68TH PL N, LOT 24 BLK 11-G C D EBERSOLE EBERSOLE RESUB OF BLK 11-G,
- 67 23-15-3-11-31.000-RR; 224 68TH PL N, LOT 20 BLK 11-G C D EBERSOLE OF EAST WOODLAWN,
- 68 23-15-3-19-01.000-RR; 232 67TH PL N, LOT 21 FULLERS SUB OF BLK 12-G,
- 69 23-15-3-28-11.000-RR; 125 66TH PL N, LOT 8 BLK 13-G FRAZIER & EBERSOLE,
- 70 23-15-3-28-12.001-RR; 123 66TH PL N, LOT 7 BLK 13-G FRAZIER & EBERSOLE 5/8,
- 71 23-20-1-27-20.000-RR; 952 48TH ST N, P O B 297 S FT S OF THE S W INTER OF 9TH TERR N & 48TH ST N TH S 98 FT ALG ST TH W 177.3 FT D 170 FT S TH N 98 FT TH E 177.3 FT D 170 S TO P O B LYING IN S E 1/4 OF N E 1/4 SEC 20 T 17 S R 2 W,
- 72 23-20-1-29-07.000-RR; 4517 9TH TER N, LOT 5 BLK 6 BROWNS & REEDS ADTN TO BROOKLYN,
- 74 23-20-4-01-10.000-RR; 913 48TH ST N, P O B 190 FT S N OF THE N E INTER OF AIRPORT HWY & 48TH ST N TH N 50 FT S ALG ST TH E 150 FT S TH S 50 FT S TH W 150 FT BEING PT OF LOTS 11 & 12 PHILLIPS ADD TO BHAM SEC 20 T17S R2W,
- 76 23-20-4-28-12.000-RR; 223 47TH PL N, N 40 FT LOT 24 BLK 15 WOODLAWN RLTY CO 3RD ADD,
- 77 23-21-2-14-20.000-RR; 971 52ND PL N, LOT 11 F O SHERRODS ADTN TO WOODLAWN,
- 79 23-21-2-15-04.000-RR; 972 52ND PL N, LOT 9 BLK 2 ROSSER & SPEAKER,
- 80 23-21-2-15-05.000-RR; 970 52ND PL N, LOT 8 BLK 2 ROSSER & SPEAKER ADD TO WOODLAWN,
- 81 23-21-2-15-15.000-RR; 974 52ND PL N, E 100.1 FT LOT 10 BLK 2 ROSSER & SPEAKER,

- 82 23-21-2-16-03-001-RR; 5100 GEORGIA RD, LOT 3 HOLSTUNS ADD TO WOODLAWN 6/104 SEC 21 T17S R2W,
- 83 23-21-2-16-06.000-RR; 5120 GEORGIA RD, LOT 1 BLK 1 RESURVEY OF BLKS 1 & 2 ROSSER ADD TO WOODLAWN,
- 84 23-21-3-04-04.000-RR; 929 52ND PL N, LOT 26 E S GILLETTE LESS PT FOR ALLEY,
- 85 23-21-3-04-05.000-RR; 925 52ND PL N, LOT 27 E S GILLETTE LESS PT FOR ALLEY,
- 88 23-21-3-06-06.000-RR; 5101 GEORGIA RD, LOT 3 LINDSAY ADD TO WOODLAWN WOODLAWN,
- 90 23-21-3-11-17.000-RR; 5112 2ND AVE N, E 4 FT S OF LOT 5 & THAT PT OF LOT 6 WEST OF ALLEY MONTGOMERY & PARKS SURVEY,
- 91 23-21-3-11-18.000-RR; 5120 2ND AVE N, THAT PT OF LOT 6 EAST OF ALLEY AND LOT 7 BLK D MONTGOMERY & PARKS SURVEY,
- 92 23-21-3-11-19.000-RR; 200 52ND ST N, LOT 12 BLK 9 MRS MATTIE D FALLS,
- 93 23-21-3-11-26.000-RR; 236 52ND ST N, LOT 3 BLK 9 MRS MATTIE D FALLS 9,
- 94 23-22-3-20-15.000-RR; 528 ATHENS CT, LOT 30 NEW CALEDONIA RESUR 42/34,
- 95 23-28-2-20-09.000-RR; 4906 3RD AVE S, E 14 FT S LOT 12 & W 29 FT S LOT 13 BLK 24 EAST AVONDALE,
- 96 23-28-2-34-04.003-RR; 4703 4TH AVE S, LOT 9-A EAST AVONDALE RESUR OF LOTS 9 & 10 BLK 36 EAST AVONDALE 47/78,
- 97 23-28-2-35-09.000-RR; 4716 4TH AVE S, WEST 1/2 OF LOT 14 BLK 29 EAST AVONDALE,
- 99 23-28-2-35-12.000-RR; 4726 4TH AVE S, LOT 16 BLK 29 EAST AVONDALE,
- 100 23-29-1-06-02.000-RR; 4729 2ND AVE S, LOT 2 BLOCK 22 EAST AVONDALE,
- 101 23-29-1-06-03.001-RR; 4727 2ND AVE S, BEING E 25 FT OF LOT 3 BLK 22 EAST AVONDALE,
- 104 23-29-1-07-05.000-RR; 4701 3RD AVE S, LOT 9 BLK 29 EAST AVONDALE,
- 105 23-29-1-07-06.000-RR; 4700 4TH AVE S, LOTS 10 & 11 BLK 29 EAST AVONDALE,
- 106 29-04-3-19-20.000-RR; 1600 ALABAMA AVE SW, METES AND BOUNDS: S 140 FT OF LOT 24 BLK 44 WEST END LAND & IMP CO,
- 107 29-04-4-12-03.000-RR; 1136 WOODLAND AVE SW, LOT 14 BLK 38 WEST END LAND & IMPROVEMENT CO,

