

**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**

December 5, 2023 – 9:30 A.M.

WEBSITE ADDRESS: www.birminghamal.gov

INVOCATION: Bishop DeWayne Morris, Pastor of Greater Works Church

PLEDGE OF ALLEGIANCE: Councilor Clinton Woods

ROLL CALL

MINUTES NOT READY: July 4, 2023 – November 28, 2023

COMMUNICATIONS FROM THE MAYOR

ANNOUNCEMENT OF BOARDS AND AGENCIES – January 2024

STATEMENT OF CONDUCT OF BUSINESS

All items designated as “Consent” are routine and non-controversial and will be approved by one motion. All items on the “Consent Agenda” will be announced by reading the Item Numbers only. No separate discussion of these items will be permitted unless a Councilmember or the Mayor requests the item be removed from the “Consent Agenda”. Additionally, a Citizen interested in addressing the Council with respect to an item on the “Consent Agenda” designated for “Public Hearing” (“ph”) may request the item be removed from the “Consent Agenda” to hold the hearing on the item. Any item(s) removed from the “Consent Agenda” will revert to its normal place on the Agenda Order of Business.

For remaining matters, all matters of permanent operation (“P”) will be read, and all Public Hearings (“ph”) will be announced.

CONSIDERATION OF CONSENT AGENDA

CONSIDERATION OF ORDINANCES AND RESOLUTIONS FOR FINAL PASSAGE

CONSENT

ITEM 1.

A Resolution setting a public hearing on **December 12, 2023**, to consider the adoption of an ordinance to amend Article Z, Chapter 5 of Title 2 of The General Code of the City of Birmingham, related to “Self-Help Business Improvement Districts” to expand the boundaries of a self-help business improvement district known as the “City Center Business Improvement District” established pursuant to Code of Alabama (1975) Section 11-54B-1 et seq., to expand the real properties subject to special assessments by the City Center Business Improvement District, and to modify the categories of properties which are exempt from such special assessments, and ratifying the notices of the public hearing sent to the property owners affected by the expansion of the District. (Submitted by the City Attorney) (Recommended by the Committee of the Whole)

CONSENT

ITEM 2.

A Resolution granting Operating Authority Permit with one (1) Certificate of Public Necessity and Convenience to **ReliaTran, LLC**, 6 Office Park Circle, Suite 215, Mountain Brook, Alabama 35223, to be used in the operation of a Non-Emergency Medical Transport 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 Council President O’Quinn, Chair, Transportation and Infrastructure Committee) (Recommended by the Transportation and Infrastructure Committee)

INTRODUCTION AND FIRST READING OF ORDINANCES AND RESOLUTIONS

P

ITEM 3.

An Ordinance amending Section 2-5-392 of the General Code of the City of Birmingham, to modify the procedure for amendments to Article Z, Chapter 5 of Title 2 of the General Code of the City of Birmingham, related to Self-Help Business Improvement Districts. (Submitted by the Mayor) (Recommended by the Public Safety Committee) **

CONSENT**ITEM 4.**

A Resolution authorizing the Mayor to execute and deliver an agreement with **Brother Let’s Talk, LLC**, under which Brother Let’s Talk, LLC will provide access and awareness to mental health services through individual and group counseling throughout the Birmingham area. Brother Let’s Talk, LLC will administer the Birmingham Cares Mental Health Campaign and the Healing through Education, Access, and Love (H.E.A.L) program that will provide prevention and recovery for mental health for an amount not to exceed \$200,000.00. Said funds shall come from the American Rescue Plan Act (ARPA). [**G/L Account: 039_000.527-050 District #8 Special Projects and Community-Based Public Safety Initiatives**] (Submitted by the City Attorney) (Recommended by the Mayor and the Chief Planning Officer)

CONSENT**ITEM 5.**

A Resolution authorizing the Mayor to execute and deliver an agreement with **Courtney French Broadcasting, LLC (Courtney French Broadcasting)**, under which Courtney French Broadcasting will provide radio advertisement, remote broadcasting, and communication services to Birmingham residents on significant issues relative to neighborhood revitalization, jobs and business opportunities, crime awareness and prevention, and other matters via a variety of public information medias. The term of the Agreement is for one (1) year and the City shall pay Courtney French Broadcasting an amount not to exceed \$40,000.00. [**Funding Source: 001_031_03700.534-050**] (Submitted by the City Attorney) (Recommended by the Mayor and the Budget and Finance Committee)

CONSENT**ITEM 6.**

A Resolution authorizing the Mayor to execute, for and as the act of said City, a First Amendment to the Agreement between **the Penny Foundation** and the City of Birmingham to implement, administer and manage the fiscal and budgetary aspects of Common Ground, a cognitive based conflict resolution initiative using the Pinwheel Group’s Habilitation, Empowerment, and Accountability Therapy (H.E.A.T.). The Penny Foundation shall administer and manage the fiscal and budgetary aspects of the program funding for FY: 2023-2024 and FY:2025-2026 if appropriated by the City for an annual amount not to exceed \$100,000.00, for the administration of the program budget each year. [**Funding Source: 001_061_01000.527-091**] (Submitted by the City Attorney) (Recommended by the Mayor and the Budget and Finance Committee)

