

AGENDA

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

March 23, 2010 - - 9:30 A.M.

WEB SITE ADDRESS: www.birminghamal.gov

INVOCATION: Reverend Dr. Larry Batie, Dean of Chapel Miles College

PLEDGE OF ALLEGIANCE: Council President Roderick V. Royal

ROLL CALL

APPROVAL OF MINUTES FROM PREVIOUS MEETINGS: November 17, 24, December 1 and 8, 2009

MINUTES NOT READY: December 15-29, 2009 and January 5 – March 9, 2010

COMMUNICATIONS FROM THE MAYOR

NONINATIONS TO BOARDS AND AGENCIES

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

CONSENT

ITEM 1.

A Resolution revoking the Certificates of Public Necessity and Convenience issued to **The Birmingham Cab Company of Alabama**, 512 Pope Drive, Pelham, to operate a taxicab service, for failure to file the required liability insurance, and the **hearing** of all interested parties. (Submitted by the Acting Chief Assistant Attorney)

CONSENT

ITEM 2.

A Resolution authorizing the abatement of the nuisances existing on the following properties and the costs of such abatement to be assessed against and constitute a lien upon such properties, and the **hearing** of all interested parties: (Submitted by the City Attorney) (Recommended by Councillor Roberson, Chairman, Public Improvements and Beautification Committee)

2	22-25-3-10-03.000-RR	2101 12TH AVE N 35234	W 1/2 OF LOT 3 & 110 FT OF LOT 4 BLK 633 BHAM
3	29-30-2-32-02.000-RR	4409 CARVER AVE SW 35221	LOTS 10-11 BL 5 DONALDS ADD TO GRASELLI
4	29-15-2-04-20.000-RR	1500 13TH ST SW 35211	LOT 1 BLK A COLLEGE ADD TO MASON CITY 7/24
5	29-01-4-03-19.000-RR	1756 13TH CT S 35205	W 15 FT OF LOT 24 MALONE & SMYER SUBDIV OF BLK 779 BHAM -TAX E-
6	30-02-1-31-09.000-RR	4304 9TH AVE 35224	LOT 8 BLK 12 PRATT LAND & IMPROVEMENT CO
7	22-20-3-28-09.000-RR	1306 BEALL ST 35214	P O B 105S FT E OF NE INTER BEALL ST & MAPLE AVE TH E 48S FT ALG MAPLE AVE TH N 100 FT 105S FT TH W 48 FT TH S 100 FT
8	22-20-3-32-03.000-RR	1113 HIXON ST 35214	P O B 53S FT SE OF INTER NE COR LOT 1A GAS WORLD PLAZA RES 171/61 & HIXON ST TH E 69S FT ALG HIXON ST TH S 145S FT TH W
9	22-20-3-32-01.000-RR	1123 HIXON ST 35214	P O B 163S FT E LY OF INTER NE COR LOT 1 WAINWRIGH

10	22-20-3-24-06.000-RR	401 NELSON AVE 35214	POB E INTER HIXON ST & NELSON AVE TH N 52 FT ALG NELSON AVE TH E 82 FT TH S 52 FT TO HIXON ST TH W 82 FT ALG HIXON ST TO
11	23-07-4-27-03.000-RR	3835 43RD AVE N 35217	LOT 3 BLK 5 BENDALE
12	23-07-4-27-04.000-RR	3831 43RD AVE N 35217	LOT 4 BLK 5 BENDALE
13	23-07-4-31-03.000-RR	4321 GADSDEN ST 35217	LOT 13-A E BOYLES REALTY COS RESUR & RESUB OF LOTS
14	23-07-4-31-03.001-RR	4329 GADSDEN ST 35217	LOT 14-A EAST BOYLES REALTY COS RESUR & RESUB OF L
15	23-02-3-04-07.000-RR	408 90TH ST N 35206	PAR BEG AT NW COR LOT 50 TH S 218.4 FT E 60.2 FT N
16	22-26-1-10-13.000-RR-01	1507 HUNTSVILLE RD 35234	LOTS 4 & 5 BLK 3 SUDDUTH REALTY CO 5TH ADD 13/83 A
17	22-26-1-16-59.000-RR	1518 HUNTSVILLE RD 35234	LOTS 6 & 7 BLK 7 DRUID HILLS
18	22-26-1-16-58.001-RR	1516 HUNTSVILLE RD 35234	LOT 5 BLK 7 DRUID HILLS SUDDUTH REALTY CO 6TH ADD 14/3
19	23-14-1-11-04.000-RR	774 80TH ST S 35206	LOTS 20 & 21 BLK 30 SOUTH HIGHLANDS OF EAST LAKE
20	13-36-4-07-08.000-RR	744 ROSE DR 35235	LOT "A" SIM'S RESUR OF LOTS 18 & 19 ROSE MANOR
21	22-14-3-18-04.000-RR	2013 34TH AVE N 35207	E 37.5 FT LOT 5 BLK 129 NORTH BHAM LAND COS SURVEY OF BLKS 109 THRU 111 & 129 THRU 131 OF NORTH BHAM
22	22-19-3-01-115.000-RR	451 LAMPLIGHTER LN 35214	LOT 1 BLK 2 SOUTHAMPTON TIMBERLINE ADDITION PB 200 PG 87
23	22-19-3-01-119.000-RR	351 LAMPLIGHTER LN 35214	LOT 5 BLK 2 SOUTHAMPTON TIMBERLINE ADDITION PB 200 PG 87
24	22-19-3-01-149.000-RR	350 LAMPLIGHTER LN 35214	LOT 5 BLK 1 SOUTHAMPTON TIMBERLINE ADDITION PB 200 PG 87