- 108 29-05-1-20-06.000-RR; 2837 BESSEMER RD, POB 281 FT SW OF AND 10 FT SE OF S INTER OF BESSEMER RD AND FAYETTE AVE TH SW 155.4 FT TH SE 174.9 FT TH SW 52.4 FT TH SE 163.5 FT TH N 184 FT TH SW 19.1 FT TH NW 170 FT TO POB SECT 5 TWSP 18S RANGE 3W,
- 109 29-05-1-20-08.000-RR; 2829 BESSEMER RD, P O B 436.4 FT SW OF & 10 FT S SE OF S INTER OF BESS RD & FAYETTE AVE TH SW 53 FT ALG BESS RD TO ALLEY TH S 138.1 FT ALG ALLEY TH E 107.2 FT TH NE 73.6 FT TH NW 174.9 FT TO POB LYING IN NE 1/4 SEC 5 TP18 R3W SECT 05 TWSP 18S RANGE 3W,
- 110 29-05-3-03-05.000-RR; 2316 30TH ST W, LOT 4 BLK 5 A L MCWILLIAMS SUR OF FAIRVIEW SUB,
- 111 29-06-2-12-07.000-RR; 714 25TH ST, METES AND BOUNDS: NW 50 FT LOT 7 BLK 24-G ENSLEY 1ST ADD,
- 112 29-06-4-25-06.000-RR; 4217 TERRACE S, LOT 21 BLK 1 CENTRAL PARK HGLDS,
- 113 29-07-1-10-06.000-RR; 4615 AVENUE S, LOT 7 BLK 22 CENTRAL PARK,
- 114 29-07-1-10-07.000-RR; 4617 AVENUE S, LOT 8 BLK 22 CENTRAL PARK,
- 118 29-08-1-25-10.000-RR; 1837 PRINCETON CT SW, LOT 3 BLK 3 OAKWOOD PLACE,
- 119 29-08-2-19-20.000-RR; 4824 AVENUE S, LOT 18 BLK 29 CENTRAL PARK LAND COMPANYS SECOND SURVEY,
- 120 29-08-2-19-21.000-RR; 4820 AVENUE S, LOT 19 BLK 29 CENTRAL PARK LAND COMPANYS SECOND SURVEY,
- 122 29-08-2-20-03.000-RR; 4807 AVENUE S, LOT 2 BLK 20 CENTRAL PARK,
- 123 29-08-2-20-04.000-RR; 4809 AVENUE S, LOT 3 BLK 20 CENTRAL PARK,
- 124 29-08-2-20-06.002-RR; 4817 AVENUE S, LOT 5 BLK 20 CENTRAL PARK PB 6 PB 42,
- 125 29-08-4-01-01.005-RR; 609 19TH ST SW, LOT 5-A OF A RESUR OF LOTS 1-13 MOESER & GARVIN SUB 137/63,
- 126 29-08-4-21-11.000-RR; 1836 STEINER AVE SW, METES AND BOUNDS: LOTS 12 THRU 14 BLK 3 EUREKA,
- 127 29-08-4-25-05.000-RR; 740 18TH PL SW, METES AND BOUNDS: LOTS 8 & 9 BLK 7 EUREKA,
- 128 29-08-4-29-03.000-RR; 803 19TH ST SW, METES AND BOUNDS: LOT 3 BLK 11 EUREKA,
- 129 29-08-4-35-03.000-RR; 905 19TH PL SW, LOTS 3 & 4 BLK 15 EUREKA,
- 130 29-08-4-35-05.000-RR; 911 19TH PL SW, LOTS 6 & 7 BLK 15 EUREKA,
- 131 29-08-4-35-06.000-RR; 913 19TH PL SW, LOT 8 BLK 15 EUREKA,

