

**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 31, 2023 – 9:30 A.M.

WEBSITE ADDRESS: www.birminghamal.gov

INVOCATION: Reverend Dr. Tyree A. Anderson, D.Min., Pastor of First Baptist Church Ensley

PLEDGE OF ALLEGIANCE: Council President Darrell O’Quinn

ROLL CALL

MINUTES NOT READY: June 20, 2023 – October 24, 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 relative to the application of Alabama Boiled Peanut Company, LLC for an On and Off Premise Beer and Wine License to be used at **Alabama Peanut Co.**, 2016 Morris Avenue, Birmingham, and the **hearing** of all interested parties. (Submitted by Councilor Tate, Chair, Public Safety Committee) (Recommended by the Public Safety Committee)

(ph)

ITEM 2.

A Resolution relative to the application of Glitch Bar N Grill, LLC, for a Lounge Retail Liquor Class I License to be used at **Glitch Bar N Grill**, 2622 – 31st Avenue North, Birmingham, and the **hearing** of all interested parties. (Submitted by Councilor Tate, Chair, Public Safety Committee) (Recommended DENIAL by the Public Safety Committee) **

CONSENT

ITEM 3.

A Resolution granting an Operating Authority Permit with four (4) Certificates of Public Necessity and Convenience to **Burkes Enterprise, LLC**, 313 – 27th Avenue NW, Birmingham, to be used in the operation of a Limousine service upon the public streets of Birmingham and to and from locations within the City in accordance with the provisions of Title 12, Chapter 16 of the General Code of the City of Birmingham, 1980, as amended or may be amended. (Submitted by Councilor O’Quinn, Chair, Transportation Committee) (Recommended by the Transportation Committee)

CONSENT

ITEM 4.

A Resolution granting an Operating Authority Permit with one (1) Certificate of Public Necessity and Convenience to **Caring Hands Medical Transportation & Courier, LLC**, 1135 Springview Street, Birmingham, to be used in the operation of a Non-Emergency Medical Transport service upon the public streets of Birmingham and to and from locations within the City in accordance with the provisions of Title 12, Chapter 16 of the General Code of the City of Birmingham, 1980, as amended or may be amended. (Submitted by Councilor O’Quinn, Chair, Transportation Committee) (Recommended by the Transportation Committee)

CONSENT

ITEM 5.

A Resolution granting an Operating Authority Permit with one (1) Certificate of Public Necessity and Convenience to **Compassionate Care Wheels, LLC**, 4211 Chace Lake Fairway, Hoover, Alabama, to be used in the operation of a Non-Emergency Medical Transport service upon the public streets of Birmingham and to and from locations within the City in accordance with the provisions of Title 12, Chapter 16 of the General Code of the City of Birmingham, 1980, as amended or may be amended. (Submitted by Councilor O’Quinn, Chair, Transportation Committee) (Recommended by the Transportation Committee)

CONSENT

ITEM 6.

A Resolution granting an Operating Authority Permit with one (1) Certificate of Public Necessity and Convenience to **Limo Serve, LLC**, 1500 – 50th Street North, Birmingham, to be used in the operation of a Limousine service upon the public streets of Birmingham and to and from locations within the City in accordance with the provisions of Title 12, Chapter 16 of the General Code of the City of Birmingham, 1980, as amended or may be amended. (Submitted by Councilor O’Quinn, Chair, Transportation Committee) (Recommended by the Transportation Committee)

INTRODUCTION AND FIRST READING OF ORDINANCES AND RESOLUTIONS

CONSENT

ITEM 7.

An Ordinance “TO FURTHER AMEND THE GRANTS FUND BUDGET” for the fiscal year ending June 30, 2024, by appropriating \$300,000.00 to Police, for FY23 Law Enforcement-Based Victim Services Program (LEV) Grant per award received. (Submitted by the Mayor) (Recommended by the Mayor and the Budget and Finance Committee)**

CONSENT

ITEM 8.

An Ordinance “TO FURTHER AMEND THE GRANTS FUND BUDGET” for the fiscal year ending June 30, 2024, by appropriating \$2,343.92 to Police, for FY23 Bullet Proof Vest partnership per award received. (Submitted by the Mayor) (Recommended by the Mayor and the Budget and Finance Committee)**

CONSENT

ITEM 9.

