

## **AGENDA**

### **REGULAR MEETING OF THE COUNCIL CITY OF BIRMINGHAM, ALABAMA CITY COUNCIL CHAMBERS – THIRD FLOOR CITY HALL**

**December 29, 2009 - - 9:30 A.M.**

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

**INVOCATION: Apostle Joseph Hamilton, Pastor of New Zion Bible Way Church**

**PLEDGE OF ALLEGIANCE: Councilmember James “Jay” Roberson**

**ROLL CALL**

**APPROVAL OF MINUTES FROM PREVIOUS MEETINGS:**

**MINUTES NOT READY: August 4 – December 22, 2009**

**COMMUNICATIONS FROM THE INTERIM MAYOR**

**CONSIDERATION OF CONSENT AGENDA**

**All items designated as “Consent” are considered to be 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

### ITEM 1.

An Ordinance “TO FURTHER AMEND THE CAPITAL BUDGET” by transferring \$5,772,500.00 of Fund 129 2009-A G. O. Bonds (School) from various school projects to other school projects as requested by the Birmingham Board of Education. (Submitted by the Interim Mayor, the Budget and Finance Committee and the Education Committee) (Recommended by the Deputy Director of Finance) (Deferred from 12/22/09 to 12/29/09)\*\*

### ITEM 2.

A Resolution approving payment to **Birmingham Jefferson County Animal Control**, in the amount of \$63,389.02 per month to extend the current animal control services contract for the period beginning January 1, 2010 through January 31, 2010. [**Appropriated in the FY2010 Budget; GL Account 001\_400\_96100\_96101.550-002**] (Submitted by the Interim Mayor) (Recommended by the Purchasing Agent and the Public Safety Committee) (Deferred from 12/22/09 to 12/29/09)

## INTRODUCTION AND FIRST READING OF ORDINANCES AND RESOLUTIONS

P

### ITEM 3.

An Ordinance amending “The Business License Code of the City of the City of Birmingham, Alabama”, as adopted by Ordinance No. 97-183, as amended, to add an additional NAICS sub-sector and corresponding license schedule for “All Other Outpatient Care Centers” to Article I “Schedule of Business Licenses,” NAICS Sector 621 “Ambulatory Health Care Services.” (Submitted by the Acting Chief Assistant City Attorney) (Recommended by the Deputy Director of Finance)\*\*

### ITEM 4.

An Ordinance “TO FURTHER AMEND THE CAPITAL BUDGET” by transferring \$85,107.00 of Fund 102 Capital Improvement from Downtown Building Project to Kmart Corporation for the redevelopment agreement per Resolution No. 801-09. (Submitted by the Interim Mayor and the Budget and Finance Committee) (Recommended by the Deputy Director of Finance)\*\*

**ITEM 5.**

An Ordinance “TO FURTHER AMEND THE GENERAL FUND BUDGET” by appropriating \$100,000.00 to Information Management Services – R&M Office (Computer) Equipment, \$248,000.00 to Communications Airtime and \$890,000.00 to Capital Outlay Capitalized Leases from Fund Balance. (Submitted by the Interim Mayor) (Recommended by the Deputy Director of Finance)\*\*

**ITEM 6.**

A Resolution approving the agreement with **Birmingham-Jefferson County Transit Authority**, Birmingham, in an amount not to exceed \$2,000.00, to provide a 9’x5’ bus shelter to be located at Wilson Road between 33<sup>rd</sup> and Rutledge Avenue for the West Goldwire Neighborhood, and authorizing the Interim Mayor to execute the agreement. [**Appropriated in the FY 2010 Budget; GL Account: 031\_200\_12090\_12091\_15198.540-001**] (Submitted by the Interim Mayor) (Recommended by the Purchasing Agent and the Director of Community Development)

