

**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**

October 17, 2023 – 9:30 A.M.

WEBSITE ADDRESS: www.birminghamal.gov

INVOCATION: Reverend Dr. James A. Gibson, Jr. of Greater Temple Missionary Baptist Church

PLEDGE OF ALLEGIANCE: Councilor Carol E. Clarke

ROLL CALL

MINUTES NOT READY: June 20, 2023 – October 10, 2023

COMMUNICATIONS FROM THE MAYOR

NOMINATIONS TO 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

(ph) ITEM 1.
A Resolution revoking the Certificates of Public Necessity and Convenience issued to **The Kid One Transport System, Inc.**, 110 – 12th Street North, Birmingham, for failure to file the required liability insurance, and the **hearing** of all interested parties. (Submitted by the City Attorney) (Deferred from 10/10/2023 to 10/17/2023)

CONSENT(ph) ITEM 2.
A Resolution revoking the Certificates of Public Necessity and Convenience issued to **Alabama Sedan, Inc.** 272 High Ridge Drive, Pelham, Alabama, to operate a bus service, for failure to file the required liability insurance, and the **hearing** of all interested parties. (Submitted by the City Attorney)

CONSENT(ph) ITEM 3.
A Resolution revoking the Certificates of Public Necessity and Convenience issued to **Birmingham Charter Service, LLC** 1012 Parkwood Circle, Birmingham, to operate a bus service, for failure to file the required liability insurance, and the **hearing** of all interested parties. (Submitted by the City Attorney)

CONSENT(ph) ITEM 4.
A Resolution revoking the Certificates of Public Necessity and Convenience issued to **Maurice Marcus Ubom d/b/a Ambassador Cab Company** 1401 – 3rd Avenue West, Suite C, Birmingham, to operate a taxicab service, for failure to file the required liability insurance, and the **hearing** of all interested parties. (Submitted by the City Attorney)

INTRODUCTION AND FIRST READING OF ORDINANCES AND RESOLUTIONS

CONSENT ITEM 5.
An Ordinance “TO FURTHER AMEND THE GENERAL FUND BUDGET” for the fiscal year ending June 30, 2024, by transferring \$200,000.00 from Revenue (proceeds from Birmingham Parking Authority), and appropriating \$200,000.00 to Non-Departmental, Transfer to Fund 102 Capital Improvement and “TO FURTHER AMEND THE CAPITAL IMPROVEMENT FUND BUDGET” for the fiscal year ending June 30, 2024, by appropriating \$200,000.00 to Library on 2nd for building improvements. (Submitted by the Mayor) (Recommended by the Mayor and the Budget and Finance Committee) **

CONSENT

ITEM 6.

An Ordinance “TO FURTHER AMEND THE GENERAL FUND BUDGET” for the fiscal year ending June 30, 2024, by transferring \$595,200.00 from Information Management Systems, Professional Services, and \$45,600.00 from PEP, Professional Services, and appropriating \$640,800.00 to Non-Departmental, Transfer to Fund 102 Capital Improvement and “TO FURTHER AMEND THE CAPITAL IMPROVEMENT FUND BUDGET” for the fiscal year ending June 30, 2024, by appropriating \$445,200.00 to IMS102CP 003904_001 - IMS iSeek Solutions (IMS), \$150,000.00 to IMS102CP 003904_002 - IMS iSeek Solutions (BPD) and \$45,600.00 to IMS102CP 003904_003 - IMS iSeek Solutions (PEP). (Submitted by the Mayor) (Recommended by the Mayor and the Budget and Finance Committee) **

CONSENT

ITEM 7.

A Resolution approving and authorizing the Mayor to execute, for and as the act of said City, a Grant Administration and Cost Sharing Agreement between the City of Birmingham and **the Birmingham-Jefferson County Transit Authority (“BJCTA”)**, under which the City and the BJCTA each will provide funding in the amount of \$54,750.00 to satisfy the 50% local match requirement of a \$219,000.00 grant awarded to the City by the Southern Rail Commission to be used for accessibility upgrades and safety improvements at the Amtrak Station located at the Birmingham BJCTA Intermodal facility. [**Funding Source: TIF Funds**] (Submitted by the City Attorney) (Recommended by the Director of Transportation, the Transportation Committee and the Budget and Finance Committee) **

CONSENT

ITEM 8.

