

**REGULAR MEETING OF THE COUNCIL
CITY OF BIRMINGHAM, ALABAMA
PRE-COUNCIL MEETING – 9:00 A.M.**

March 19, 2024 – 9:30 A.M.

WEBSITE ADDRESS: www.birminghamal.gov

INVOCATION: Reverend Timothy Woods, Pastor, Hopewell Missionary Baptist Church

PLEDGE OF ALLEGIANCE: Councilor J. T. Moore

ROLL CALL

MINUTES NOT READY: November 7, 2023 – March 5, 2024

COMMUNICATIONS FROM THE MAYOR

NOMINATIONS TO BOARDS AND AGENCIES

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**P (ph) ITEM 1.**

A Resolution assenting to the vacation of the following: 6,757 square feet of the right of way that is located parallel to and between 40th Street North and 42nd Street North and perpendicular to and between 10th Avenue North and 11th Court North, and located at 4000 and 4001 Richard Arrington, Jr. Boulevard, on behalf of **Coca Cola Bottling Company United-Central, LLC**, owners, so the owners can consolidate property and the **hearing** of all interested parties, **Case No. SUB2023-00086. [Second Reading]** (Submitted by Councilor Moore, Chairman, Community Development Committee) (Recommended by the Subdivision Committee of the Birmingham Planning Commission and the Community Development Committee)**

P (ph) ITEM 2.

A Resolution assenting to the vacation of the following: 23,760 square feet of the right-of-way that is located parallel to and between 16th Avenue South and 22nd Street South and perpendicular to and between 21st Place South (Ash Street) and Red Mountain Expressway, and located at 2149 – 16th Avenue South and 2141 – 17th Avenue South, on behalf of **Barber Companies, Inc. and George W. Barber, Jr.**, owners, so the owners can consolidate property and the **hearing** of all interested parties, **Case No. SUB2024-00003. [Second Reading]** (Submitted by Councilor Moore, Chairman, Community Development Committee) (Recommended by the Subdivision Committee of the Birmingham Planning Commission and the Community Development Committee)**

INTRODUCTION AND FIRST READING OF ORDINANCES AND RESOLUTIONS**CONSENT ITEM 3.**

A Resolution approving and authorizing the Mayor to execute an agreement with **Birmingham Urban League, Inc.**, in an amount not to exceed \$125,000.00, under which Birmingham Urban League will provide services to the City of Birmingham by equipping citizens of Birmingham with the information and training they need to advance their education and obtain life enhancing training; by (i) reducing unemployment through the creation of streamlined paths to high demand occupations and careers; (ii) addressing critical labor shortages through preparing adults and students for high demand occupations and careers with livable wages; and (iii) facilitating transitions into identified successful pathways to address workforce/educational disparities brought on as a direct result of the COVID-19 pandemic. **[Funding Source: G/L 039_000.527-050 -**

District 1: \$45,000.00; District 4: \$40,000.00; District 5: \$20,000.00; and District 9: \$20,000.00] (Submitted by the City Attorney) (Recommended by the Mayor and the Chief Community Planner)

CONSENT

ITEM 4.

A Resolution approving and authorizing the Mayor to execute a Consulting Agreement with **Freshwater Land Trust**, under which Freshwater Land Trust will provide consulting and project management services for an amount not to exceed \$239,900.00, in American Rescue Plan Act of 2021 (ARPA) funds, in connection with the City's Shades Creek Greenway project, which will connect the City of Mountain Brook's Irondale Furnace Trail to the City of Birmingham's Flora Johnston Nature Preserve and will establish a new trail running along Shades Creek on the City's right-of-way. (Submitted by the City Attorney) (Recommended by the Mayor and the Director of the Department of Transportation)

CONSENT

ITEM 5.

A Resolution amending Resolution No. 801-23, adopted by the Council April, 28, 2023, authorizing the Mayor to execute and deliver an agreement between the City of Birmingham and **Greater Birmingham Habitat for Humanity, Inc.**, in an amount not to exceed \$340,000.00, for a term of twelve (12) months, under which Greater Birmingham Habitat for Humanity, Inc. will provide 8 new single-family affordable housing units and provide roof repair/fortification and critical home repair for up to 20 qualified low- and moderate-income residents in the Rising West Princeton neighborhood of Council District 8, to correct the term of the resolution to a term to end on or before December 31, 2024. (Submitted by the City Attorney) (Recommended by the Mayor)

CONSENT

ITEM 6.