An Ordinance “TO FURTHER AMEND THE GENERAL FUND BUDGET” for the fiscal year ending June 30, 2024, by transferring \$2,343.92 from the Mayor’s Office, Grants Match and appropriating \$2,343.92 to Non-Departmental, Transfer to Fund 036 Grant Match and “TO FURTHER AMEND THE GRANTS MATCH FUND BUDGET” for the fiscal year ending June 30, 2024, by appropriating \$2,343.92 to Police, Bulletproof Vest Partnership per award received. (Submitted by the Mayor) (Recommended by the Mayor and the Budget and Finance Committee)**

CONSENT

ITEM 10.

An Ordinance “TO FURTHER AMEND THE NEIGHBORHOOD ALLOCATION BUDGET” for the fiscal year ending June 30, 2024, by transferring \$7,595.00 from Oxmoor Neighborhood Association and “TO FURTHER AMEND THE CAPITAL IMPROVEMENT FUND BUDGET” for fiscal year ending June 30, 2024, by appropriating \$7,595.00 to the 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)**

CONSENT

ITEM 11.

An Ordinance “TO FURTHER AMEND THE GRANTS FUND BUDGET” for the fiscal year ending June 30, 2024, by appropriating \$1,998,001.00 to Police, for Community-Based Violence Intervention and Prevention Initiative (CVIPI) Grant per award received. (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, 2024, by appropriating \$412,728.00 to Police, 2023 Justice Assistance Grant (JAG) 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 NEIGHBORHOOD ALLOCATION BUDGET” for the fiscal year ending June 30, 2024, by transferring \$15,607.00 from Glen Iris Neighborhood Association and “TO FURTHER AMEND THE CAPITAL IMPROVEMENT FUND BUDGET” for fiscal year ending June 30, 2024, by appropriating \$15,607.00 to the 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)**

CONSENT

ITEM 14.

An Ordinance “TO FURTHER AMEND THE GENERAL AND THE CAPITAL FUND BUDGET” for the fiscal year ending June 30, 2024, by appropriating \$13,226.15 to Equipment Management, Fleet Replacement. (Submitted by the Mayor) (Recommended by the Mayor and the Budget and Finance Committee)**

CONSENT

ITEM 15.

A Resolution authorizing the Mayor to execute, for and as the act of said City, an agreement between the City of Birmingham and **Axim Geospatial, LLC**, under which Axim Geospatial, LLC shall provide GIS Support Block services for the GIS Platform systems used by the Planning, Engineering and Permits Department, for a term of one (1) year, and the City shall pay Axim Geospatial, LLC an amount not to exceed \$50,000.00. [**Funding Source: 001_037_01920_01922.527-050 General Fund Information Mgt Services Systems Development System Support Professional Fees**] (Submitted by the City Attorney) (Recommended by the Mayor and the Budget and Finance Committee)

CONSENT

ITEM 16.

A Resolution authorizing the Mayor to execute and deliver an Agreement with **Eastlake Methodist Church** in an amount not to exceed \$1,000.00, to allow Eastlake Methodist Church to provide facilities for the South Eastlake Neighborhood Association’s regularly scheduled meetings, call meetings, and special events through June 30, 2024, said funding to be paid from the South Eastlake Neighborhood Association Fund. (Submitted by the City Attorney) (Recommended by the Budget and Finance Committee) **

CONSENT

ITEM 17.

A Resolution authorizing the Mayor to enter into an agreement with **Emergency Services Consulting International (“ESCI”)**, under which ESCI will assist the Birmingham Fire and Rescue Services Department (“BFRSD”) with a Strategic Plan to provide Fire and Rescue services, Emergency Medical Service, Fire Prevention and Public Education to the residents of the City of Birmingham, for a term of one (1) year, and the City shall pay ESCI an amount not to exceed \$37,919.00. **[Funding Source: 001_022_16000_1600-9.527-050]** (Submitted by the City Attorney) (Recommended by the Mayor and the Budget and Finance Committee)

CONSENT

ITEM 18.

A Resolution authorizing the Mayor to execute and deliver an agreement with **My Goat, Inc.** in an amount not to exceed \$18,000.00, to allow My Goat, Inc. to provide applicable maintenance and support services for My Goat, Inc.’s Robot as a Service (RaaS) Software; Shepherd/Technology Groundskeeper Certification; and the related hardware for four (4) Goat Pens for robotic mowers, which are located at Harrison Park at 1615 McMillon Avenue SW in Birmingham, Alabama. The term of the Agreement shall not exceed three (3) years. **[G/L Account: 001_049_40200_40229.527-050]** (Submitted by the City Attorney) (Recommended by the Mayor) **

CONSENT

ITEM 19.

