

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

**November 26, 2024 – 9:30 A.M.**

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

**INVOCATION: Rev. Ms. Earlene Prince, Pastor, Church of God Pratt City**

**PLEDGE OF ALLEGIANCE: Councilor Carol E. Clarke**

**ROLL CALL**

**APPROVAL OF MINUTES FROM PREVIOUS MEETINGS: Sept. 3, 10, 17 & 24, 2024**

**MINUTES NOT READY: October 1, 2024 – November 19, 2024**

**COMMUNICATIONS FROM THE MAYOR**

**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(ph) **ITEM 1.**

A Resolution authorizing the abatement and removal of the following inoperable motor vehicle as a public nuisance existing on the following property and the costs of removal to be assessed against the registered owner of the vehicle, and the **hearing** of all interested parties: (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering and Permits)

DODGE DURANGO COLOR: BLUE TAG: UNKNOWN VIN: UNKNOWN  
located at 1128 OAKWOOD ST , 35215 Parcel ID Number 13-25-1-03-55.000-RR

## INTRODUCTION AND FIRST READING OF ORDINANCES AND RESOLUTIONS

### P

#### **ITEM 2.**

An Ordinance authorizing the Mayor, the Chief of Police and the Director of Traffic Engineering to extend the experimental road closures in **East Lake (Project Safe Streets: East Lake)** for an additional ninety (90) days from the effective date of this ordinance to provide notice to the public of the date and time of a public hearing before this Council to consider the indefinite closure of the roadways identified in Project Safe Streets: East Lake. **[First Reading]** (Submitted by the City Attorney) (Recommended by the Mayor)\*\*

### P

#### **ITEM 3.**

An Ordinance authorizing the Mayor execute and enter into an Interlocal Cooperation Agreement with the **Jefferson County District Attorney-10th Judicial Circuit** in an amount not to exceed \$100,000.00, to fund the Jefferson County District Attorney Certified Victim Service Officers Program (the “Program”) which is offered to provide support and engagement for victims of crime by offering direct comprehensive services to all victims of crime in Jefferson County to attempt to alleviate the reluctant victims of crime experience due to feeling unsafe navigating the criminal justice system; or the inability to participate due to transportation issues, mental health problems or financial issues that may be associated with the victimization itself, the term of the agreement shall not exceed a period of three (3) years from its effective date, and authorizing the Mayor to execute any other documents necessary to accomplish the purposes of the Agreement. **[First Reading] [Funding Source: G/L 039\_000.527-050 - ARPA District 4 Funds]** (Submitted by

the City Attorney) (Recommended by the Mayor and the Chief Community Planner)\*\*

**P**

**ITEM 4.**

An Ordinance authorizing the Mayor to execute a Redevelopment Agreement between the City of Birmingham and **LRY Media Group, LLC (LRY)**, under which LRY will undertake a project to refurbish and transform the former “Birmingham Credit Union Building” located at 708 17<sup>th</sup> Street North, Birmingham, into its primary office for Event Management and Logistics. The City has agreed to make the property available to LRY at a use value of \$30,000.00 in support of the project. (Submitted by the City Attorney) (Recommended by the Mayor, the Budget and Finance Committee and the Economic Development and Tourism Committee)\*\*

**P**

**ITEM 5.**

An Ordinance authorizing the Mayor to execute a Redevelopment Agreement between the City of Birmingham and **Slade Land Use, Environmental and Transportation Planning, LLC (“Slade”)** under which Slade will undertake a project to redevelop, rehabilitate and convert the interior, exterior and surrounding grounds of the Property located at 1616 7<sup>th</sup> Avenue North, Birmingham Alabama, 35203 to use as its primary office, with an estimated investment of approximately \$2.6 million for capital improvements and the creation/retention of seven (7) full time jobs. The City has agreed to make the property available to Slade at a use value of \$60,000.00 in support of the project. **[First Reading]** (Submitted by the City Attorney) (Recommended by the Mayor)\*\*