A Resolution amending Resolution No. 145-23, adopted by the Council January 27, 2023, authorizing the Mayor to execute and deliver an agreement between the City of Birmingham and **Leaders of Excellence, Inc.**, in an amount not to exceed \$25,000.00, under which Leaders of Excellence, Inc. will prepare youth and young adults, ages 16-24, experiencing academic learning and job training loss due to COVID restrictions for high-demand jobs through workforce education, paid student internships, and eliminating barriers of employment by connecting program participants with employers through its career readiness program, Providing Opportunities for Wealth and Economic Resilience (POWER), to correct the term of the resolution to a term to end on or before

December 31, 2024. (Submitted by the City Attorney) (Recommended by the Mayor)

CONSENT

ITEM 7.

A Resolution amending Resolution No. 146-23, adopted by the Council January 27, 2023, authorizing the Mayor to execute and deliver an agreement between the City of Birmingham and **One Place Metro Alabama Family Justice Center (“One Place Metro”)**, in an amount not to exceed \$150,000.00, for a term of twelve (12) months, under which One Place Metro will expand the One Place facility to allow more criminal justice professionals from across Jefferson County to work together through this community violence intervention program to prevent future homicides that often begin as domestic violence cases to address the increase in violent crime and domestic violence during COVID-19, to correct the term of the resolution to a term to end on or before December 31, 2024. (Submitted by the City Attorney) (Recommended by the Mayor)

CONSENT

ITEM 8.

A Resolution authorizing the Mayor to execute a Development and Program Funding Agreement pursuant to the American Rescue Plan Act of 2021 (ARPA) between the City of Birmingham (the “City”) and **Southern Research Institute (“SR”)**, to respond to the far-reaching public health and negative economic impacts of the pandemic under which the SR will develop a unique public health data system program to connect personalized medical data, including genomic, transcriptomics, proteomics, metabolomics, and other forms of data to clinical data to support the public health (the “Program”) creating over 50 new jobs over the next 5 years and the City will pay the SR pursuant to Amendment No. 772 from monies received by the City from ARPA, an amount not to exceed \$5,000,000.00 to support the Program. **[Funding Source: 039_000.527-050]** (Submitted by the City Attorney) (Recommended by the Mayor, the Budget and Finance Committee and the Economic Development Committee)

CONSENT**ITEM 9.**

A Resolution amending Resolution No. 272-23, adopted by the Council February 24, 2023, authorizing the Mayor to execute and deliver an agreement between the City of Birmingham and **The Board of Trustees of the University of Alabama for the University of Alabama at Birmingham**, in an amount not to exceed \$100,000.00, for a term of twelve (12) months, under which The Board of Trustees of the University of Alabama for the University of Alabama at Birmingham's "If I Had A Hammer's Pre-Apprenticeship Program" will prepare participating BCS students experiencing academic learning and job training loss due to COVID restrictions to enter careers in the skilled trades by providing workforce development education to eliminate barriers of employment by connecting program participants with the program's apprenticeship and/or industry partners, to correct the term of the resolution to a term to end on or before December 31, 2024. (Submitted by the City Attorney) (Recommended by the Mayor)

CONSENT**ITEM 10.**

A Resolution amending Resolution No. 556-23, adopted by the Council April 4, 2023, authorizing the Mayor to execute and deliver an agreement between the City of Birmingham and **The Literacy Council**, in an amount not to exceed \$100,000.00, for a term of twelve (12) months, under which The Literacy Council will provide learner-centered programs in the City of Birmingham to increase literacy levels including adult basic literacy, adult basic literacy for justice impacted adults, English for Speakers of Other Languages (ESOL), family literacy, workforce development, GED preparation, digital literacy, soft skills, and volunteer tutor training, to correct the term of the resolution to a term to end on or before December 31, 2024. (Submitted by the City Attorney) (Recommended by the Mayor)

CONSENT**ITEM 11.**

A Resolution amending Resolution No. 1215-23, adopted by the Council July 21, 2023, authorizing the Mayor to execute and deliver an agreement between the City of Birmingham and the **Woodlawn Foundation, Inc.**, in an amount not to exceed \$100,000.00, for a term of twelve (12) months, under which the Woodlawn Foundation, Inc. will provide broadband internet access to District 4 underserved neighborhoods at speeds in excess of the Federal Communications Commission's ("FCC") definition for broadband internet and promote the deployment of broadband community networks in underserved neighborhoods across the City, to correct the term of the resolution to a term to end on or before December

31, 2024. (Submitted by the City Attorney) (Recommended by the Mayor)

CONSENT**ITEM 12.**

A Resolution amending Resolution No. 557-23, adopted by the Council April 4, 2023, authorizing the Mayor to execute and deliver an agreement between the City of Birmingham and the **Young Women's Christian Association of Central Alabama, Inc. ("YWCA")**, in an amount not to exceed \$25,000.00, under which the YWCA will implement its YWomen Work entrepreneurial program ("YWomen Work") in the City of Birmingham to provide education, mentoring/coaching, financial assistance, and a hub for continued small business growth and sustainability to support women in entrepreneurship and facilitate economic development to women and women of color, to correct the term of the resolution to a term to end on or before December 31, 2024. (Submitted by the City Attorney) (Recommended by the Mayor)