25	22-20-3-24-05.000-RR	407 NELSON AVE 35214	P O B 105 FT N OF E INTER HIXON ST & NELSON AVE TH N 53S FT ALG NELSON AVE TH E 104S FT TH S 53S FT TH W 100S FT TO CONTINUED
26	22-19-3-01-148.000-RR	340 LAMPLIGHTER LN 35214	LOT 6 BLK 1 SOUTHAMPTON TIMBERLINE ADDITION PB 200 PG 87
27	23-12-2-09-09.000-RR	8633 9TH COURT CIR S 35206	LOT 14 BLK 2 ROEBUCK GROVE 2ND SECTOR
28	24-05-1-12-01.000-RR-03	1017 ETHEL LN 35235	LOTS 8 THRU 16 BLK 2 ROEBUCK PLAZA ALSO VAC ALLEY S LOT 16 & S 1/2 VAC ALLEY N LOTS 8 & 9 PB 20 PG 67 EXC PT TO R/W
29	23-02-3-13-05.000-RR	8708 3RD AVE N 35206	POB NW INTE 87TH ST N & 3RD AVE TH N 50 FT ALG 3 RD
30	22-33-4-01-05.000-RR	833 ARKADELPHIA RD W 35204	LOT B RESUR OF LOT 22 BLK 3 UNIVERSITY HEIGHTS & PT OF E 1/2 OF SEC 33 TP 17 R 3 W
31	22-33-4-01-06.000-RR	835 ARKADELPHIA RD W 35204	LOT C RESUR OF LOT 22 BLK 3 UNIVERSITY HEIGHTS & PT OF E 1/2 OF SEC 33 TP 17 R 3W
32	23-20-4-15-13.000-RR	820 49TH ST N 35212	LOT 15 BLK 4 WOODLAWN RLTY CO 1ST ADD
33	22-11-4-09-01.000-RR	2867 41ST CT N 35207	LOTS 1 THRU 3 BLK 7 BOYDGA TERRACE
35	22-12-2-10-26.000-RR	4901 30TH WAY N 35207	LOTS 10 & 11 BLK 3 DAVID
38	22-20-3-24-04.000-RR	415 NELSON AVE 35214	P O B 160 FT N OF E INTER HIXON ST & NELSON AVE TH N 53S FT ALG NELSON AVE TH E 104S FT TH S 53S FT TH W 100S FT TO CONTINUED
39	22-29-2-22-05.000-RR	1305 2ND PL 35214	LOT 2 BLK M EAST HGLDS ADD TO PRATT CITY
40	13-25-1-03-06.000-RR	409 13TH AVE NW 35215	LOTS 10 & 10-A BERKELEY HILLS 1ST ADD
41	13-25-1-06-01.000-RR	1237 BIRCHWOOD ST 35215 HILLS	LOTS 130+131 & 132 BERKELEY
42	22-19-3-01-153.000-RR	450 LAMPLIGHTER LN 35214	LOT 1 BLK 1 SOUTHAMPTON TIMBERLINE ADDITION PB 200 PG
43	23-11-2-08-09.000-RR	319 85TH ST N 35206	NW 50 FT OF LOTS 1+2+3 BLK 17-

			C EAST LAKE LAND COS FIRST ADDITION TO EAST LAKE
44	23-10-4-07-10.001-RR	515 79TH ST N 35206	NW 60 FT OF LOTS 1 & 2 BLK 11-E E LAKE
45	22-33-1-12-08.000-RR	925 ARKADELPHIA RD W 35204	S 1/2 LOT 1 BLK 10 EXC E 50 FT COLLEGE HGLDS EXC R/W
46	22-25-1-06-02.000-RR	1227 29TH ST N 35234	N 60 FT OF W 130 FT OF LOTS 3 & 4 BLK 656 BHAM
47	22-24-4-19-03.000-RR	3301 NORWOOD BLV 35234	LOT 16 BLK 7 BHAM RLTY COS ADD NO 4
48	23-19-3-25-16.000-RR	42 NORWOOD CIR 35234	P O B 100 FT S SE OF NE INTER 35TH ST N & NORWOOD CIRCLE TH SE 50 FT ALG NORWOOD CIRCLE TH NE 166 FT TH NW 49.3 FT TH
49	22-12-3-08-54.000-RR	2934 42ND CT N 35207	POB 209 FT S W OF NW INTER 42ND CT N & CHEEK RD TH
50	13-34-1-00-24.000-RR	1132 LAWSON RD 35217	P O B 540 FT S S OF NE INTER WASHWOOD RD & LAWSON RD TH SE
51	30-25-3-03-06.000-RR	5321 WATSON AVE 35221	LOT 5 BL 1 TENN LD COS 1ST ADD TO HILLMAN
52	30-26-1-08-09.000-RR	2969 MOLTON GRAY DRIVE 35020	LOT 14 ROOSEVELT CAIRO- VILLAGE ADD NO ONE
53	22-13-4-24-23.000-RR	3080 29TH AVE N LOT 3 & 4 35207	BLK 4 EBORNS ADD NO BHAM
54	22-13-4-24-25.000-RR	3112 29TH AVE N LOTS 5 & 7 35207	BLK 4 EBORNS ADD TO NO BHAM
55	23-18-2-01-06.000-RR	3502 34TH CT N 35207	LOTS 46 THRU 48 BLK 3 VULCAN CITY
56	23-15-2-09-06.000-RR	3501 34TH CT N 35207	LOTS 1 THRU 3 BLK 2 VULCAN CITY
57	23-18-2-02-13.000-RR	3505 34TH CT N 35207	LOT 4 BLK 2 VULCAN CITY
58	22-14-3-09-11.000-RR	2312 35TH AVE N P O B 35207	150 FT NE OF NE INTER 35TH AVE N & 23RD ST N TH NE 50 FT ALG 35TH AVE N TH NW 140 FT TO ALLEY TH SW 50 FT TH SE
59	22-26-3-15-04.000-RR	425 14TH AVE N 35204	LOT 3 BLK 10 MELVILLE COURT
60	23-18-2-02-12.000-RR	3509 34TH CT N 35207	LOT 5 BLK 2 VULCAN CITY
61	23-18-2-02-11.000-RR	3515 34TH CT N 35207	LOT 6 BLK 2 VULCAN CITY
62	22-14-1-11-03.000-RR	2808 38TH AVE N LOT 4	BLK 41 PARK PLACE SEC