- 132 29-09-2-04-08.000-RR; 413 16TH PL SW, LOT 5 BLK 6 WEST END PLACE,
- 133 29-09-2-04-09.000-RR; 417 16TH PL SW, LOT 4 BLK 6 WEST END PLACE,
- 134 29-09-2-08-33.000-RR; 1648 FULTON AVE, LOTS 1+2+3 BLK 5 WEST END PLACE,

INTRODUCTION AND FIRST READING OF ORDINANCES AND RESOLUTIONS

CONSENT

ITEM 2.

An Ordinance “TO FURTHER AMEND THE GENERAL FUND BUDGET” for the fiscal year ending June 30, 2023, by transferring \$253,000.00 from Police, Capital Outlay Other Equipment and appropriating \$253,000.00 to Non-Departmental, Transfer to Fund 105 and “TO FURTHER AMEND THE CAPITAL FUND” for the fiscal year ending June 30, 2023, by appropriating \$253,000.00 to POL105CP 003321 Police Jail Renovations. (Submitted by the Mayor) (Recommended by the Mayor and the Budget and Finance Committee)**

CONSENT

ITEM 3.

An Ordinance “TO FURTHER AMEND THE GRANTS FUND BUDGET” for the fiscal year ending June 30, 2023, by appropriating \$298,686.00 to the Mayor’s Office for Create a Food Sovereign Birmingham per grant award received. (Submitted by the Mayor) (Recommended by the Mayor and the Budget and Finance Committee)**

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ITEM 4.

An Ordinance to repeal Title 4, “Municipal Services”, Chapter 3, “solid Waste Collection and Disposal”, of the General Code of the City of Birmingham and replace it with a new Title 4, “Municipal Services”, Chapter 3, “Solid Waste Collection and Disposal”, to provide for changes in the City’s solid waste collection services; provide and clarify requirements for disposal of waste from construction and commercial landscaping and tree services; update and clarify requirements for use of special garbage and rubbish containers at multi-family and commercial properties; provide for administration of the chapter; provide for punishment for violations; and restructure the chapter for clarity. [**First Reading**] (Submitted by the City Attorney) (Recommended by the Mayor and the Committee of the Whole) **

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ITEM 5.

An Ordinance authorizing the Mayor to execute deeds and any other documents necessary to transfer certain real properties to the **Birmingham-Jefferson County Transit Authority (BJCTA)** pursuant to the Bus Rapid Transit Comprehensive Implementation Agreement between the City and the BCJTA dated February 12, 2018, concerning funding, construction, and operation of the bus rapid transit project (BRT), which properties are to be used as the east and west terminus stations for the BRT line, and to execute a parking easement over a portion of the adjoining City property for additional parking for the west terminus station. **[First Reading]** (Submitted by the City Attorney) (Recommended by the Director of Capital Projects) **

CONSENT

ITEM 6.