A Resolution authorizing the Mayor to execute and deliver an agreement between the City of Birmingham and **The Penny Foundation** in an amount not to exceed \$27,500.00, under which The Penny Foundation will provide services to the City by supporting up to eleven (11) small businesses by operating, administering and managing the District Five Small Business Grant Program to assist small businesses located in the City of Birmingham that are experiencing financial hardship as a result of the COVID-19 pandemic by providing small business grants of up to \$2,500.00 per business with an administration fee of \$2,500.00 for a total program amount not to exceed \$27,500.00. **[Funding Source: ARPA-District 5]** (Submitted by the City Attorney) (Recommended by the Mayor and the Chief Community Planner) **

CONSENT

ITEM 20.

A Resolution authorizing the Mayor to execute and deliver an agreement between the City of Birmingham and **The Common Thread Community** in an amount not to exceed \$100,000.00, under which The Common Thread Community will provide services to the City by supporting 10-15 new small businesses by expanding its existing Cultural Center in Titusville Project (“the Project”) through the redevelopment, rehabilitation, and enhancement of Building 2, located on the existing premises at 222 6th Avenue SW, Birmingham, Alabama, into 15,000 sq. ft. of additional office collaborating space for a totaled combined office collaborating space of 60,000 sq. ft., inclusive of both Buildings 1 & 2, with an estimated investment of approximately \$525,000.00 by Consultant for improvements to Building 2. **[Funding Source: ARPA-District 6]** (Submitted by the City Attorney) (Recommended by the Mayor and the Chief Community Planner) **

CONSENT

ITEM 21.

A Resolution authorizing the Mayor to execute and deliver an agreement between the City of Birmingham and **Urban Impact, Inc.** in an amount not to exceed \$50,000.00, under which Urban Impact, Inc. will provide services to the City by supporting up to eighteen (18) small businesses by operating, administering and managing the Program to assist small businesses located in the City of Birmingham that are experiencing financial hardship as a result of the COVID-19 pandemic by providing small business grants of up to \$4,100.00 per business with an administration fee of \$7,000.00 for a total program amount not to exceed \$50,000.00. **[Funding Source: ARPA-District 5- \$25,000.00; ARPA-District 1- \$15,000.00; ARPA-District 4- \$10,000.00]** (Submitted by the City Attorney) (Recommended by the Mayor and the Chief Community Planner) **

CONSENT

ITEM 22.

A Resolution authorizing the Mayor to enter into a Right of Way Encroachment License Agreement whereby **Auburn University**, is allowed to install one (1) canopy, one (1) marquee sign, one (1) fire department connection (FDC), and two (2) doors, for the purpose of new restorations to the building, located at 2013 – 4th Avenue, North. All of the aforementioned structures will encroach into, over and upon the rights of way of 4th Avenue, North, and 4th Avenue Alley. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering and Permits and the Public Improvements Committee)

CONSENT**ITEM 23.**

A Resolution authorizing the Mayor to accept an unconditional donation to the City of Birmingham of 31 CPR kits over the next 3 years (eleven (11) in year one (1), ten (10) in year two (2), ten (10) in year three (3)) from **the American Heart Association** to be used by the Birmingham Fire and Rescue Service to teach high quality hands only CPR to the citizens of Birmingham. The quality of the CPR kits has been verified as usable by City personnel for this purpose and authorizing the Mayor to accept the assistance of the American Heart Association to help facilitate the acceptance of the equipment to the City of Birmingham. (Submitted by the City Attorney) (Recommended by the Mayor and the Budget and Finance Committee)

CONSENT**ITEM 24.**

A Resolution authorizing the Mayor to appropriate funds in the amount of \$1,500.00 per neighborhood, per calendar year, for the authorized services to be used to electronically notify neighborhood residents of meeting dates and times, such as automated calling service minutes, said sum to come from the requesting neighborhood association's fund. (Submitted by the City Attorney) (Recommended by the Mayor) **

CONSENT**ITEM 25.**

A Resolution authorizing the Mayor to allocate the sum of \$500.82 for the purpose of purchasing dog waste bags to refill stations located on the **Clairmont Walking Trail** within the Crestwood South Neighborhood, this funding to be paid from the Crestwood South Neighborhood Association Fund. (Submitted by the City Attorney) (Recommended by the Mayor) **