A Resolution authorizing the Mayor to execute and deliver an agreement with **Johnson Control Fire Protection LP**, under which Johnson Control Fire Protection LP will provide Fire Inspection/ Testing and Monitoring for certain facilities, for a period of three (3) years and for an amount not to exceed \$455,574.00, in accordance with the Sourcewell Cooperative Contract# 030421-JHN. [**Funding Source: 001_049_40200_4022 9.528-005**] (Submitted by the City Attorney) (Recommended by the Mayor and the Budget and Finance Committee)

CONSENT

ITEM 9.

A Resolution authorizing the Mayor on behalf of the City of Birmingham, to execute, for and as the act of said City a Software Agreement between the City of Birmingham and **Momentive Inc., d/b/a Survey Monkey Inc. (“Survey Monkey Inc.”)**, under which Survey Monkey Inc. will provide an additional 5 Power users, unlimited casual users and access to all platform features with the current annual subscription for a term of one (1) year and for an amount not to exceed \$14,999.00. **[Funding Source: 001_037_01920_0192-2.527-050]** (Submitted by the City Attorney) (Recommended by the Mayor and the Budget and Finance Committee)

CONSENT

ITEM 10.

A Resolution authorizing the Mayor to execute, for and as the act of said City, an agreement between the City of Birmingham and **Rising West Princeton Corporation, Inc.**, under which Rising West Princeton Corporation, Inc. shall ensure the preservation of historic Rising-West Princeton through the operation of a community development corporation engaged in housing development and owner-occupied housing rehabilitation and will aid in the health and wellness of our senior neighbors by providing programming that decreases isolation and other negative effects of the pandemic with all services to be completed no later than June 30, 2024, and the City shall pay Rising West Princeton Corporation, Inc. an amount not to exceed \$24,000.00. **[Funding Source: 001_000_04280.542-001 – Clarke]** (Submitted by the City Attorney) (Recommended by the Mayor and the Budget and Finance Committee)

CONSENT

ITEM 11.

A Resolution authorizing the Mayor to execute, for and as the act of said City, a Commercial Lease Agreement between the City of Birmingham and **RJ Building, LLC**, under which RJ Building LLC, will lease a space known as Mazer Discount Home Center located at 2- 41st Street S Building # 9, in the City of Birmingham, Alabama, for the sole purpose of conducting business operations related to City of Birmingham Police Department activities for a term of three (3) years FY:2024 \$98,400.00, FY 2025: \$98,400.00 and FY 2026: \$98,400.00, for an amount not to exceed \$295,200.00. **[Funding Source: 001_043_26000_26001.527-050]** (Submitted by the City Attorney) (Recommended by the Mayor and the Budget and Finance Committee)

CONSENT**ITEM 12.**

A Resolution authorizing the Mayor on behalf of the City of Birmingham, to enter into a Professional Services Agreement with **Roadway Asset Services, LLC**, for project management, GIS consulting and clean up services, field setup and GPS network creation, field data collection and evaluation, analysis and reporting and Streetlogix Transportation Module implementation and training for a term of three (3) years for a total amount not to exceed \$426,982.00. [**Funding Source: 103_000.513-009**] (Submitted by the City Attorney) (Recommended by the Mayor and the Budget and Finance Committee)

CONSENT**ITEM 13.**

A Resolution authorizing the Mayor to execute and deliver an Agreement with **Carl Carmack** in an amount not to exceed \$2,750.00, to allow Carl Carmack to perform biweekly landscape maintenance services for the two neighborhood entrance signs on Edwards Lake Road in the Spring Lake Neighborhood for a period of one (1) year, said funding to be paid from the Spring Lake Neighborhood Association Fund. (Submitted by the City Attorney) (Recommended by the Budget and Finance Committee) **

CONSENT**ITEM 14.**

A Resolution authorizing the Mayor, pursuant to §11-40-1 and §11-43-140 of the Code of Alabama, 1975, to execute and deliver a purchase agreement with **Lexipol, LLC**, for reference manuals and an annual subscription to Fire Policy subscription services used by the Fire Department, for a period of not more than one (1) year with the City paying an amount not to exceed \$29,387.01. [**G/L Account: 001_022_016000_16009.527-050 (Professional Services)**] (Submitted by the Mayor) (Recommended by the Fire Chief) **

CONSENT**ITEM 15.**

A Resolution authorizing the Mayor to expend funds in an amount not to exceed \$1,000.00 for the purchase of three (3) two-sided, fluorescent yield signs with portable bases to be displayed on **Highland Avenue** at the crosswalks to Caldwell Park, Rhodes Park, and Rushton Park as a safety precaution for pedestrians in the Highland Park Neighborhood, said funds to come from the Highland Park Neighborhood Association Funds. (Submitted by the City Attorney) (Recommended by the Budget and Finance Committee) **

CONSENT

ITEM 16.