**CONSENT**

**ITEM 6.**

A Resolution authorizing the Mayor to execute and deliver an agreement between the City of Birmingham and **Birmingham Property Group, LLC** in an amount not to exceed \$460,000.00, under which Birmingham Property Group, LLC will provide services to the City by funding its Pathway to Homeownership Program (“the Program”) under which it will convert tenants into homeowners through a structured process which includes homeownership assistance, thereby revitalizing neighborhoods and promoting community stability through the rehabilitation of four (4) houses over a twelve-month period in the Fountain Heights and Druid Hills area to provide housing for qualifying residents of the City of

Birmingham at or below 80% of Area Median Income (AMI). [**Funding Source: G/L 039\_000.527-050 - ARPA Affordable Housing Trust Fund**] (Submitted by the City Attorney) (Recommended by the Mayor and the Chief Community Planner)

## CONSENT

### **ITEM 7.**

A Resolution authorizing the Mayor to execute and deliver an agreement between the City of Birmingham and **Central Alabama Redevelopment Alliance** in an amount not to exceed \$90,000.00, under which Central Alabama Redevelopment Alliance will provide services to the City to benefit the poor and needy of Birmingham through the implementation of a project to open its Non-profit Small Business Accelerator Program to strengthen Non-Governmental Organizations (NGOs) that work to strengthen at-risk individuals and families (the “Project”). Upon successful completion of the Non-profit Small Business Accelerator Program, non-profit organizations will have a “3D Small Business Model” that has a Program Model, A Funding Model, and a Policy Model that prepares them to do business with Government and private funders which will provide non-profit organizations with the capability to know their metrics and track their impact upon individuals and families that they serve. [**Funding Source: G/L 039\_000.527-050 - ARPA District 5 Funds (\$40,000.00) & ARPA District 4 Funds (\$50,000.00)**] (Submitted by the City Attorney) (Recommended by the Mayor and the Chief Community Planner)

## CONSENT

### **ITEM 8.**

A Resolution authorizing the Mayor to execute and deliver an agreement with **Daniel Payne Legacy Village Foundation (DPVLF)**, under which DPVLF, will establish a community health store alongside their recently funded community grocery store. The Foundation intends to dramatically expand its current food pantry capacity to allow a low or no-cost full-service grocery store to serve the community and add a low or no-cost full-service health store. The City will provide funding received under the American Rescue Plan Act (ARPA), for a term of one (1) year in an amount not to exceed \$25,000.00. [**Funding Source: G/L 039\_000.527-050 - ARPA District 9 Funds**] (Submitted by the City Attorney) (Recommended by the Mayor)

**CONSENT****ITEM 9.**

A Resolution authorizing the Mayor to execute and deliver an agreement with **Daniel Payne Legacy Village Foundation (DPVLF)**, under which DPVLF, will expand their Meal Subscription Service program. The Meal Subscription Service project aims to significantly expand DPVLF's current food service programming to allow a Birmingham-based household to subscribe and receive thirty-two (32) servings/meals per month by paying a subscription fee. The City of Birmingham will contribute towards the one (1) year of service for one hundred (100) families and the distribution of 38,400 meals. The City will provide funding received under the American Rescue Plan Act (ARPA), for a term of one (1) year in an amount not to exceed \$230,000.00. **[Funding Source: G/L 039\_000.527-050 - ARPA Health Food Initiatives]** (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 and deliver an agreement between the City of Birmingham and **the Housing Authority of the Birmingham District**, in an amount not to exceed \$125,000.00, under which the Housing Authority of the Birmingham District will provide services to the City by completing its Project to make the north and south entrances to the Harris Homes tunnel ADA accessible for school students and residents of the surrounding communities (the "Project"). **[Funding Source: G/L 039\_000.527-050 - ARPA District 5 Funds (\$100,000.00) and ARPA District 4 Funds (\$25,000.00)]** (Submitted by the City Attorney) (Recommended by the Mayor and the Chief Community Planner)

