



**During the Birmingham City Council Meeting on January 23, 2018, the City Council voted on the following items:**

**1.** An Ordinance “TO FURTHER AMEND THE GENERAL FUND BUDGET” for the fiscal year ending June 30, 2018, by appropriating \$300,000.00 to Parks and Recreation, East Lake Park Improvements per ADECA grant award received. The Improvements include: parking, landscaping, sand and volleyball courts and clear vegetation along the creek at East Lake Park.

**Was this item approved?** Yes

**What does this mean?** The City of Birmingham has received a grant for \$150,000 from the [Alabama Department of Economic and Community Affairs \(ADECA\)](#), to be used for parking, landscaping, sand volleyball courts, and clearing vegetation along the creek at [East Lake Park](#). The City Council voted to match that \$150,000 for a total project cost of \$300,000. The Budget and Finance Committee had previously voted to recommend this item to the full Council. The City believes that East Lake Park can become a destination for residents and tourists, and that these upgrades will assist in welcoming and accommodating more visitors.

**Next Steps:** For more information, please contact the Office of the City Council at 205.254.2294

*Refer to council agenda addendum Item 24*

2. An Ordinance to amend Article I, Schedule 083 of City of Birmingham Business License Code, as adopted by Ordinance 97-183, as regulated by the State of Alabama

**Was this item approved? Yes**

**What does this mean?** In general, businesses that are wholly located outside a municipality's taxing jurisdiction are not required to purchase a business license from that municipality. State law allows limited licensing authority to municipalities for businesses outside a municipality's taxing jurisdiction but that deliver and set up or install merchandise they sell into the municipality. The authority granted is for a flat license fee that does not exceed \$100.00 and is subject to a cap on the business's gross receipts. If a business outside of Birmingham has gross receipts between \$10,000.00 and \$75,000.00 per year from sales and set up and/or installation of merchandise within the city, it must purchase a delivery license for \$100.00. (2017 state legislation added the exemption for businesses whose gross receipts for sale and set up/installation of merchandise in the city are less than \$10,000.00.) If it turns out the gross receipts exceed the \$75,000.00 cap in a calendar year, the business has to purchase the full, appropriate business licenses for that year. The change in state law now allows 45 days, rather than 10 days previously given, for the business to purchase those other licenses. The proposed ordinance brings the city's ordinance in line with the 2017 amendments to the state law for delivery licenses.

**Next Steps:** For more information, please contact the Office of the City Council at 205.254.2294

*Refer to council agenda Item 25*

3. A Resolution accepting the lump sum bid of A.G. Gaston Construction Company, Inc., 2 20th Street North, Suite 150, Birmingham, in the amount of \$362,400.00, for Pavilion Replacement or Repair Package, located at Various Addresses, this being the lowest and best bid submitted, and authorizing the Mayor to enter into a Contract with said A.G. Gaston 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 not exceed the appropriation.

**Was this item approved? Yes**

### **What does this mean?**

Here's a list of the improvement that will be done by A.G. Gaston Construction Company 120 days after the notice to proceed, as per the contract:

#### **Barker Park**

- Replace existing pavilion with new square shaped pavilion. Add new sidewalk to new pavilion area.
- Provide new table and trash can at new pavilion.
- Existing concrete pad to remain.
- Remove existing playground equipment. Add new playground equipment.
- Provide solid surface landing.
- List resurface basketball courts as an Alternate and list new breakaway goals as a separate Alternate.
- Add trash cans at basketball court area.
- List resurfacing tennis courts to futsal courts with new futsal goals as Base Bid.

#### **Fountain Heights Park**

- Pressure wash and paint pavilion.
- Resurface basketball courts and provide new goals.
- Existing playground equipment to remain. Provide new solid surface landing.
- Provide decorative trash cans.
- Provide four (4) tables at pavilion.
- Address drainage, dress-up pavilion/play area with pine straw mulch, and provide accessibility.