A Resolution amending Resolution No. 1524-23, adopted by the Council September 12, 2023, fixing a special assessment in the amount of \$4,636.89 against the property located at 206 – 5th Avenue South, Birmingham, for the cost incurred for the demolition of an unsafe building or structure due to a clerical error in the account number. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

CONSENT

ITEM 17.

A Resolution amending Resolution No. 1525-23, adopted by the Council September 12, 2023, fixing a special assessment in the amount of \$4,348.88 against the property located at 632 – 27th Street SW, Birmingham, for the cost incurred for the demolition of an unsafe building or structure due to a clerical error in the account number. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

CONSENT

ITEM 18.

A Resolution amending Resolution No. 1526-23, adopted by the Council September 12, 2023, fixing a special assessment in the amount of \$13,470.00 against the property located at 1308 – 2nd Court West, Birmingham, for the cost incurred for the demolition of an unsafe building or structure due to a clerical error in the account number. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

CONSENT

ITEM 19.

A Resolution amending Resolution No. 1527-23, adopted by the Council September 12, 2023, fixing a special assessment in the amount of \$3,448.34 against the property located 1528 – 21st Street SW, Birmingham, for the cost incurred for the demolition of an unsafe building or structure due to a clerical error in the account number. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

CONSENT

ITEM 20.

A Resolution amending Resolution No. 1528-23, adopted by the Council September 12, 2023, fixing a special assessment in the amount of \$3,562.00 against the property located at 529 Avenue B a.k.a. 527 – 5th Place, Pratt City, Birmingham, for the cost incurred for the demolition of an unsafe building or structure due to a clerical error in the account number. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

CONSENT

ITEM 21.

A Resolution amending Resolution No. 1529-23, adopted by the Council September 12, 2023, fixing a special assessment in the amount of \$5,765.00 against the property located at 1624 – 26th Avenue North, Birmingham, for the cost incurred for the demolition of an unsafe building or structure due to a clerical error in the account number. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

CONSENT

ITEM 22.

A Resolution amending Resolution No. 1530-23, adopted by the Council September 12, 2023, fixing a special assessment in the amount of \$6,814.00 against the property located at 1245 – 3rd Street North, Birmingham, for the cost incurred for the demolition of an unsafe building or structure due to a clerical error in the account number. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

CONSENT

ITEM 23.

A Resolution amending Resolution No. 1531-23, adopted by the Council September 12, 2023, fixing a special assessment in the amount of \$3,908.00 against the property located at 3148 – 33rd Avenue North, Birmingham, for the cost incurred for the demolition of an unsafe building or structure due to a clerical error in the account number. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

CONSENT

ITEM 24.

A Resolution amending Resolution No. 1532-23, adopted by the Council September 12, 2023, fixing a special assessment in the amount of \$6,143.00 against the property located at 1117 – 14th Street North, Birmingham, for the cost incurred for the demolition of an unsafe building or structure due to a clerical error in the account number. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

CONSENT

ITEM 25.

A Resolution amending Resolution No. 1533-23, adopted by the Council September 12, 2023, fixing a special assessment in the amount of \$6,739.00 against the property located at 544 – 4th Court W, Birmingham, for the cost incurred for the demolition of an unsafe building or structure due to a clerical error in the account number. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

CONSENT

ITEM 26.

A Resolution amending Resolution No. 1534-23, adopted by the Council September 12, 2023, fixing a special assessment in the amount of \$3,557.75 against the property located at 3412 – 39th Place N, Birmingham, for the cost incurred for the demolition of an unsafe building or structure due to a clerical error in the account number. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

CONSENT

ITEM 27.