CONSENT**ITEM 13.**

A Resolution authorizing the Mayor to execute an Agreement with **ZOOM Motorsports** under which Zoom shall manage and host the Indy Racing League event, and for said services the City shall provide incentives in an amount not to exceed \$350,000.00, for a term of up to one (1) year. **[Funding Source: Sporting & Entertainment Recruit Board & Agencies Boards 057_400_96500_96538.550-002]** (Submitted by the City Attorney) (Recommended by the Mayor, the Budget and Finance Committee and the Economic Development Committee)

CONSENT**ITEM 14.**

A Resolution accepting the lump sum bid of **Dunn Construction Co. Inc.**, Birmingham in the amount of \$5,120,999.51 for Resurfacing Citywide 2024 Contract 1 this being the lowest responsible and responsive bid submitted, and authorizing the Mayor to enter into a contract with Dunn Construction Co. 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 does not exceed the appropriation. **[Funding Source: DOT103CP0B3048]** (Submitted by the Mayor) (Recommended by the Director of Capital Projects) (Three Bids Submitted)

CONSENT**ITEM 15.**

A Resolution accepting the lump sum bid of **Gillespie Construction, LLC**, Jasper, Alabama, in the amount of \$155,807.00 for Sinkhole Repair at Brock Industrial Drive, this being the lowest responsible and responsive bid submitted, and authorizing the Mayor to enter into a contract with Gillespie 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. **[GL Account: 046_000.513-010; Project Code: DOT046CP 003048]** (Submitted by the Mayor) (Recommended by the Director of Capital Projects) (Four Bids Submitted)

CONSENT**ITEM 16.**

A Resolution accepting the lump sum bid of **James Paving Co. LLC**, Pelham, Alabama, in the amount of \$720,087.50 for Roebuck Golf Course Path at Hawkins Park – Roebuck Golf Course, this being the lowest responsible and responsive bid submitted, and authorizing the Mayor to enter into a contract with James Paving Co. 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: DCP157CP 020098 and FIN039RM 99999B]** (Submitted by the Mayor) (Recommended by the Director of Capital Projects) (Two Bids Submitted)

CONSENT**ITEM 17.**

A Resolution accepting the lump sum bid of **McKelvey Mechanical, Inc.**, Tuscaloosa, Alabama, in the amount of \$219,275.00 for Birmingham Library Central Branch HVAC Upgrades and Repairs, this being the lowest responsible and responsive bid submitted, and authorizing the Mayor to enter into a contract with McKelvey Mechanical, 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. **[Funding Source: LIB102CP 003980]** (Submitted by the Mayor) (Recommended by the Director of Capital Projects) (Three Bids Submitted)

CONSENT**ITEM 18.**

A Resolution accepting the lump sum proposal of **Advanced Roofing Solutions, LLC**, Northport, Alabama, in the amount of \$99,704.00 for Fire Stations 2, 11, 14, 20 and 32 Roof Repairs, this being the lowest responsible and responsive proposal submitted in compliance with Title 39, Code of Alabama 1975, as amended, allowing the receipt of informal bids for work under \$100,000.00 without the need to advertise or accept sealed bids, and authorizing the Mayor to enter into a contract with Advanced Roofing Solutions, LLC, in substantially the form contained within the proposal documents and in accordance with said proposal, providing that the total compensation payable under the contract not exceed the appropriation. **[Funding Source: PW102CP 0A3999]** (Submitted by the Mayor) (Recommended by the Director of Capital Projects) (One Proposal Received)

CONSENT**ITEM 19.**

A Resolution accepting the lump sum proposal of **Tecta America Southeast, LLC**, Birmingham in the amount of \$9,586.00 for Fire Stations 6, 12, 16 and 19 Roof Repairs, this being the lowest responsible and responsive proposal submitted allowing the receipt of informal bids for work under \$100,000.00 without the need to advertise or accept sealed bids, in compliance with Title 39, Code of Alabama 1975, as amended, and authorizing the Mayor to enter into a contract with Tecta America Southeast, LLC, in substantially the form contained within the proposal documents and in accordance with said proposal, providing that the total compensation payable under the contract not exceed the appropriation. **[Funding Source: 001_060_00500.511-022]** (Submitted by the Mayor) (Recommended by the Director of Capital Projects) (One Proposal Received)