		35207	14 TP 17 R 3
63	23-18-2-02-10.000-RR	3517 34TH CT N 35207	LOT 7 BLK 2 VULCAN CITY
64	23-18-2-02-09.000-RR	3519 34TH CT N 35207	LOTS 8+9 BLK 2 VULCAN CITY

INTRODUCTION AND FIRST READING OF ORDINANCES AND RESOLUTIONS

CONSENT

ITEM 3.

An Ordinance “TO FURTHER AMEND THE GRANTS FUND BUDGET” by appropriating \$16,848.00 to HOPWA to reflect the actual entitlement of program allocations which were higher than the original budget anticipated. (Submitted by the Mayor and the Budget and Finance Committee) (Recommended by the Acting Director of Finance)**

ITEM 4.

An Ordinance “TO FURTHER AMEND THE HUD BLOCK GRANT FUND BUDGET”, by appropriating \$302,880.74 to Title I Eligible Activities, \$30,000.00 to Habitat for Humanity Rehab and \$600,00.00 to Birmingham Baptist Association to acknowledge receipt of reimbursement from HUD. (Submitted by the Mayor) (Recommended by the Acting Director of Finance)**

CONSENT

ITEM 5.

An Ordinance “TO FURTHER AMEND THE GRANTS FUND BUDGET” by appropriating \$339,737.00 to PEP, East Lake Boulevard from SR-79 (Vanderbilt Road) to 40th Street North, add turn lanes, West of Birmingham International Airport in the City of Birmingham, said grant having been accepted per Resolution Number 764-09. (Submitted by the Mayor and the Budget and Finance Committee) (Recommended by the Acting Director of Finance)**

ITEM 6.

An Ordinance “TO FURTHER AMEND THE CAPTIAL FUND BUDGET” by transferring \$229,000.00 from PEP123CP 003657 Knights of Columbus and \$294,425.00 PEP12CP 003657 Knights of Columbus and appropriating 523,425.00 to Fire Station #4 Oxmoor. (Submitted by the Mayor and the Budget and Finance Committee) (Recommended by the Acting Director of Finance)**

CONSENT

ITEM 7.

An Ordinance “TO FURTHER AMEND THE GRANTS FUND BUDGET” by appropriating \$39,555.00 to Fire Department FY09 Homeland Security Training for the grant award received. (Submitted by the Mayor and the Budget and Finance Committee) (Recommended by the Acting Director of Finance)**

ITEM 8.

An Ordinance authorizing the Mayor to execute a lease agreement with **the National Association for the Advancement of Color People** for the lease of 421 – 8th Avenue North, Birmingham, for administrative offices and/or other such appropriate uses for a period of one year beginning April 1, 2010, with an option to renew, at the rate of \$1.00 per year with rental payments beginning April 1, 2010, as the property is no longer needed for a public purpose. (Submitted by the Mayor) (Recommended by the Acting Chief Assistant City Attorney.)**

CONSENT

ITEM 9.

A Resolution authorizing the Mayor to submit an application to the **Alabama Department of Economic and Community Affairs** on or before April 14, 2010 for up to \$200,000.00 in Fiscal Year 2010 Emergency Shelter Grant Program funds and authorizing the Mayor to enter into Emergency Shelter Grant Agreements to support ongoing shelter expenses up to \$50,000.00 each for Family Connection, Inc, Pathways, Inc., YWCA of Central Alabama, Inc., and Cooperative Downtown Ministries, Inc, and authorizing the Mayor to execute any necessary grant application, grant agreement, and related documents necessary to complete this transaction and authorizing the Mayor to act as the authorized correspondent of the City in all matters relating hereto. (Submitted by the Mayor) (Recommended by the Director of Community Development Department)**

CONSENT

ITEM 10.