A Resolution amending Resolution No. 1535-23, adopted by the Council September 12, 2023, fixing a special assessment in the amount of \$7,600.00 against the property located at 3708 – 1st Street W, Birmingham, for the cost incurred for the demolition of an unsafe building or structure due to a clerical error in the account number. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

CONSENT

ITEM 28.

A Resolution amending Resolution No. 1536-23, adopted by the Council September 12, 2023, fixing a special assessment in the amount of \$5,241.20 against the property located at 1124 – 14th Street N, Birmingham, for the cost incurred for the demolition of an unsafe building or structure due to a clerical error in the account number. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

CONSENT

ITEM 29.

A Resolution amending Resolution No. 1537-23, adopted by the Council September 12, 2023, fixing a special assessment in the amount of \$4,184.00 against the property located at 1152 – 2nd Street W, Birmingham, for the cost incurred for the demolition of an unsafe building or structure due to a clerical error in the account number. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

CONSENT

ITEM 30.

A Resolution amending Resolution No. 1538-23, adopted by the Council September 12, 2023, fixing a special assessment in the amount of \$11,976.00 against the property located at 5137 – 5th Avenue S, Birmingham, for the cost incurred for the demolition of an unsafe building or structure due to a clerical error in the account number. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

CONSENT

ITEM 31.

A Resolution amending Resolution No. 1539-23, adopted by the Council September 12, 2023, fixing a special assessment in the amount of \$4,253.60 against the property located at 812 – 49th Street N, Birmingham, for the cost incurred for the demolition of an unsafe building or structure due to a clerical error in the account number. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

CONSENT

ITEM 32.

A Resolution amending Resolution No. 1540-23, adopted by the Council September 12, 2023, fixing a special assessment in the amount of \$7,667.30 against the property located at 3401 Avenue F, Birmingham, for the cost incurred for the demolition of an unsafe building or structure due to a clerical error in the account number. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

CONSENT**ITEM 33.**

A Resolution authorizing the Director of Planning, Engineering and Permits to issue a condemnation repair permit to **Ahinoam Israel**, the owner or agent of the property located at 3100 Park Avenue SW, Birmingham, which was condemned by the Council July 18, 2023, in order to remove the weeds and trash from the premises within ten (10) days of permit issuance and to commence and make substantial repairs within 30 days of permit issuance, no previous permits having been requested. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits and the Public Improvements Committee)

CONSENT**ITEM 34.**

A Resolution accepting and approving the bid of **Thrive Outdoor, Inc.**, Ft. Payne, Alabama, for mowing services (city parks), as needed at the unit prices on file in the office of the Purchasing Agent, for a period of one (1) year, for the Public Works Department, this being the lowest bid submitted and authorizing the Mayor to execute any necessary documents on behalf of the City. [**Appropriated for in FY2023-2024 Budget, G/L Account: 103_000.513-020, Project Code: PW103CP 001168**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Public Works) (Eight Bids Submitted)

CONSENT**ITEM 35.**

A Resolution approving payment to **Budget Janitorial Supply**, Pelham, Alabama, for the purchase of single-fold and universal paper towels, in the amount of \$7,958.40, at unit prices on file in the office of the Purchasing Agent, for the Central Stores Warehouse Inventory, in accordance with Section 3-1-7 of the Birmingham City Code. [**Appropriated for in the FY2023-2024 Budget, G/L Account: 001.152-003**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Chief Financial Officer)

CONSENT**ITEM 36.**

A Resolution approving payment to **Jones & Barlett Learning LLC**, Boston, Massachusetts, for the following purchases: thirty-three (33) each, BU-EMT 12E NVPM with Comp Exam – Internship Package, ISBN 9781284249903 and shipping in the amount of \$13,241.66; and thirty-three (33) each of NCS: EMT 12E NVPMD with Comp Exam – Internship Bundle, ISBN 9781284257076 and Shipping in the amount of \$11,482.76, for the City of Birmingham Fire Department. [**G/L Account: 001_022_18000_18100_18101.524-007**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Fire Chief)

CONSENT

ITEM 37.

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

CONSENT

ITEM 38.

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

CONSENT

ITEM 39.

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

CONSENT

ITEM 40.

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

OLD AND NEW BUSINESS

PRESENTATIONS

REQUEST FROM THE PUBLIC

ADJOURNMENT