A Resolution authorizing the Mayor to execute for and as the act of said City, an agreement for and on behalf of the City with the **Nadyne G. Foundation** to host a spring break film camp for grades 8-12 for Birmingham City School students during which the students will be introduced to the many facets of the filmmaking industry including learning skills in editing, acting, production and more for a term not to exceed June 30, 2023, for an amount not to exceed \$3,000.00. **[Funding Source: Councilor Williams/\$1,000.00 – 001_000_04220.542-001, Councilor O’Quinn/\$1,000.00 – 001_000_04250.542-001 and Councilor Alexander/\$1,000.00 – 001_000_04270.542-001]** (Submitted by the City Attorney) (Recommended by the Mayor, the Budget and Finance Committee)

CONSENT

ITEM 7.

A Resolution authorizing the Mayor to execute and deliver an agreement with **Urban Impact, Inc.**, in an amount not to exceed the sum of \$10,000.00 to provide services for the City of Birmingham by promoting and protecting the cultural heritage and historical assets of the greater 4th Avenue Historic Black Business District through business education, music appreciation events and community education events to be held on various dates and will be open to the public. **[Funding Source: District #8 – 001_010_04200.527-014]** (Submitted by the City Attorney) (Recommended by the Mayor, the Budget and Finance Committee)

CONSENT

ITEM 8.

A Resolution for the Notice of an election for Member No. 3, Member No. 5, Member No. 6, Member No. 7, Member No. 8, and Member No. 9 of the Board of Managers of **the Retirement and Relief System of the City of Birmingham** to be held on August 29, 30, and 31, 2023; and that Resolution No. 222-70, as amended heretofore be and is hereby amended to provide for the election of Member No. 3, Member No. 5, Member No. 6, Member No. 7, Member No. 8, and Member No. 9: Section 1, 2 and 3 of said Resolution No. 222-70 shall remain and be operative for this special election. (Submitted by the City Attorney) (Recommended by the Mayor)**

CONSENT

ITEM 9.

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 **Julie M. Gurman, LLC c/o Uniti Fiber** and authorizing the Mayor to execute all documents necessary to accomplish the settlement of the lawsuit in an amount not to exceed \$26,338.83. [**G/L Account: 001-028-01600-534-013**] (Submitted by the City Attorney) (Recommended by the Mayor)

CONSENT

ITEM 10.

A Resolution determining that the **Safe Haven Program** event to be held from April 2023 through June 2023, at MLK Recreation Center, Central Park Recreation Center and Ensley Recreation Center, serves a public purpose that promotes goodwill and services a public interest, and authorizing the empowering the Mayor to expend funds to pay for goods and services for this event related to City costs in an amount not exceed \$9,000.00, in accordance with Section 3-1-7 of the General Code of the City of Birmingham. [**Funding Source: 001_083_96700_96786.523-006 - Supplies - Food Banquet**] (Submitted by the Mayor) (Recommended by the Mayor and the Budget and Finance Committee) **

CONSENT

ITEM 11.

A Resolution determining that the building or structure located at 1716 McMillon 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 12.

A Resolution determining that the building or structure located at 1598 Washington Street, Dolomite, 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 13.

A Resolution determining that the building or structure located at 7433 3rd Avenue South, 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 14.

A Resolution determining that the building or structure located at 309 25th Street, Ensley, 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 15.

A Resolution determining that the building or structure located at 2208 10th Way, Pratt 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 16.

A Resolution determining that the building or structure located at 1530 34th 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 17.

A Resolution determining that the building or structure located at 1021 15th Place SW, 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 18.

A Resolution determining that the building or structure located at 5908 Jesse Owens 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 19.

A Resolution determining that the building or structure located at 5311 Avenue Q, 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 20.

A Resolution determining that the building or structure located at 1601 Avenue C, 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 21.

A Resolution determining that the building or structure located at 941 47th Way 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 22.

A Resolution determining that the building or structure located at 7117 4th Avenue South, 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 23.

A Resolution determining that the building or structure located at 3105 Lee Court, 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 24.

A Resolution determining that the building or structure located at 1916 12th Place SW, 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 25.

A Resolution determining that the building or structure located at 3116 44th Terrace 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 26.

A Resolution determining that the building or structure located at 208 67th 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 27.

A Resolution determining that the building or structure located at 1121 Appalachee 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 28.

A Resolution determining that the building or structure located at 2317 35th 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 29.

A Resolution determining that the building or structure located at 1123 Appalachee 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 30.