A Resolution authorizing the Mayor to execute a Preliminary Engineering Supplemental Agreement Number 2 with the State of Alabama acting by and through the Alabama Department of Transportation for Project No. CMAQ-PE02; Railroad Reservation First Avenue South Multi-Use Trail-Phase 1, 2 & 3, City of Birmingham. (Submitted by the Mayor) (Recommended by Director of Planning Engineering and Permits)

CONSENT**ITEM 11.**

A Resolution approving the agreement with **The Alabama Sports Foundation**, Birmingham, in an amount not to exceed \$150,000.00, to promote and facilitate the 2010 Fed Cup Tennis Tournament, April 24-25, 2010, at Birmingham Jefferson Civic Center, and authorizing the Mayor to execute the agreement. [**Appropriated in the FY2009-2010 Budget; GL Account: 001_000_99999_99002.652-099**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Mayor)

CONSENT**ITEM 12.**

A Resolution approving the agreement with **Zoom Motorsports, LLC**, Birmingham, to host The Indy Grand Prix of Alabama at Barber Motorsports Park for a term of three (3) years (2010 through 2012) in the amount of \$300,000.00 a year, subject to the availability of funds, along with fire safety personnel necessary for routine safety and emergency control at a cost not to exceed \$165,000.00 a year, and authorizing the Mayor to execute any documents necessary on behalf of the City. [**Appropriated in the FY2009-2010 Budget; GL Account: 001_400_96500_96525.550-006**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Mayor)

CONSENT**ITEM 13.**

A Resolution approving the appointment of **Center for Negro League Baseball Research**, Carrollton, Texas, in an amount not to exceed \$78,095.00, to provide oral histories, photo archives and story line, and research development services for the Negro League Baseball Museum, and authorizing the Mayor to execute the appointment letter and any other documents pertaining to this appointment on behalf of the City. [**Appropriated in the FY2009-2010 Budget; GL Account: 116_352.527-014 Project Code MO116CP003669**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Planning, Engineering, and Permits)

CONSENT**ITEM 14.**

A Resolution approving the appointment of **Walter Schoel Engineering Company, Inc.**, in the amount of \$9,900.00, to provide FEMA HEC2 hydraulic modeling and analysis services for the Grants Mill Road Bridge, and authorizing the Mayor to execute the appointment letter. [**Appropriated in the FY2009-2010 Budget; GL Account: 105_000.527-014; Project Code PEP105CP 002514**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Planning, Engineering and Permits)

ITEM 15.

A Resolution approving the appointment of **Volkert and Associates, Inc.**, in an amount of \$27,000.00, to provide professional engineering services relating to EPA's Mandatory Reporting of Greenhouse Gases at both the New Georgia and Eastern Area Landfills, and authorizing the Mayor to execute the appointment letter. [**Appropriated in the FY2009-2010 Budget; GL Account: 001_049_40400_40499.527.050**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Public Works)

CONSENT**ITEM 16.**

A Resolution approving the plans prepared by **the Alabama Department of Transportation**, designated as Project No. STMAA-CN10(924) Planing, Loop Detectors, Resurfacing and Permanent Traffic Stripe along SR-5 (US-11) from Lomb Avenue to Arkadelphia Road and along SR-7 (US-11) from Arkadelphia Road to 9th Street, and granting full use and access to the dedicated widths of any existing streets for the construction of said project and agreeing to permit and allow the Alabama Department of Transportation to close and barricade the said project and intersecting streets for as long as necessary while the project is being graded, drained, paved and otherwise improved. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering and Permits)**

ITEM 17.

A Resolution approving the Summer Feeding Program and authorizing the Mayor to sign any and all documents pertaining thereto. (Submitted and Recommended by the Acting Director of Finance)**

ITEM 18.

A Resolution amending Resolution 2812-06 adopted by the City Council December 12, 2006, authorizing payment to **ESPN Regional Television, Inc. (ERT)** Charlotte, North Carolina, in the additional amount of \$75,000.00 which increases the amount to be paid to ERT to \$100,000.00 for hosting the Birmingham Bowl at the historic Legion Field for the 2009 Football Season. [**Appropriated in the FY 2009-2010 Budget; GL Account 001_400_96100-96116.550.002**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Mayor)

CONSENT

ITEM 19.

A Resolution determining that the building or structure located at 2112 Snavely Avenue SW, Birmingham, to be unsafe, a public nuisance, and directing that it be demolished. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

CONSENT

ITEM 20.

A Resolution determining that the building or structure located at 900 12th Street North, Birmingham, to be unsafe, a public nuisance, and directing that it be demolished. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

CONSENT

ITEM 21.

A Resolution determining that the building or structure located at 5228 Cairo Avenue, Roosevelt City, Birmingham, to be unsafe, a public nuisance, and directing that it be demolished. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering, and Permits)

CONSENT

ITEM 22.

A Resolution authorizing the Acting Director of Finance to make three (3) refunds in the total amount of \$126,572.02. (Submitted by the Mayor) (Recommended by the Acting Director of Finance)**

ITEM 23.

A Resolution approving the following Expense Accounts: (Submitted by the Mayor) (Recommended by the Acting Director of Finance)**

Oliver Adams, Committee Assistant, City Council, \$334.45, February 10 -11, 2010, to attend 2010 Retail Connection Conference in Atlanta, Georgia

Johnathan Austin, City Councilor, City Council, \$253.96, February 10 -11, 2010, to attend 2010 Retail Connection Conference in Atlanta, Georgia

Iris Kimbrough, Committee Assistant, City Council, \$190.16 February 3 – 4, 2010, to meet with Legislature in Montgomery, Alabama.

Iris Kimbrough, Committee Assistant, City Council, \$188.35 February 17 – 18, 2010, to meet with Alabama Department of Transportation in Montgomery, Alabama.

Jarvis E. Patton, Chief of Operations, Mayor's Office, \$486.08, March 9 – 11, 2010, to attend Piedmont Alliance for Quality Growth-Georgia Tech in Macon, Georgia

Jarvis Patton, Chief of Operations, Mayor's Office, \$749.51, March 13 – 15, 2010, to attend National League of Cities Conference in Washington, District of Columbia

ITEM 24.

