

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

**November 28, 2023 – 9:30 A.M.**

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

**INVOCATION: Pastor Kris Erskine, Senior Pastor of The Movement Fellowship Church**

**PLEDGE OF ALLEGIANCE: Councilor Hunter Williams**

**ROLL CALL**

**MINUTES NOT READY: July 4, 2023 – November 21, 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**

**INTRODUCTION AND FIRST READING OF ORDINANCES AND RESOLUTIONS****CONSENT****ITEM 1.**

An Ordinance “TO FURTHER AMEND THE GENERAL FUND BUDGET” for the fiscal year ending June 30, 2024, by appropriating \$5,000,000.00 from Fund Balance Reserves and “TO FURTHER AMEND THE GRANTS FUND BUDGET” for the fiscal year ending June 30, 2024, by transferring \$5,000,000.00 to Birmingham Southern College. (Submitted by the Mayor and the Budget and Finance Committee) (Recommended by the Director of Finance)\*\*

**CONSENT****ITEM 2.**

A Resolution authorizing the Mayor to execute and deliver an Agreement between the City of Birmingham and the **Birmingham Civil Rights Institute (“BCRI”)**, in an amount not to exceed \$50,000.00, under which the BCRI will provide services to residents of the City of Birmingham by renovating BCRI’s “Dr. Lawrence Pijeaux Library” to specifically include repair of the roof and the removal of mold, which were deferred due to the negative economic impacts of the COVID-19 pandemic. [**G/L Account: 039\_010.445-035 – ARPA-District #5**] (Submitted by the City Attorney) (Recommended by the Mayor and the Chief Community Planner)

**CONSENT****ITEM 3.**

A Resolution approving and authorizing the Mayor to execute, for and as the act of said City, Loan Agreements between the City and **Birmingham-Southern College**, under which the City will provide two loans of \$2,500,000.00 each to Birmingham-Southern College, one of which loans will have a term of one (1) year at an interest rate of ten percent (10%) per annum and will be forgivable if the Birmingham-Southern satisfies certain conditions, and the second Loan will have a term of twenty (20) years at an interest rate of one percent (1%) per annum, with each loan to be secured by obligations issued under a Master Trust Indenture between Birmingham-Southern and Synovus Bank which are secured by a second mortgage on Birmingham-Southern’s campus. The proceeds of the loans will be used in support of Birmingham-Southern’s continued operations in the City and the expansion of its master’s programs to include four new master’s programs (Master of Science in Data Science, MS Computer Science, MS Cyber Security, and MS Information Systems) which are expected to have a positive economic impact on the City. (Submitted by the City Attorney) (Recommended by the Mayor) \*\*

CONSENT**ITEM 4.**

A Resolution authorizing the Mayor to execute and deliver an Agreement between the City of Birmingham and **The Prescott House Child Advocacy Center**, in an amount not to exceed \$25,000.00, under which The Prescott House Child Advocacy Center will provide services to the City by providing intervention services and support to children and adolescents who are victims of physical or sexual abuse, sexual exploitation, human trafficking, or who have witnessed acts of violence, and their non-offending caregivers, as well as coordinating investigation services and implementing community-based prevention, at no cost for residents of the City of Birmingham. [**G/L Account: 039\_010.445-035 – ARPA-District #1**] (Submitted by the City Attorney) (Recommended by the Mayor and the Chief Community Planner) \*\*

CONSENT**ITEM 5.**

A Resolution approving and authorizing the Mayor to execute, for and as the act of said City, a BOLD Program Agreement with **BirthWell Partners, Inc.** to help overcome barriers to economic opportunities for 80 residents by providing birth doula services, childbirth and parenting classes, and maternal health advocacy workshops. The project also includes workforce development through BirthWell's need-based work-study program, which will expand access to doula training for three (3) Birmingham residents and offer continuing education to further develop the skillset of 10 community doulas working with Birmingham's at-risk families for a term of twelve (12) months, for an amount not to exceed \$90,400.00. [**Funding Source: 001\_003\_00900.545-001**] (Submitted by the City Attorney) (Recommended by the Mayor, the Budget and Finance Committee and the Economic Development Committees) \*\*