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

A Resolution authorizing the Mayor to execute and deliver an agreement between the City of Birmingham and **Love Joy Ministries, Inc.** in an amount not to exceed \$117,625.00, under which Love Joy Ministries, Inc. will provide services to the City to benefit the poor and needy of Birmingham through the implementation of its new STEM (Science, Technology, Engineering, and Mathematics) Program (the "Program"). This Program not only focuses on providing high-quality STEM curriculum and materials but will also address the critical need for improved security measures within the learning environment to foster a safe learning environment while enriching educational experiences through a robust STEM program tailored for early learners to foster

curiosity, critical thinking, and problem-solving skills in our young learners by providing the hands-on experiences and interactive learning opportunities that are essential to developing these skills. **[Funding Source: G/L 039\_000.527-050 - ARPA District 4 Funds]** (Submitted by the City Attorney) (Recommended by the Mayor and the Chief Community Planner)

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

A Resolution authorizing the Mayor to execute and deliver an agreement between the City of Birmingham and **TRAINFO Corporation** in an amount not to exceed \$193,600.00, for a term of up to three (3) years, for a unique railroad crossing prediction solution, including TRAINFO sensor bases, data plans, licenses, Ver-Mac full matrix DMS boards, software, remote installation, testing, training, and related support and maintenance services, for the Birmingham Department of Transportation, which solution is predicted to significantly reduce traffic congestion surrounding rail crossings, vehicle interactions with active crossings, and first responder delays at crossings, this is the sole source of supply. **[Funding Source: G/L 039-000.527-050 (ARPA Districts 5 & 7 Funds)]** (Submitted by the City Attorney) (Recommended by the Mayor and the Chief Community Planner) \*\*

**CONSENT****ITEM 13.**

A Resolution authorizing the Mayor to accept and expend a grant with the **Anne M. Cabaniss Charitable Trust** in the amount of \$55,000.00, said funds shall be used to assist the City in preserving and support renovations at the Arlington Antebellum Home and Gardens, no matching funds are due from the City, and authorizing the Mayor to take any and actions and execute such other documents as are appropriate and necessary to accept and expend the grant funds on behalf of the City of Birmingham. (Submitted by the City Attorney) (Recommended by the Mayor and the Budget and Finance Committee)

**CONSENT****ITEM 14.**

A Resolution authorizing the Mayor to execute, for and as the act of said City, any and all documents necessary for the City to make application, receive and expend grant funding from the **2025 U.S. Department of Justice (DOJ) Edward Byrne Memorial Justice Assistance Grant**, in the amount of \$100,000.00 with the Grant funds to be used for law enforcement and technology improvements with no matching funds due

from the City. (Submitted by the City Attorney) (Recommended by the Mayor and the Budget and Finance Committee)

**CONSENT**

**ITEM 15.**

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 *Eric Brown v. City of Birmingham, et al.*, Case No. CV-2023-900737 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 claim in an amount not to exceed \$18,000.00. **[Funding Source: G/L 001-028-01600-534-013]** (Submitted by the City Attorney) (Recommended by the Mayor)\*\*

**CONSENT**

**ITEM 16.**

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 *Melissa Fendley v. City of Birmingham, et al.*, Case No. 2:23-cv-01369-MHH, United States District Court Northern District of Alabama Southern Division, and authorizing the Mayor, the City Attorney, or one of her assistants, to execute all documents necessary to accomplish the settlement of this claim in an amount not to exceed \$15,000.00. **[Funding Source: G/L 001-028-01600-534-013]** (Submitted by the City Attorney) (Recommended by the Mayor)\*\*

**CONSENT**

**ITEM 17.**

A Resolution authorizing the Director of Finance to pay **Mount Hebron Baptist Church** the amount of \$20,660.00, for fee simple right of way and temporary easement, to Tract No.11, Pratt Highway Bridge Replacement (Over Black Creek on Pratt Highway) Project No. STPBH-1602(519), upon the hereinafter described parcels of property within said City, in Jefferson County, located at 800 Pratt Highway Birmingham, Alabama. **[Project Code: DCP157CP 02432A – Pratt Highway Bridge at Morgan Street Grant Match and PEP035 GR 02432A – Pratt Highway Bridge at Morgan Street Grant]**. (Submitted by the Mayor) (Recommended by the Director of Capital Projects)