A Resolution approving the following Estimated Expense Accounts: (Submitted by the Mayor) (Recommended by the Acting Director of Finance)**

Councilor Jay Roberson, Councilor Kimberly Rafferty, Cheryl Kidd Harmon, Chaz Mitchell, Councilor Maxine Herring-Parker, Councilor Johnathan Austin, City Council, \$510.00, March 15, 2010, to attend a dinner with Congressman Artur Davis in Washington, District of Columbia

Council President Roderick Royal, Councilor Lashunda Scales, Leondras Waymond Jackson, David Ricker, Tyangelia Hall, City Council, \$375.00, March 15, 2010, to attend a dinner with Congressman Spencer Bachus in Washington, District of Columbia.

Council President Roderick Royal, Councilor Johnathan Austin and Michael Shine, Councilor Steven Hoyt, Pro Tempore, Councilor Kimberly Rafferty and David Ricker, Councilor Jay Roberson, Councilor Lashunda Scales, Oliver Adams-Committee Assistant, Kimberly Jeanty-Committee Assistant, Cheryl. Kidd Harmon-Administrator, Chaz Mitchell-Accountant, City Council, \$295.00, March 17, 2010, to attend a breakfast with Senators Jeff Sessions and Richard Shelby in Washington, District of Columbia

ITEM 25.

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

R. Scott Colson, III, Assistant to the Mayor, Mayor's Office, \$1,310.40, March 29 – April 1, 2010, to attend U.S. Youth Games Planning Meeting in Milwaukee, Wisconsin

ITEM 26.

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

ITEM 27.

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

ITEM 28.

Resolution amending Resolution 284-10 adopted by the City Council on March 9, 2010 approving the expense accounts of city employee. (Submitted by the Mayor) (Recommended by the Director of Finance)**

CONSENT

ITEM 29.

A Resolution approving payment to **Birmingham Jefferson County Animal Control**, Birmingham, in the amount of \$63,389.02 per month to extend the current animal control services contract for the period beginning April 1, 2010 through April 30, 2010. [**Appropriated in the FY 2009-2010 Budget; GL Account: 001_400_96100_961101.550-002**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Public Safety Committee)

CONSENT

ITEM 30.

A Resolution authorizing the Acting Director of Finance to pay the **Birmingham-Jefferson County Civic Center Authority**, the total amount of \$178,949.01 as reimbursement for Invoice No. 964360 dated February 26, 2010 and Invoice No. 964221 dated January 29, 2010 as part of the Birmingham-Jefferson Civic Center expansion project. [**GL Account 001_000_99999_99006.652-040**] (Submitted by the Mayor) (Recommended by the Budget and Finance Committee)

ITEM 31.

A Resolution setting a public hearing **May 4, 2010** to consider the adoption of an Ordinance “TO AMEND THE ZONING DISTRICT MAP OF THE CITY OF BIRMINGHAM” (**Case No. ZAC2010-00024**) to change zone district boundaries from R-3 Single Family District to B-1 Neighborhood Business District, filed by Arrington Engineering, representing the owner, New Pilgrim Baptist Church, for properties located at 708 Goldwire Place SW and 848 Goldwire Street, and situated in the NE1/4 of Section 10, Township 18 South, Range 3 West, Birmingham. (Submitted by Acting Chief Assistant City Attorney) (NOT Recommended by the Zoning Advisory Committee)**

ITEM 32.

A Resolution setting a public hearing **May 4, 2010** to consider the adoption of an Ordinance “TO AMEND THE ZONING DISTRICT MAP OF THE CITY OF BIRMINGHAM” (**Case No. ZAC2010-00026**) to change zone district boundaries from R-3 Single Family District to R-4 Two- Family and Semi-Attached Dwelling District, filed by Joel Brumbach, representing the owner, Shepherd’s Fold, Inc., for property located at 1134 Princeton Avenue and situated in the SE1/4 of Section 4, Township 18-South, Range 3 West, Birmingham. (Submitted by Acting Chief Assistant City Attorney) (Recommended by the Zoning Advisory Committee)**

CONSENT

ITEM 33.

A Resolution finding that the following ninety-six (96) properties have noxious or dangerous weeds growing thereon declaring said properties to be a public nuisance and providing that notice shall be posted on each of said properties and notice sent by certified mail to the last person assessing these properties for state taxes and further providing for a public hearing **April 27, 2010** to hear and consider all objections or protests to proposed abatement of these nuisances by the City: (Submitted by the Acting Chief Assistant City Attorney) (Recommended by Councillor Roberson, Chairman, Public Improvements and Beautification Committee)

1	21-36-4-13-02.000-RR	2412 AVENUE B 35218	LOT 4 BLK 2 ENSLEY HOMES PARK
2	22-29-2-31-15.000-RR	722 CARLINE AVE 35214	LOT 2 BLK A A S DOYLE SUR
3	22-29-2-31-16.000-RR	724 CARLINE AVE 35214	LOTS 6 & 7 BLK 1 A S DOYLE SUR
4	30-12-4-40-12.001-RR	807 56TH ST 35208	LOT 6 BLK 52 MONTE SANO PB 5 PG 36
5	23-14-3-26-09.000-RR	7021 KIMBERLY AVE 35206	P O B 248.5 FT S N OF NE INTER 70TH ST S & KIMBERLY AVE TH N 105 FT LG KIMBERLY AVE TH E 158.5 FT TO ALLEY TH S 105 FT
6	22-30-1-15-01.000-RR	421 3RD WAY 35214	N 1/2 LOT 4 BLK 4 HUEYS ORIGINAL SUB LESS THE N 10
7	22-30-1-14-11.000-RR	416 3RD WAY 35214	LOT 7 TAYLOR & SIMPSON SUB LESS THE S 10 FT FOR RD
8	22-30-1-14-12.000-RR	420 3RD WAY 35214	LOT 8 TAYLOR 7 SIMPSON SUB LESS THE S 10 FT FOR RD
9	22-30-1-14-05.000-RR	421 3RD WAY 35214	W 40 FT OF N 150 FT LOT 1 BLK 4 HUEYS ORIGINAL SUB
10	22-30-1-14-04.000-RR	423 3RD PL 35214	POB 120 FT W OF THE SW INTER OF AVE E & 3RD WAY TH