A Resolution determining that the building or structure located at 8013 6th 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 31.

A Resolution determining that the building or structure located at 1013 Ethel Lane, 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 32.

A Resolution determining that the building or structure located at 1021 2nd 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 33.

A Resolution determining that the building or structure located at 4401 41st Way 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 34.

A Resolution determining that the building or structure located at 516 5th Way, Pratt 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 35.

A Resolution determining that the building or structure located at 496 37th Terrace 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 36.

A Resolution determining that the building or structure located at 7831 7th Avenue South, 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 37.

A Resolution determining that the building or structure located at 7831 7th Avenue South (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 38.

A Resolution fixing a special assessment in the amount of \$4,529.28 against the property located at 829 5th Street, 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 39.

A Resolution fixing a special assessment in the amount of \$4,199.28 against the property located at 804 McCary Street, 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 40.

A Resolution fixing a special assessment in the amount of \$8,327.00 against the property located at 430 9th Court 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 41.

A Resolution fixing a special assessment in the amount of \$4,803.36 against the property located at 4816 Terrace R, 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 42.**

A Resolution fixing a special assessment in the amount of \$3,869.71 against the property located at 3533 1st Street, Dolomite, 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 43.**

A Resolution accepting the lump sum bid of **Diversified Elevator Service and Equipment Company, Inc.**, Millbrook, Alabama, in the amount of \$416,840.00 per three (3) year term for Elevator Inspection, Testing and Preventive Maintenance Contract 2023-2025, this being the lowest responsible and responsive bid submitted, and authorizing the Mayor to enter into a contract with Diversified Elevator Service and Equipment Company, 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. [GL Accounts: **001_019_40200_40229.511-022** and **001_083_70025_70026_70027.527-050**] (Submitted by the Mayor) (Recommended by the Director of Capital Projects) (One Bid Submitted)

CONSENT**ITEM 44.**

A Resolution accepting and approving the bid of **Adapco, LLC**, Lake Mary, Florida, for pesticides, fertilizers and soil amendments – line items 20 and 27, as needed at unit prices on file in the Office of the Purchasing Agent, for a period of one (1) year, for the Public Works Department, this will begin the 2nd year of the current bid. [**Appropriated in FY 2022-2023 Budget, G/L Account: 001_049_41200_41201.517-002**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Public Works) (Eight Bids Submitted)

CONSENT**ITEM 45.**

A Resolution accepting and approving the bid of **Clarke Mosquito Control Products, Inc.**, St. Charles, Illinois, for pesticides, fertilizers and soil amendments – line items 18, 19 and 44, as needed at unit prices on file in the Office of the Purchasing Agent, for a period of one (1) year, for the Public Works Department, this will begin the 2nd year of the current bid. [**Appropriated in FY 2022-2023 Budget, G/L Account: 001_049_41200_41201.517-002**] (Submitted by the Mayor)

(Recommended by the Purchasing Agent and the Director of Public Works) (Eight Bids Submitted)

CONSENT

ITEM 46.

A Resolution accepting and approving the bid of **Humphries Farm Turf Supply**, Joppa, Alabama, for pesticides, fertilizers and soil amendments – line items 1, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 23, 24, 25, 26, 28, 29, 30, 31, 34, 35, 36, 41, 42, 43, 45, 46, 47, 49, 55, 64, 66, 69, 72, 74, 81, 84, 106, 122, 128, 132, 135, 136, 137, 144, 146, 149, 150, 151, 152, 153, 154, 156, 162, 165 and 166, as needed at unit prices on file in the Office of the Purchasing Agent, for a period of one (1) year, for the Public Works Department, this will begin the 2nd year of the current bid. [**Appropriated in FY 2022-2023 Budget, G/L Account: 001_049_41200_41201.517-002**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Public Works) (Eight Bids Submitted)

CONSENT

ITEM 47.

A Resolution accepting and approving the bid of **Marubeni America Corporation dba Helena Agri aka Helena Chemical Company**, Selma, Alabama, for pesticides, fertilizers and soil amendments – line items 58, 59, 60, 62, 76, 87, 91, 95, 97-99, 103-105, 107, 112, 116 and 168, as needed at unit prices on file in the Office of the Purchasing Agent, for a period of one (1) year, for the Public Works Department, this will begin the 2nd year of the current bid. [**Appropriated in FY 2022-2023 Budget, G/L Account: 001_049_41200_41201.517-002**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Public Works) (Eight Bids Submitted)

CONSENT

ITEM 48.