CONSENT**ITEM 6.**

A Resolution approving and authorizing the Mayor to execute, for and as the act of said City, a BOLD Program Agreement with **Bundles of Hope, Inc.**, to help overcome barriers to economic opportunities for 1,500 Birmingham residents by distributing diapers, wipes, and menstruation products to community partners and schools for a term of twelve (12) months, for an amount not to exceed \$120,000.00. [**Funding Source: 001\_003\_00900.545-001**] (Submitted by the City Attorney) (Recommended by the Mayor, the Budget and Finance Committee and the Economic Development Committees) \*\*

**CONSENT**

**ITEM 7.**

A Resolution approving and authorizing the Mayor to execute, for and as the act of said City, a BOLD Program Agreement with **Diane’s Heart, Inc., (Diane’s Heart)**, under which Diane’s Heart will support workforce development, overcoming economic barriers, and revitalizing Birmingham's neighborhoods through the “She Knew There Was More” coaching and mentoring program for 30 Birmingham residents for a term of twelve (12) months, for an amount not to exceed \$138,413.00. **[Funding Source: 001\_003\_00900.545-001]** (Submitted by the City Attorney) (Recommended by the Mayor, the Budget and Finance Committee and the Economic Development Committees) \*\*

**CONSENT**

**ITEM 8.**

A Resolution approving and authorizing the Mayor to execute, for and as the act of said City, a BOLD Program Agreement with **Is Able Ministries** to support workforce development, overcoming economic barriers, and minority, women, and disadvantaged business enterprises through employment training, wrap-around services, and financial management training to 60 Birmingham residents for a term of twelve (12) months, for an amount not to exceed \$87,050.00. **[Funding Source: 001\_003\_00900.545-001]** (Submitted by the City Attorney) (Recommended by the Mayor, the Budget and Finance Committee and the Economic Development Committees) \*\*

**CONSENT**

**ITEM 9.**

A Resolution approving and authorizing the Mayor to execute, for and as the act of said City, a BOLD Program Agreement with **MedPlus Consulting, LLC**, under which MedPlus Consulting, LLC will support workforce development for three (3) Birmingham residents to become community health workers and to help overcome barriers to economic opportunities for 60 Birmingham residents by providing diabetes prevention services for a term of twelve (12) months, for an amount not to exceed \$104,695.00. **[Funding Source: 001\_003\_00900.545-001]** (Submitted by the City Attorney) (Recommended by the Mayor, the Budget and Finance Committee and the Economic Development Committees) \*\*

**CONSENT****ITEM 10.**

A Resolution approving and authorizing the Mayor to execute, for and as the act of said City, a BOLD Program Agreement with **Momentum Alumnae Program, Inc.** to support workforce development and overcoming barriers for minority, women, and disadvantaged business enterprises through Momentum Works, an initiative that will provide professional leadership training, wrap-around services, and access to professional expert resources for 50 Birmingham residents for a term of twelve (12) months, for an amount not to exceed \$117,500.00. **[Funding Source: 001\_003\_00900.545-001]** (Submitted by the City Attorney) (Recommended by the Mayor, the Budget and Finance Committee and the Economic Development Committees) \*\*

**CONSENT****ITEM 11.**

A Resolution approving and authorizing the Mayor to execute, for and as the act of said City, a BOLD Program Agreement with **Urban Impact, Inc.** under which Urban Impact, Inc. will support small businesses and minority, women, and disadvantaged business enterprises through the Legacy Entrepreneurship Program, which will train 24 legacy businesses in succession planning, safeguarding the legacies of long-established businesses, and facilitating the intergenerational transfer of wealth and business ownership in Black communities for a term of twelve (12) months, for an amount not to exceed \$150,000.00. **[Funding Source: 001\_003\_00900.545-001]** (Submitted by the City Attorney) (Recommended by the Mayor, the Budget and Finance Committee and the Economic Development Committees) \*\*