CONSENT**ITEM 7.**

A Resolution authorizing the Mayor to execute, for and as the act of said City, an agreement with **Rebirth Community Corporation**, under which Rebirth Community Corporation will organize, plan, and facilitate the following: District 1 Initiatives- Be Litter Free Events, Youth Enrichment Activities, Financial Literacy, and Community Outreach for a term of one (1) year in an amount not to exceed \$50,000.00. [**Funding Source: 001_000_04210.542-001**] (Submitted by the City Attorney) (Recommended by the Mayor and the Budget and Finance Committee)

CONSENT**ITEM 8.**

A Resolution authorizing the Mayor to allocate funds in an amount not to exceed \$500.00 for the purchase of four (4) 25-inch by 45-inch sign cades, or sandwich board A-frames, to announce neighborhood meetings for the Industrial Center Neighborhood Association. Said funds to come from the Industrial Center Neighborhood Association. (Submitted by the City Attorney) (Recommended by the Mayor) **

CONSENT**ITEM 9.**

A Resolution accepting the Change Order in the amount of \$21,000.00 to add funds to the existing contract of **Barbizon Charlotte, Inc.**, 1016 McClelland Court, Charlotte, North Carolina 28206, for the Carver Theater Stage Lighting, located at 1631 – 4th Avenue North, Birmingham, and authorizing the Mayor to modify the contract with Barbizon Charlotte, Inc., in substantially the form contained within the change order documents and in accordance with said bid, providing that the total compensation payable under the contract not exceed the appropriation. [**Funding Source: DCP102CP 003532**] (Submitted by the Mayor) (Recommended by the Director of Capital Projects)

CONSENT**ITEM 10.**

A Resolution accepting and approving the bid of **Gulf States Distributors, Inc.**, Montgomery, Alabama, for Police ammunition manufactured by Federal, Hornady, PMC, Speer, CTS, Remington, and any other ammunition manufacturer or brand not listed, 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 Birmingham Police Department, per the State of Alabama Master Agreement #MA230000004087. [**G/L Account: 001_043_26200_26212_26213.518-003**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Chief of Police)

CONSENT**ITEM 11.**

A Resolution accepting and approving the bid of **Precision Delta Corp.**, Ruleville, Mississippi, for Police ammunition manufactured by Winchester, 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 Birmingham Police Department, per the State of Alabama Master Agreement #MA230000004088. [G/L Account: **001_043_26200_26212_26213.518-003**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Chief of Police)

CONSENT**ITEM 12.**

A Resolution approving payment to **HiTouch Business Services, LLC**, La Vergne, Tennessee, for the purchase of thirty (30) office chairs in the amount of \$7,547.30, at the unit prices on file in the office of the Purchasing Agent, for the Planning, Engineering and Permits Department in accordance with Section 3-1-7 of the Birmingham City Code. [Appropriated in the FY 2023-2024 Budget, G/L Account: **001_016_99999.525-005**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Planning, Engineering and Permits)

CONSENT**ITEM 13.**

A Resolution approving payment to **Stivers Ford Lincoln Mercury, Inc.**, Birmingham, for the purchase of three (3) 2024 Ford F150 Super Cab 4x4 Pickups at \$179,391.00 with optional features, as needed at unit prices on file in the office of the Purchasing Agent, for a period of one (1) year for the Equipment Management Department and various other Departments, based on bid awarded contract by the State of Alabama, Master Agreement #MA220000003128-13. [Appropriated in the FY 2023-2024 Budget; G/L Account: **102_000.600-007**; Project Code: **EM102CP 0C4006_001**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Equipment Management)

CONSENT**ITEM 14.**

A Resolution approving payment to **Stivers Ford Lincoln Mercury, Inc.**, Birmingham, for the purchase of seventeen (17) 2024 Ford Explorer XLT 2WD at \$648,601.00 with optional features, as needed at unit prices on file in the office of the Purchasing Agent, for the Equipment Management Department and various other Departments, based on bid awarded contract by the State of Alabama, Master Agreement #MA220000003128-3. [Appropriated in the FY 2023-2024 Budget; G/L Account: **102_000.600-007**; Project Codes: **EM102CP 004006_001, EM102CP 0A4006_001, EM102CP 0A4006_004, EM102CP 0C4006_001,**

EM102CP 0C4006_003] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Equipment Management)

CONSENT

ITEM 15.

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

CONSENT

ITEM 16.

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

COMMUNICATIONS FROM THE CITY CLERK

ITEM 17.

Receiving the Emergency Repair Notice from the Purchasing Agent relative to the Boutwell Auditorium steam coil piping repair. **

OLD AND NEW BUSINESS

PRESENTATIONS

REQUEST FROM THE PUBLIC

ADJOURNMENT