11	22-30-1-14-03.000-RR	425 3RD WAY 35214	POB 80 FT W OF THE SW INTER OF AVE E & 3RD WAY TH
12	22-30-1-14-02.000-RR	427 3RD PL 35214	POB 40 FT W OF THE SW INTER OF AVE E & 3RD WAY TH
13	22-30-1-14-01.000-RR	429 3RD WAY 35214	E 40 FT OF N 150 LOT 1 BLK 4 HUEY ORIGINAL SUB
14	22-26-2-08-14.000-RR	NEXT TO 1616 17TH ST N 35214	LOT 1 GURLEYVILLE
15	22-26-1-20-02.000-RR	1531 17TH ST N 35204	LOT 2 MOORE AND HANDLEY HARDWARE CO SUB DIV
16	22-26-1-24-02.000-RR	1425 17TH ST N 35204	POB 150 FT S E OF THE S E INTER OF 15TH AVE N & 17
17	22-26-1-24-05.000-RR	1405 17TH ST N 35204	POB 90 FT NW OF NE INTER OF 14TH AVE NO & 17TH ST NO TH NW 50 FT TH NE 125 FT TH SE 50 FT TH SW 125 FT TO POB LYING IN CONTINUED
18	22-26-1-23-09.000-RR	1414 17TH ST N 35204	N 50 FT OF S 100 FT LOT 5 BLK 23 J M WARE SUR
19	22-26-4-23-11.000-RR	1402 17TH ST N 35204	PAR BEG AT PT 125 FT NW OF WHERE W RW 17TH ST NORT
20	22-26-4-23-07.000-RR	1622 14TH AVE N 35204	W 48 FT LOT 8 BLK 23 J M WARE BEING 48 FT N & S LINES BEING 125 FT E & W LINES
21	22-26-2-13-08.000-RR	1424 16TH ST N 35204	LOT 3 HENRY & PUCKETT 3/115
22	22-26-1-23-07.000-RR	1427 16TH ST N 35204	LOT 2 BLK 23 J M WARE SUR EXCEPT S 7 FT DESC AS FO
23	22-26-4-21-12.000-RR	1304 17TH ST N 35204	POB 100 FT SE OF TH SW INTER OF 13TH CT N & 17TH S
24	22-26-4-21-13.000-RR	1306 17TH ST N 35204	POB 50 FT SE OF TH SW INTER OF 13TH CT N & 17TH ST
25	22-26-4-21-14.000-RR	1312 17TH ST N 35204	N 50 FT OF LOT 1 & N 50 FT OF E 5 FT OF LOT 2 BLK 20 J M WARE SUR
26	22-26-4-28-21.000-RR	1116 16TH ST N 35204	N 64 FT OF LOT 5 BLK 26 J M WARE SUR
27	22-26-4-28-01.000-RR	1128 16TH ST N 35204	PAR BEG AT W ROW 16TH ST NORTH INTER S ROW 12TH AVE NORTH TH W 140S FT S 100S FT W 50S FT S 38S FT N E 190S FT N W 138S
28	29-05-2-21-05.000-RR	2337 26TH ST W 35208	LOT 7 BLK 69 BHAM-ENSLEY
29	22-29-2-31-03.000-RR	715 3RD ST 35214	LOTS 8 & 10 N OF CARLINE BLK 1 HUEY PARKER BARKER ETAL ALSO LOT 10 BLK 1 A S DOYLE
30	22-32-3-18-17.000-RR	1710 AVENUE V 35218	LOT 11 BLK 3 TUXEDO PARK