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

A Resolution accepting the lump sum proposal of **Tennessee Valley Metals, Inc.**, 190 Industrial Park Drive, Oneonta, Alabama, 35121, in the amount of \$30,616.00, for the Boutwell Auditorium Side Canopy Replacement located at 1930 Reverend Abraham Woods Jr Boulevard, Birmingham, AL 35203, this being the lowest responsible and responsive proposal submitted, and authorizing the Mayor to enter into a contract with Tennessee Valley Metals, Inc., 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: DCP102CP 003999**] (Submitted by the Mayor) (Recommended by the Director of Capital Projects) (One Proposal Submitted)

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

A Resolution accepting the lump sum proposal of **C.P. Construction, LLC**, 905 24<sup>th</sup> Street SW, Birmingham, in the amount of \$3,000.00, for the Boutwell Auditorium Side Canopy Replacement located at 1930 Reverend Abraham Woods Jr Boulevard, Birmingham, AL 35203, this being the lowest responsible and responsive proposal submitted, and authorizing the Mayor to enter into a contract with C.P. Construction, 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: DCP102CP 003999**] (Submitted by the Mayor) (Recommended by the Director of Capital Projects) (One Proposal Submitted)

**CONSENT****ITEM 20.**

A Resolution accepting the lump sum bid of **Bulls Construction Group, LLC**, Birmingham, in the amount of \$1,110,725.00, for ARPA Clairmont Connector Trails located in Birmingham, this being the lowest responsible and responsive bid submitted, and authorizing the Mayor to enter into a contract with Bulls Construction Group, 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 does not exceed the appropriation. [**Funding Source: FIN039RM 99999B\_004 - American Rescue Plan Act (ARPA), District 2; FIN039RM 99999B\_005 - American Rescue Plan Act (ARPA), District 3; FIN039RM 99999B\_007 - American Rescue Plan Act (ARPA),**



**District 5]** (Submitted by the Mayor) (Recommended by the Director of Capital Projects) (Three Bids Submitted)

**CONSENT**

**ITEM 21.**

A Resolution accepting the lump sum bid of **Russo Corporation**, Birmingham, in the amount of \$5,901,458.26, for ARPA Funded Caldwell Park/26<sup>th</sup> Street South Drainage Improvements located in Birmingham this being the lowest responsible and responsive bid submitted, and authorizing the Mayor to enter into a contract with Sherrod Construction Company, 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: FIN039RM 99999B\_004 – American Rescue Plan Act (ARPA), District 3]** (Submitted by the Mayor) (Recommended by the Director of Capital Projects) (Two Bids Submitted)

**CONSENT**

**ITEM 22.**

A Resolution accepting and approving the bid of **Alabama Graphic & Engineering Supply, Inc.**, Birmingham, and purchase of online bid document management services, as needed at unit prices on file in the Office of the Purchasing Agent, for a period of three (3) years, for the Planning, Engineering and Permits Department, this being the lowest bid submitted and authorizing the Mayor to execute any necessary documents on behalf of the City. [**Appropriated for in FY2024-2025 Budget; G/L Account: 001\_049\_40200\_40229.511-004]** (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Planning, Engineering and Permits) (One Bid Submitted)

**CONSENT**

**ITEM 23.**

A Resolution accepting and approving the bid 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 the Public Works Department, this being the lowest bid submitted meeting specifications. [**Appropriated for in FY2024-2025 Budget; G/L Account: 001\_049\_40200\_40229.511-004]** (Submitted by the Mayor)

(Recommended by the Purchasing Agent and Director of Public Works)  
(One Bid Submitted)

**CONSENT**

**ITEM 24.**

A Resolution accepting and approving the bid of **Advance Auto Parts**, Birmingham, for Automotive Batteries, 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 Equipment Management Department, based on bid awarded in accordance with the OMNIA Purchasing Cooperative, Contract #R-LD-23013-01. [**G/L Account: 001.151-004**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Equipment Management)