A Resolution accepting and approving the bid of **Red River Specialties, LLC**, Shreveport, Louisiana, for pesticides, fertilizers and soil amendments – line items 2, 5, 38, 39, 56, 61, 68, 73, 75, 80, 86, 88-90, 93, 94, 102, 110, 113-115 and 117-121, as needed at unit prices on file in the Office of the Purchasing Agent, for a period of one (1) year, for the Public Works Department, this will begin the 2nd year of the current bid. [**Appropriated in FY 2022-2023 Budget, G/L Account: 001_049_41200_41201.517-002**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Public Works) (Eight Bids Submitted)

CONSENT**ITEM 49.**

A Resolution approving payment to **Advance Stores Company, Inc.**, Roanoke, Virginia, in the amount of \$100,000.00 for miscellaneous automotive parts, for the Equipment Management Department, in accordance with Omnia Partners Purchasing Program, contract #2017000280. [**G/L Account: 001.151-004**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Equipment Management)

CONSENT**ITEM 50.**

A Resolution approving payment to **Amazon Capital Services**, Seattle, Washington, in the amount of \$329.95, for the purchase of a Panasonic 2.2 cubic feet genius sensor countertop microwave, for the Community Development Department, in accordance with Section 3-1-7 of the Birmingham City Code. [**Appropriated for in the FY 2022-2023 Budget; G/L Account: 001_013_05200_05201.524-040**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Community Development)

CONSENT**ITEM 51.**

A Resolution approving payment to **Environmental Products Group, Inc.**, Apopka, Florida, for the purchase of one (1) Petersen TL-3 Base Loader, Dump Body and Chassis with optional features, in the amount of \$202,247.54, at unit prices on file in the office of the Purchasing Agent, for the Equipment Management Department, in accordance with Sourcewell, Contract #040621-PII. [**Appropriated for in the FY2022-2023 Budget; G/L Account: 001_019_99999.600-010**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Equipment Management)

CONSENT**ITEM 52.**

A Resolution approving payment to **HeartSafe America, Inc.**, Farmers Branch, Texas, for the purchase of 30 AED's and Accessories for \$45,610.00, as needed at the unit prices on file in the office of the Purchasing Agent for a period of one (1) year, for the Department of Human Resources, based on bid awarded contract by the Purchasing Cooperative TIPS Contract #220101. [**G/L Account: 001_042_99999.525-010**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Human Resources)

CONSENT

ITEM 53.

A Resolution approving payment to **Rich’s Collision Repair, LLC**, Adamsville, Alabama, in the amount of \$2,757.30 for wreck repair on vehicles number 204309 and 223406, for the Equipment Management Department, in accordance with Section 3-1-7 of the Birmingham City Code. [**Appropriated for in the FY2022-2023 Budget, G/L Account: 001.151-004**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Equipment Management)

CONSENT

ITEM 54.

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

CONSENT

ITEM 55.

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

CONSENT

ITEM 56.

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

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ITEM 57.

A Resolution setting a public hearing **June 20, 2023** to consider the adoption of an Ordinance “TO AMEND THE ZONING DISTRICT MAP OF THE CITY OF BIRMINGHAM” (**Case No. ZAC2023-00005**) to change zone district boundaries for 8 development sites (sites included in the Choice Neighborhood Grant Application): Site 1 to be rezoned from MU-L (Mixed-Use Low) to MU-M (Mixed-Use Medium); Site 2 to be rezoned from MU-L (Mixed-Use Low) to MU-M (Mixed-Use Medium); Site 3 to be rezoned from D-5 (Multiple Dwelling) to MU-M (Mixed-Use Medium); Site 4 to be rezoned from MU-L (Mixed-Use Low) to MU-M (Mixed-Use Medium); Site 5 to be rezoned from D-3 (Single Family Residential) to MU-M (Mixed-Use Medium); Site 6 to be rezoned from MU-L (Mixed-Use Low) to MU-M (Mixed-Use Medium); Site 7 to be rezoned from D-3 (Single Family Residential) to D-5 (Multiple Dwelling); and Site 8 to be rezoned from D-3 (Single Family Residential)

and D-4 (Medium Density Residential) to D-5 (Multiple Dwelling), filed by the City of Birmingham. [**First Reading**] (Submitted by Councilor Abbott, Chair, Planning and Zoning Committee) (Recommended by the Z.A.C. of the Birmingham Planning Commission and the Planning and Zoning Committee)**

COMMUNICATIONS FROM THE CITY CLERK

ITEM 58.