31	22-32-3-18-15.000-RR	1718 AVENUE V 35218	LOTS 5-6 BLK 3 TUXEDO PARK
32	22-35-2-13-04.000-RR	1021 5TH PLACE N 35204	LOT 6 AND E 52 FT LOT 7 WILLIAMS 1ST ADD TO PROSPE
33	23-20-3-13-08.000-RR	841 43RD ST N 35212	LOT 9 EX N 8 FT & ALL LOT 10 BLK 8 KINGSTON
34	23-15-3-36-12.000-RR	125 65TH PL N 35206	LOT 30 EDMUNDS SUB OF BLK 14-G
35	22-27-3-03-21.000-RR	718 13TH AVE W 35204	LOTS 10 & 11 PRATT LAND & IMPROVEMENT COS RESUR OF BLK 3 GOULD SUR
36	24-17-2-02-24.000-RR	1750 BROWNLEE HILLS RD 35210	BEG SW COR SE 1/4 NW 1/4 TH N 289 S TO SW R/W BROWNLEE HILLS RD TH SE ON SW R/W 42 S CONT SE ON W R/W SD RD 290 S TO S CONTINUED
37	24-17-3-00-06.000-RR	1740 BROWNLEE HILLS RD 35210	BEG NW COR OF NE 1/4 OF SW 1/4 SEC 17 TP 17 R 1W TH S 162.2 FT TO POB TH CONT S 101.5 FT TH E 345.2 FT TH NWLY ALG RD CONTINUED
38	23-20-1-23-07.000-RR	4716 9TH TER N 35212	W 1/2 LOT 7 R A GILBERT LESS PART IN RD R O W
39	22-32-3-18-06.000-RR	1709 AVENUE U 35218	LOT 40 BLK 3 TUXEDO PARK
40	22-13-2-05-04.000-RR	4013 FAIRMONT PL N 35207	LOTS 16-17 & 18 BLK 3 TARRANT & MCMILLANS ADD TO N
41	22-14-1-31-08.000-RR	2500 36TH AVE N 35207	W 50 FT OF BLK 64 PARK PLACE COR OF 25TH ST & 36TH AVE NORTH PARK PLACE R 3
42	22-35-3-34-01.000-RR	522 4TH CT N 35204	POB N INTER OF 4TH CT N & 6TH ST N TH W 75 FT ALG 4TH CT N TH N 25 FT TO VALLEY CREEK CANAL TH NE 85 FT ALG CANAL TO CONTINUED
43	22-35-3-34-02.000-RR	518 4TH CT N 35204	POB 75 FT S W OF N INTER OF 4TH CT N & 6TH ST N TH W 42 FT S TO VALLEY CREEK CANAL TH NE ALG CANAL 50 FT S TH S 25 FT CONTINUED
44	22-20-3-30-03.000-RR	308 CHURCH AVE 35214	S 50 FT OF LOTS 1 & 2 & 3 BLK 7 MARTIN LOCKHART SURVEY
45	22-27-3-03-20.000-RR	717 13TH AVE W 35204	LOTS 12 & 13 PRATT LAND & IMPROVEMENT COS RESUR OF BLK 3 GOULD SUR
46	22-26-4-18-10.000-RR	1616 11TH AVE N 35204	LOT 14 PETTYJOHNS SUB BLK 14 14 J M WARE
47	22-26-4-18-11.000-RR	1620 11TH AVE N 35204	LOT 15 BLK 14 PETTYJOHN SUB OF J M WARE

48	30-16-1-01-25.000-RR	1173 ALEXANDER ST 35061	LOT 1 BLK 1 J W WILKES SUB SW4 OF NE4 SEC 16 TP 18 R 4
49	29-19-2-07-08.000-RR	3548 JEFFERSON AVE SW 35221	LOT 2 BLK 8 PARK PLACE SEC 19 TP 18 R 3
50	30-02-3-01-08.000-RR	1239 PORTLAND ST 35224	LOT 4 BLK D PRATT LAND AND IMPROVEMENT CO MAP OF M
51	24-17-3-00-05.000-RR	1801 DORROH ROAD 35210	BEG INT SE ROW DORRAH RD & N LINE SW 1/4 TH SW ALONG ROW
52	22-13-4-37-26.000-RR	3350 27TH CT N 35207	LOT 12 BLK 4 J H POOLS SUR
53	22-13-4-42-03.000-RR	3341 27TH CT N 35207	LOTS 4 & 5 BLK 1 J H POOLS SUR
54	22-13-4-42-06.000-RR	3329 27TH CT N 35207	LOTS 1 & 2 BLK 2 J H POOLS SUR
55	22-13-4-37-20.000-RR	3320 27TH CT N 35207	LOT 13 BLK 3 J H POOLS SUR
56	22-13-4-01-07.000-RR	3401 33RD TER N 35207	LOTS 11+12 BLK 1 DOUGLASVILLE
57	23-18-2-04-10.000-RR	3517 34TH AVE N 35207	LOTS 9 & 10 BLK 1 VULCAN CITY
58	22-13-4-01-05.000-RR	3407 33RD TER N 35207	LOT 9 BLK 1 DOUGLASVILLE
59	29-09-4-04-22.000-RR	1504 DENNISON AVE 35211	LOT 3 V W WOOD SUR
60	23-18-2-04-07.000-RR	3527 34THAVE N 35207	LOT 14 BLK 1 VULCAN CITY
61	22-35-2-13-05.000-RR	1017 5TH PL N 35204	LOT 5 WILLIAMS 1ST ADD TO PROSPECT HTS
62	22-35-2-13-26.000-RR	1000 5TH PL N 35204	LOTS 1 & 2 DAUGHDRILL SUB
63	22-35-2-13-27.000-RR	516 10TH TER N 35204	LOTS 4 & 5 SECOND ADD TO PROSPECT HEIGHTS & 8 FT PROPOSED ALLEY & 20 FT STRIP OF LAND USED FOR RD ON S END
64	22-35-2-13-28.000-RR	518 10TH TER N 35204	LOT 6 2ND ADD TO PROSPECT HEIGHTS
65	22-14-3-04-03.000-RR	1823 37TH AVE N 35207	LOT 3 BLK 70 NORTH BHAM LAND COS ADD #5
66	22-23-2-10-09.000-RR	2100 29TH AVE N 35207	LOT 12 & W 1/2 OF LOT 11 BLK 208 NORTH BHAM
67	22-14-4-42-15.000-RR	2420 32ND AVE N 35207	LOT 16 BLK 145 NO BHAM COS SUR
68	29-08-4-22-02.000-RR	1827 PEARSON AVE SW 35211	LOT 9 & W 1/2 LOT 10 BLK 2 EUREKA
69	22-20-3-30-04.000-RR	304 CHURCH AVE 35214	LOT 4 BLK 7 MARTIN LOCKHART SURVEY
70	22-20-3-30-05.000-RR	302 CHURCH AVE 35214	LOT 5 BLK 7 MARTIN LOCKHART SURVEY