**CONSENT****ITEM 12.**

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 matter of **Matthew Crump v. City of Birmingham, et al.**, Civil Action No.: CV-2022-902084, in the Circuit Court of Jefferson County, Alabama, and authorizing the Mayor, the City Attorney, or one of her assistants, to execute all documents necessary to accomplish the settlement of this lawsuit in an amount not to exceed \$72,500.00. Said funds to come from General Ledger Number: 001-028-01600-534-013. (Submitted by the City Attorney) (Recommended by the Mayor) \*\*

CONSENT**ITEM 13.**

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 matter of *Leon Mikles v. City of Birmingham, et al.*, Civil Action No.: CV-2017-904873.00, in the Circuit Court of Jefferson County, Alabama, and authorizing the Mayor, the City Attorney, or one of her assistants, to execute all documents necessary to accomplish the settlement of this lawsuit in an amount not to exceed \$12,000.00. Said funds to come from General Ledger Number: 001-028-01600-534-013. (Submitted by the City Attorney) (Recommended by the Mayor) \*\*

CONSENT**ITEM 14.**

A Resolution accepting and approving the bid award of **Graybar Electric Company, Inc.**, Birmingham, for Lighting & Electrical Parts Supply – Group One: Various Incandescent Lighting Lamps; Group Two: Various Incandescent Lighting Ballast; Group Three: Various LED Lighting Lamps; Group Four: Various LED Lighting Ballast; Group Five: Various LED Lighting Sensors; Group Six: Electrical Parts, as needed at unit prices on file in the Office of the Purchasing Agent, for a period of one (1) year, for Public Works Department, this being the lowest bid submitted meeting specifications. [**Appropriated in the FY 2023-2024 Budget, G/L Account: 001\_049\_40200\_40229.511-004**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Public Works) (One Bid Submitted)

CONSENT**ITEM 15.**

A Resolution accepting and approving the amended request for proposal of **R & S Food Service, LLC**, Birmingham, to provide concessionaire management and food services at the Boutwell Auditorium, for a period of six (6) months, at pricing on file in the office of the Purchasing Agent and authorizing the Mayor to execute any necessary documents on behalf of the City. (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of the Boutwell Auditorium) (Three Proposals Submitted)

**CONSENT****ITEM 16.**

A Resolution approving payment to **9to5 Seating, LLC**, Hawthorne, California, in the amount of \$6,976.80 for the purchase of ten (10) office chairs, at the unit prices on file in the office of the Purchasing Agent, for the Fire Department based on bid awarded contract by the State of Alabama, Master Agreement #MA220000002669-1. **[Appropriated in the FY 2023-2024 Budget, G/L Account: 102\_000\_525-005, Project Code: FIR102CP 003974]** (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Fire Chief)

**CONSENT****ITEM 17.**

A Resolution approving payment to **Amazon**, Seattle, Washington, for the purchase of one (1) Marcy MWM-988 Multifunction Steel Stack Home Gym in the amount of \$499.99 at unit prices on file in the office of the Purchasing Agent, for the BFRS Fire Station 28, in accordance with Section 3-1-7 of the Birmingham City Code. **[Appropriated in the FY 2023-2024 Budget; G/L Account: 031\_202\_25900\_25901.524-040]** (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Fire Chief)

**CONSENT****ITEM 18.**

A Resolution approving payment to **B&H Foto & Electronics Corporation dba B&H Photo-Video Pro Auto**, New York, New York, in the amount of \$10,707.00 for the purchase of an electro-voice power amplifier, for the Information Management Systems Department, in accordance with Section 3-1-7 of the Birmingham City Code. **[Appropriated in the FY 2023-2024 Budget; G/L Account: 001\_037\_-01930\_01932.512-004]** (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Information Management Systems)

**CONSENT****ITEM 19.**

A Resolution approving payment to **Ingram Equipment Company, LLC**, Pelham, Alabama, for the purchase of two (2) new Palfinger ARB-75-22 75K hoist mounted on a 2025 Kenworth T880 at \$53,690.00 with optional features, at unit prices on file in the office of the Purchasing Agent, for the Equipment Management Department, based on bid awarded in accordance with Sourcwell Contract #060920-NAF. **[Appropriated in the FY 2023-2024 Budget, G/L Account: 035\_034.600-010, Project Code: EM035GR 004060\_005]** (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Equipment Management)