**ITEM 7.**

A Resolution approving the agreement with **Children’s Village**, Birmingham, in an amount not to exceed \$5,000.00, to continue to provide a “safe haven” for girls and boys who have been abused, neglected, abandoned and homeless, and authorizing the Interim Mayor to execute the agreement. [**Appropriated in the FY 2010 Budget; GL Account: 031\_200\_12090\_12091\_15198.540-001**] (Submitted by the Interim Mayor) (Recommended by the Purchasing Agent and the Director of Community Development)

**CONSENT**

**ITEM 8.**

A Resolution determining that **the Legislative Delegation Meeting** to be held January 5, 2010 by Councilmember Maxine Herring Parker at the Birmingham Museum of Art, serves a public purpose that promotes goodwill and serves a public interest, and requesting that City funds be used to pay for this event. (Submitted and Recommended by Councillor Parker)\*\*

**CONSENT**

**ITEM 9.**

A Resolution accepting the lump sum bid of **Volunteer Restoration, Inc.**, Knoxville, Tennessee, in the amount of \$147,282.00, for Parking Deck No. 3 – Existing Deck Concrete Repairs, this being the lowest bid submitted meeting specifications, and authorizing the Interim Mayor to execute the contract in accordance with said bid. [**Appropriated in the FY 2009 Budget; PEP127CP 3425**] (Submitted by the Interim Mayor) (Recommended by the Director of Planning, Engineering, and Permits) (Five Bids Submitted)

**CONSENT**

**ITEM 10.**

A Resolution accepting and approving the bid of **Rescue Resources, Inc.**, Hattiesburg, Missouri, for the purchase of fire hydraulic rescue tools at unit prices on file in the Office of the Purchasing Agent, for a period of one (1) year and month to month thereafter, for the Fire Department, this being the lowest bid submitted meeting specifications. [**Appropriated in the FY 2010 Budget; GL Account 001\_022\_99999.600-010**] (Submitted by the Interim Mayor) (Recommended by the Purchasing Agent and the Fire Chief) (Six Bids Submitted)\*\*

**CONSENT**

**ITEM 11.**

A Resolution approving payment to **Terex Utilities**, Birmingham, in the amount of \$19,878.72, to perform a standard five (5) year inspection of a 2001 Terex Model 6TC-65, Serial No. 2001014890 for the Equipment Management Department, this being the only source of supply, and authorizing the Interim Mayor to execute an agreement. [**Appropriated in the FY 2010 Budget; G/L Account 001.151-004**] (Submitted by the Interim Mayor) (Recommended by the Purchasing Agent and the Director of Equipment Management)

**CONSENT**

**ITEM 12.**

A Resolution authorizing the Director of Finance to make two (2) refunds in the amount of \$17,239.73. (Submitted by the Interim Mayor) (Recommended by the Deputy Director of Finance)\*\*

**ITEM 13.**

A Resolution approving the following **Estimated Expense Account:** (Submitted by the Interim Mayor) (Recommended by the Director of Finance)\*\*

Roderick Royal, Interim Mayor, Office of the Mayor, Scottsdale, Arizona, \$581.00, January 6-10, 2010, to attend Public Funds Summit.

**CONSENT**

**ITEM 14.**

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

**ITEM 15.**

A Resolution setting a public hearing **January 7, 2010**, to consider the adoption of a resolution assenting to the vacation of 8,864 square feet of the cul-de-sac of Goldwire Circle that runs perpendicular to Goldwire Street and runs parallel to and between 4<sup>th</sup> Avenue S.W. and 5<sup>th</sup> Avenue S.W., on behalf of **the City of Birmingham**, owner, so that the vacated right-of-way can be incorporated into the existing property to create single family residential lots for the Goldwire Heights Subdivision, **Case No. SUB2009-00057**. (Submitted by Councillor Roberson, Chairman, Public Improvements Committee) (Recommended by Subdivision Committee of the Birmingham Planning Commission and the Public Improvements Committee)\*\*

**OLD AND NEW BUSINESS**

**PRESENTATIONS**

**REQUESTS FROM THE PUBLIC**

**ADJOURNMENT**