CONSENT**ITEM 26.**

A Resolution authorizing the Director of Finance to pay **Andrew R. Chatman** \$350.00 for storm sewer easement and temporary construction easement to Parcel Nos. 11 and 14, Hooper City Phase V Street Improvement Project, located at 506 37th Court West and 507 37th Court West, Birmingham. [**Project No. DCP157CP 003935 – Hooper City Phase V**]. (Submitted by the Mayor) (Recommended by the Director of Capital Projects and the Public Improvements Committee)

CONSENT**ITEM 27.**

A Resolution accepting the unit price bid of **C.P. Construction, LLC**, 905 – 24th Street SW, Birmingham in the amount of \$170,995.00 for City Wide Sidewalk Repairs this being the lowest responsible and responsive bid submitted, and authorizing the Mayor to enter into a contract with C.P. Construction, LLC, in substantially the form contained within the bid documents and in accordance with said bid, providing that the total compensation payable under the contract not exceed the appropriation. **[Funding Sources: DOT103CP 003818 and DOT102CP 003818]** (Submitted by the Mayor) (Recommended by the Director of Capital Projects) (Three Bids Submitted)

CONSENT**ITEM 28.**

A Resolution accepting and approving the bid of **CorVel Corporation**, Irvine, California, for workers' compensation, as needed at unit prices on file in the Office of the Purchasing Agent, for a period of three (3) years, for the Human Resources Department, and authorizing the Mayor to execute any necessary documents on behalf of the City. **[Appropriated for in FY2023-2024 Budget, G/L Account: 001_042_02300.527-046]** (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Police Chief) (One Bid Submitted)

CONSENT**ITEM 29.**

A Resolution accepting and approving the bid of **Dunn Construction**, Birmingham, for Asphalt (Plant Mix), as needed at unit prices on file in the Office of the Purchasing Agent, for a period of one (1) year contingent upon Council approval, for the City of Birmingham Public Works Department, per the PACA Purchasing Cooperative, Bid #76-21. **[G/L Account: 001_049_40300_40395.513-004]** (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Public Works)

CONSENT**ITEM 30.**

A Resolution approving payment to **Elaborate Images Co. dba Elaborate Images**, Shelbyville, Tennessee, for the purchase of marketing and promotional items, in the amount of \$12,440.85 at unit prices on file in the office of the Purchasing Agent, for the Fire Department, in accordance with Section 3-1-7 of the Birmingham City Code. **[Appropriated in the FY 2023-2024 Budget, G/L Account: 001_022_16000_16008.524-040]** (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Fire Chief)

CONSENT**ITEM 31.**

A Resolution approving payment to **Paul Pierce Auto Paint and Body**, Birmingham, in the amount of \$4,307.00 for wreck repair on vehicle number 204319 for the Equipment Management Department, in accordance with Section 3-1-7 of the Birmingham City Code. **[Appropriated in the FY 2023-2024 Budget, G/L Account: 001.151-004]** (Submitted by the Mayor) (Recommended by the Purchasing Agent and Director of Equipment Management)

CONSENT**ITEM 32.**

A Resolution approving payment to **Rent One, LLC**, Gardendale, Alabama, for the purchase of two (2) Scag Turf Tiger II at \$25,738.44 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 Sourcewell Contract #03-1121-SCG. **[Appropriated in the FY 2023-2024 Budget, G/L Account: 102_000.600-010, Project Code: EM102CP 004007_001]** (Submitted by the Mayor) (Recommended by the Purchasing Agent and Director of Equipment Management)

CONSENT**ITEM 33.**

A Resolution approving payment to **Stryker Sales Corporation**, Chicago, Illinois, in the amount of \$33,710.20, for the purchase of AED Units and Accessories, for the Birmingham Fire & Rescue Department, in accordance with National Association of State Procurement Officials (NASPO) Contract #OK-SW-300, 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_17400.524-025]** (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Fire Chief)

CONSENT**ITEM 34.**

A Resolution approving payment to **Tractor and Equipment Company**, Birmingham, for a period of one (1) year for the purchase of Komatsu parts and service for the Equipment Management Department, in accordance with Sourcewell Purchasing Program, Contract #032119-KOM. **[Appropriated in the FY 2023-2024 Budget, G/L Account: 001.151-004]** (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Equipment Management)

CONSENT

ITEM 35.

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

CONSENT

ITEM 36.

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

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