Agenda – March 23, 2010

71	22-19-3-01-116.000-RR	431 LAMPLIGHTER LN 35214	LOT 2 BLK 2 SOUTHAMPTON TIMBERLINE ADDITION PB 200 PG
72	22-19-3-01-117.000-RR	421 LAMPLIGHTER LN 35214	LOT 3 BLK 2 SOUTHAMPTON TIMBERLINE ADDITION PB 200 PG
73	23-18-2-04-06.000-RR	3529 34TH AVE N 35207	LOT 15 BLK 1 VULCAN CITY
74	23-18-2-04-05.000-RR	3531 34TH AVE N 35207	LOT 16 BLK 1 VULCAN CITY
75	23-18-2-04-04.000-RR	3533 34TH AVE N 35207	LOTS 17 THRU 20 BLK 1 VULCAN CITY
76	22-19-3-01-118.000-RR	401 LAMPLIGHTER LN 35214	LOT 4 BLK 2 SOUTHAMPTON TIMBERLINE ADD PB 200 PG 87
77	22-19-3-01-151.000-RR	420 LAMPLIGHTER LN 35214	LOT 3 BLK 1 SOUTHAMPTON TIMBERLINE ADDITION PB 200 PG
78	24-06-3-01-10.000-RR	621 DOGWOOD DR 35206	LOT 2 EASTSIDE PARK
79	23-20-4-21-45.000-RR	832 46TH ST N 35212	LOTS 1 & 2 BLK 1 MADDOX SUB
80	13-25-1-03-09.000-RR	421 13TH AVE NW 35215	LOTS 13 & 13-A BERKELEY HILLS 1ST ADD
81	23-15-3-06-05.000-RR	301 68TH PL N 35206	LOTS 1 & 6 BLK 5 LAKEWOOD PARK
82	13-36-3-11-01.001-RR	348 ROBISON DR 35000	LOT 7-B MARTHA A GASKINS SURVEY PB 207 PG 96 SEC 36 TP 16 R 2W
83	13-23-1-02-06.003-RR	1737 WINEWOOD RD 35215	LOT 8 BLK 6 WINEWOOD 5TH SECT 141/44 AMENDED MAP 1
84	29-08-4-10-04.000-RR	1924 PEARSON AVE SW 35211	LOT G JOHNSONS SUB 1/4 OF SE 1/4 OF SEC 8 TP 18 R
85	29-32-4-00-04.001-RR	2668 TALLEY AVE 35211	BEG AT NW COR OF NE1/4 OF SE1/4 OF SEC 32 TP 18 R 3W TH E 408.86 FT TH S 312.62 FT TO POB TH S 52.7 FT TH E 418 FT CONTINUED
86	29-33-2-00-29.000-RR	2451 WENONAH OXMOOR RD 35211	POB NW INTER OLD RD & WENONAH OXMOOR RD TH NW 31 FT ALG RW TH W 75 FT TH S 50 FT TO OLD RD TH ELY 101 FT ALG RW TO POB CONTINUED
87	29-07-1-19-16.000-RR	4648 COURT R 35208	LOT 17 BLK 42 CENTRAL PARK 6/42
88	29-07-1-19-04.000-RR	1805 BESSEMER RD 35208	LOT 5 BLK 42 CENTRAL PARK
89	29-07-1-19-03.000-RR	1809 BESSEMER RD 35208	
90	29-07-1-19-02.000-RR	1813 BESSEMER RD 35208	LOT 3 BLK 42 CENTRAL PARK
91	30-01-1-26-09.000-RR	3010 AVENUE C 35218	LOT 10 BLK 11 ENSLEY DEV CO

92	13-35-2-07-04.001-RR	1049 WALKER AVE 35217	LOTS 17 THRU 20 BLK 1 MAPLE GROVE 3RD ADD
93	29-08-4-10-03.000-RR	1928 PEARSON AVE SW 35211	LOT H JOHNSON SUR 18 R 3 PT TP 18 R 3 PT OF NE 1/4 OF SE 1/4
94	29-07-1-19-01.000-RR	1821 BESSEMER RD 35208	CENTRAL PARK LD CO 29-7&8 BLOCK: 42 LOT: 1
95	29-04-4-14-12.000-RR	425 12TH ST SW 35211	LOT 16 BLK 18 THARPE PLACE
96	29-04-3-23-27.000-RR	406 14TH ST SW 35211	S 55 FT OF N 115 FT OF LOTS 1- 2 BLK 26 WEST END LAND & IMP CO

OLD AND NEW BUSINESS

PRESENTATIONS

REQUESTS FROM THE PUBLIC

ADJOURNMENT

NOTE: The following matters were withdrawn:

A Resolution revoking the Certificates of Public Necessity and Convenience to operate a limousine service issued to Diamond Limousine and Sedan Service LLC, 506 26th Place North, Birmingham, AL 35203.

Those properties declared by Resolution No. 145-10 on February 9, 2010, to be noxious and dangerous, whereon said weeds have been abated:

1	23-15-4-18-05.002-RR	7109 6TH AVE S 35206	LOT 13 BLK 38 EAST GALE 6/68
34	22-11-4-07-15.000-RR	2868 41ST CT N 35207	LOTS 18+19 BLK 8 BOYDGA TERRACE
36	22-12-2-19-22.000-RR	4852 31ST ST N 35207	LOT 1 & 2 BLK 9 DAVID
37	22-12-3-08-55.000-RR	2936 42ND CT N 35207	POB 174 FT S W OF NW INTER 42ND CT N & CHEEK RD TH