CONSENT**ITEM 20.**

A Resolution accepting and approving the negotiated bid of **Wavetronix, Inc.**, Springville, Utah, for radar traffic detection equipment, as needed at unit prices on file in the Office of the Purchasing Agent, for a period of one (1) year, for the Department of Transportation. **[Appropriated for in the FY2023-2024 Budget, G/L Account: 001_052_00840_00842.513-003]** (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Transportation) (One Negotiated Bid Submitted)

CONSENT**ITEM 21.**

A Resolution approving payment to **Amazon.com Services, LLC**, Seattle, Washington, in the amount of \$6,377.42, for the purchase of office furniture, for the City of Birmingham Finance Department, in accordance with the Omnia Partners Purchasing Cooperative Contract #R-TC-17006. [**G/L Account: 001_019_99999.525-005**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Chief Financial Officer)

CONSENT**ITEM 22.**

A Resolution approving payment to **Boss Office Products, Inc.**, Richardson, Texas, for the purchase of office chairs, in the amount of \$1,890.00, at unit prices on file in the office of the Purchasing Agent, for the Office of the City Attorney, based on bid awarded contract #230301 by the Interlocal Purchasing System (TIPS) Pittsburg, Texas, a national governmental purchasing cooperative. [**Appropriated for in the FY2023-2024 Budget; G/L Account: 001_028_01600.525-005**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Office of the City Attorney)

CONSENT**ITEM 23.**

A Resolution approving payment to **Emergency Equipment Professionals**, Southaven, Mississippi, in the amount of \$2,946.59, for the purchase of firetruck repair parts, in accordance with Section 3-1-7 of the Birmingham City Code. [**Appropriated for in the FY2023-2024 Budget, G/L Account: 001.151-004**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Equipment Management)

CONSENT**ITEM 24.**

A Resolution approving payment to **Graybar Electric Company, Inc.**, Atlanta, Georgia, in the amount of \$13,637.17, for the purchase of power tools and related accessories, for the City of Birmingham Department of Transportation, in accordance with the Omnia Partners Purchasing Cooperative Contract #EV-2370. [**G/L Account: 001_052_00840_00843.511-014**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of the Transportation Department)

CONSENT**ITEM 25.**

A Resolution approving payment to **Group Lacasse, LLC**, Chicago, Illinois, for the purchase of office furniture, in the amount of \$4,888.00, at unit prices on file in the office of the Purchasing Agent, for the Office of the City Attorney, based on bid awarded contract by the State of Alabama, Master Agreement #MA220000002795. **[Appropriated for in the FY2023-2024 Budget, G/L Account: 001_028_01600.525-005]** (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Office of the City Attorney)

CONSENT**ITEM 26.**

A Resolution approving payment to **Imperial Bag & Paper Company, LLC dba American Osment**, Lafayette, Louisiana, for the purchase of a Tennant T500E 28” Floor Scrubber with Pad Driver Walk Behind, in the amount of \$12,011.10 and a Tennant I-mop Lite Auto Scrubber with one (1) set of batteries, in the amount of \$3,998.74, at the unit prices on file in the office of the Purchasing Agent, for a period of one (1) year, for the City of Birmingham Budget Office, in accordance with Section 3-1-7 of the Birmingham City Code. **[G/L Account: 001_019_99999.600-010]** (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Chief Financial Officer of Finance)

CONSENT**ITEM 27.**

A Resolution approving payment to **Jameson Investments, LLC dba Mattress Depot**, Gulf Shores, Alabama, for the purchase of sixty-seven (67) 12.5” Hybrid Gel Foam Twin XL Mattresses in the amount of \$16,683.00, at unit prices on file in the office of the Purchasing Agent, for the City of Birmingham Fire and Rescue Department, in accordance with Section 3-1-7 of the Birmingham City Code. **[Appropriated for in FY2023-2024 Budget, G/L Account: 102_000.525-005, Project Code: FIR102CP 003974]** (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Chief of the Fire Department)

CONSENT**ITEM 28.**

A Resolution approving payment to **Stuppy, Inc.**, Kansas City, Missouri, to replace and repair eight (8) benches each with 10 legs and 4 braces for the horticulture propagation greenhouse benches in the amount of \$28,676.00, at unit prices on file in the office of the Purchasing Agent, for the City of Birmingham Department of Public Works, in accordance with Section 3-1-7 of the Birmingham City Code. **[Appropriated for in**

FY2023-2024 Budget, G/L Account: 001_049_99999.525-010]
(Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of the Department of Public Works)

CONSENT

ITEM 29.

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

CONSENT

ITEM 30.

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

CONSENT

ITEM 31.

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

CONSENT

ITEM 32.

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

CONSENT

ITEM 33.

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

CONSENT

ITEM 34.

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

CONSENT

ITEM 35.

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