**CONSENT**

**ITEM 20.**

A Resolution approving payment to **Mohamed Ben Jazia GDM, Inc. dba Alabama Appliance**, Vestavia Hills, Alabama, in the amount of \$1,425.00 for the purchase of a refrigerator for Fire Station #30, for the Birmingham Fire & Rescue Department, in accordance with Section 3-1-7 of the Birmingham City Code. [**Appropriated in the FY 2023-2024 Budget; G/L Account: 031\_205\_25900\_25901.524-040**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Fire Chief)

**CONSENT**

**ITEM 21.**

A Resolution approving payment to **North American Fire Equipment Co. Inc.**, Decatur, Alabama, in the amount of \$17,792.00 for the purchase of paratech hydrafusion strut 10 with pump, for the Birmingham Fire & Rescue Department, in accordance with the NPPGov Purchasing Cooperative Contract Number PS20075, in accordance with Section 3-1-7 of the Birmingham City Code. [**Appropriated in the FY 2023-2024 Budget; G/L Account: 001\_022\_17000\_17401.518-001**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Fire Chief)

**CONSENT**

**ITEM 22.**

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

**CONSENT**

**ITEM 23.**

A Resolution approving the advanced expense account of an appointed official. (Submitted by the Mayor) (Recommended by the Director of Finance) \*\*

**CONSENT**

**ITEM 24.**

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

**CONSENT**

**ITEM 25.**

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



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**ITEM 26.**

A Resolution setting a public hearing **January 2, 2024**, to consider the adoption of an Ordinance “TO AMEND THE ZONING DISTRICT MAP OF THE CITY OF BIRMINGHAM” (Case No. ZAC2023-00003) to change zone district boundaries from CB-1 Contingency Neighborhood Business District to “Q”C-2 Qualified General Commercial District, filed by Courtney Jones, the owner for property located at 6900 2<sup>nd</sup> Avenue South, and situated in the SE ¼ of Section 15, Township 17-S, Range 2-West, Birmingham. **[First Reading]** (Submitted by Councilor Abbott, Chair, Planning and Zoning Committee) (Recommended by the Z.A.C.) (NOT Recommended the Planning and Zoning Committee) \*\*

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**ITEM 27.**

A Resolution setting a public hearing **January 2, 2024**, to consider the adoption of an Ordinance “TO AMEND THE ZONING DISTRICT MAP OF THE CITY OF BIRMINGHAM” (Case No. ZAC2023-00009) to change zone district boundaries from MXD Planned Mixed Use District to “Q”I-2 Qualified Heavy Industrial District, filed by Alabama Power Company, applicant, representing the owner, US Steel, for property located at 1475 Pleasant Hill Road, and situated SW ¼ of Section 30, Township 17-S, Range 3-West, Birmingham. **[First Reading]** (Submitted by Councilor Abbott, Chair, Planning and Zoning Committee) (Recommended by the Z.A.C. and the Planning and Zoning Committee)\*\*

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**ITEM 28.**

A Resolution setting a public hearing **January 9, 2024**, to consider the adoption of an Ordinance “TO AMEND THE ZONING DISTRICT MAP OF THE CITY OF BIRMINGHAM” (Case No. ZAC2023-00012) to change zone district boundaries from CR-5 Contingency Multiple Dwelling District to “Q”C-2 Qualified General Commercial District, filed by Danielle Baskin, applicant, representing the owner, The Image Events, for property located at 2205 Avenue G, and situated SW ¼ of Section 31, Township 17-S, Range 3-West, Birmingham. **[First Reading]** (Submitted by Councilor Abbott, Chair, Planning and Zoning Committee) (Recommended by the Z.A.C. and the Planning and Zoning Committee)\*\*

**OLD AND NEW BUSINESS**

**PRESENTATIONS**

**REQUEST FROM THE PUBLIC**

**ADJOURNMENT**