**CONSENT**

**ITEM 25.**

A Resolution accepting and approving the bid of **NAPA Auto Parts**, Birmingham, for Automotive Batteries: Light Commercial Batteries and Heavy Commercial Batteries, as needed at unit prices on file in the Office of the Purchasing Agent, for a period of one (1) year guaranteed, for the City of Birmingham Equipment Management Department, based on bid awarded in accordance with per the Sourcewell Purchasing Cooperative Contract #032521-GPC. [**G/L Account: 001.151-004**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and Director of Equipment Management)

**CONSENT**

**ITEM 26.**

A Resolution accepting and approving the bid of **Triple Point Industries, LLC**, Bessemer, Alabama, for Water Chemical Treatment Program, as needed at 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 meeting specifications. [**Appropriated for in FY2024-2025 Budget; G/L Account: 001\_049\_40200\_40229.527-050**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Public Works) (One Bid Submitted)

**CONSENT**

**ITEM 27.**

A Resolution approving payment to **PC Connection Sales, Corp., DBA Connection**, Pittsburgh, Pennsylvania, in the amount of \$4,976.10, for the air purifiers, for the City of Birmingham Police Department, in accordance with Section 3-1-7 of the Birmingham City Code. **[G/L Account: 001\_043\_26800\_26830.524-040]** (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Interim Chief of Police)

**CONSENT**

**ITEM 28.**

A Resolution approving payment to **SHI International Corporation**, Pittsburgh, Pennsylvania, in the amount of \$15,909.45, for Annual Subscription for Year One EZ Web Enterprises, Inc., for the Information Management Systems Department, in accordance with Section 3-1-7 of the Birmingham City Code and per the NASPO Value Point Master Agreement #CTR060028 and State of Alabama Contract #MA230000003919. **[Appropriated for in FY 2024-2025 Budget; G/L Account: 001\_037\_01910\_01912.526-003]** (Submitted by the Mayor) (Recommended by the Purchasing Agent and Interim Chief Information Officer of Information Management Systems)

**CONSENT**

**ITEM 29.**

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

**CONSENT**

**ITEM 30.**

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

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**ITEM 33.**

A Resolution setting a public hearing **January 14, 2025**, which was set for November 12, 2024 by Resolution No. 1515-24, adopted by the Council October 1, 2024, due to the cancelation of the November 12, 2024, Council meeting, to provide publication of notice of the public hearing to determine whether the closure of certain roads in the **East Lake neighborhood under Project Safe Streets: East Lake**, initiated pursuant to Section 10-2-9 of the General Code of the City of Birmingham, shall be continued indefinitely to provide traffic calming measures for reduction of crime. (Submitted by the City Attorney) (Recommended by the Mayor)\*\*

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**ITEM 34.**

A Resolution setting a public hearing **January 7, 2025**, to consider the adoption of a resolution assenting to the vacation of 32,000 square feet of the right of way 6<sup>th</sup> Avenue North that is located parallel to and between Messer-Airport Highway and 7<sup>th</sup> Avenue North and perpendicular to and between 28<sup>th</sup> Street North and 29<sup>th</sup> Street North, 38,400 square feet of the right of way 29<sup>th</sup> Street North that is located parallel to and between 28<sup>th</sup> Street North and 30<sup>th</sup> Street North and perpendicular to and between Messer-Airport Highway and 7<sup>th</sup> Avenue North, so that the owner can consolidate property, located at 509 and 601 28<sup>th</sup> Street North and 2800 and 2828 Messer-Airport Highway, on behalf of **Evans Meat, LLC**, owner, **Case No. SUB2024-00076. [First Reading]** (Submitted by Councilor Moore, Chair, Community Development Committee) (Recommended by Subdivision Committee of the Birmingham Planning Commission and the Community Development Committee)\*\*

**OLD AND NEW BUSINESS**

**PRESENTATIONS**

**REQUEST FROM THE PUBLIC**

**ADJOURNMENT**