Receiving the Emergency Repair Notice from the Purchasing Agent relative to the Birmingham Police Headquarters Building HVAC system is out of service and inoperable due to hot temperatures. **

ITEM 59.

Receiving the Emergency Repair Notice from the Purchasing Agent relative to storm pipe failure that has caused a washout at 1300 1st Avenue South, Birmingham.**

OLD AND NEW BUSINESS

PRESENTATIONS

REQUEST FROM THE PUBLIC

ADJOURNMENT

NOTE: **The following matters were withdrawn:**

Those properties declared by Resolution No. 731-23 on April 18, 2023, to be noxious and dangerous, whereon said weeds have been abated:

18 22-26-3-25-01.000-RR; 1133 4TH ST N, N 65 FT LOT 4 BLK 7 MCDANIEL SUR,

- 44 22-33-1-13-14.000-RR; 880 7TH PL W, LOT 6 BLK 3 UNIVERSITY HTS,
- 45 22-34-1-02-01.000-RR; 216 11TH AVE N, LOTS 13&14 BLK 12 SMITHFIELD (NORTH),
- 47 22-34-1-27-07.000-RR; 125 9TH CT W, N 140 FT 150S FT OF LOT 8 BLK 50 SMITHFIELD (NORTH),
- 49 22-34-2-08-41.000-RR; 1014 5TH ST W, LOTS 21 & 22 LESS S 150 FT BLK 3 COLLEGE HILLS,
- 58 23-14-2-17-01.000-RR; 7765 2ND AVE S, LOT 16-A 77TH STREET CENTER SURVEY,
- 59 23-15-3-06-03.000-RR; 317 68TH PL N, METES AND BOUNDS: LOT 3 BLK 5 LAKEWOOD PARK,
- 73 23-20-3-16-03.000-RR; 720 45TH ST N, LOT 22 BLK K KINGS LD & IMP CO ADD KINGSTON,
- 75 23-20-4-22-05.000-RR; 747 49TH ST N, LOT 25 BLK 2 BIRCHENOUGH,
- 78 23-21-2-14-23.000-RR; 963 52ND PL N, LOTS 7 & 8 F O SHERRODS ADTN TO WOODLAWN,
- 86 23-21-3-04-06.000-RR; 921 52ND PL N, LOT 28 E S GILLETTE LESS PT FOR ALLEY,
- 87 23-21-3-06-05.000-RR; 5105 GEORGIA RD, LOT 2 LINDSAY ADD TO WOODLAWN WOODLAWN,
- 89 23-21-3-10-12.000-RR; 117 50TH ST N, LOT 6 BLK 11 WOODLAWN RLTY COS 1ST ADD TO WOODLAWN,
- 98 23-28-2-35-10.000-RR; 4718 4TH AVE S, E 25 FT LOT 14 BLK 29 EAST AVONDALE,
- 102 23-29-1-06-06.000-RR; 4719 2ND AVE S, LOT 5 BLK 22 EAST AVONDALE,
- 103 23-29-1-06-07.000-RR; 4715 2ND AVE S, LOT 6 BLK 22 EAST AVONDALE,
- 115 29-07-1-25-15.000-RR; 4642 AVENUE R, METES AND BOUNDS: LOT 22 BLK 53 WESTLEIGH,
- 116 29-07-1-25-16.000-RR; 4640 AVENUE R, LOT 23 BLK 53 WESTLEIGH,
- 117 29-07-1-27-09.000-RR; 4733 AVENUE R, LOT 9 BLK 43 CENTRAL PARK,
- 121 29-08-2-19-25.000-RR; 4804 AVENUE S, LOT 23 BLK 29 CENTRAL PARK LAND COMPANYS SECOND SURVEY,