#### **Minnieville Park**

- Replace existing pavilion with new pavilion.

-Add stand-alone grills at each end of pavilion. Demolish existing brick grill.

-Demolish existing Storage Room.

### **Spring Water Park**

-Existing pavilion to remain.

-Add new pavilion with new concrete pad.

-Provide two (2) each 8FT inclusive picnic tables at both pavilions.

**Next Steps:** For more information, please contact the Office of the City Council at 205.254.2294

*Refer to council agenda Item 39*

**4.** An Ordinance “TO FURTHER AMEND THE CAPITAL FUND BUDGET” for the fiscal year ending June 30, 2018, by transferring \$75,000.00 from various completed projects and appropriating \$75,000.00 to Finley Road Access Grant Match for ALDOT grant award received. (Submitted by the Mayor and the Budget and Finance Committee)

**Was this item approved?** Yes

**What does this mean?**

In order to increase ease of access to the [Jefferson County Truck Growers Association Farmers Market](#) off Finley Avenue, the Budget and Finance Committee voted to recommend an item to the full Council that would authorize the Mayor to execute a Funding Agreement for construction of an access road, including construction engineering and inspection during the course of construction, from Finley Blvd to Finley Avenue West.

The total project cost is estimated to be \$750,000 and with the following breakdown of funding from partner organizations:

\$50,000 to come from the Department of Agriculture

\$125,000 to come from the Jefferson County Truck Growers Association

\$200,000 to come from the State of Alabama

\$300,000 to come from the Alabama Department of Transportation

\$75,000 to come from the City of Birmingham.

**Next Steps:** For more information, please contact the Office of the City Council at 205.254.2294

*Refer to council agenda Item 78*

**5.** A Resolution approving the agreement with Birmingham-Jefferson County Transit Authority, Birmingham, for fiscal year ending June 30, 2018, for a term not to exceed three (3) years, in an amount not to exceed \$10,800,000.00/year, to provide within the corporate limits of the City fixed route transit services (based on the routes provided on Exhibit A) and paratransit services as are required by Section 223 of the American with Disabilities Act of 1990, as amended, and the implementing regulations in Subpart E of Part 37 of Title 49 of the Code of Federal Regulations and authorizing the Mayor to execute the agreement on behalf of the City.

**Was this item approved?** Yes

**What does this mean?** The Birmingham City Council unanimously approved a three-year agreement with the Birmingham-Jefferson Transit Authority to allocate \$10.8 million annually to assist with fixed transit route services within the city limits. While this is the amount that has been allocated for the last six years, some councilors raised issue with the fact they feel like the city should be giving more money for public transportation. For more information about this item, please read the article written by Birmingham City Council Public Information Officer, Cody Owens:  
<https://medium.com/@bhamcitycouncil/birmingham-city-council-meets-with-congresswoman-sewell-approves-funding-for-public-transportation-d90999b75426>

An excerpt from the article, as it relates to the BJCTA Contract:

“We’re not funding transit to the tune it needs to be,” Councilor Steven Hoyt said. “I know Bus Rapid Transit is coming but that is only a partial solution to the problem. If we start to take transit seriously we won’t lose out on these companies who are looking to come here. Transit is a public service. It doesn’t exist to make a profit. It’s for people to get to work or the doctor on time. So when we sit down to talk about the budget we need to revisit transit. Birmingham itself needs to increase the service we have within the city limits and I hope that is something you will consider.”

Mayor Randall Woodfin agreed with Hoyt’s notion and said he is open to talk to the council about increasing future funding for public transit. Councilor Scales also raised questions about what she described as “not enough funding” for public transportation, especially since Birmingham will be hosting the 2021 World Games in three years.

“This contract is for three years. And if all we’re going to keep giving \$10.8 million, how are we making improvements? If this is what we’re going to invest, just know when things break down, we’re in a three-year agreement. We talk about transit a lot and we don’t seem to get there. I have a concern that we have the same amount of money.”

BJCTA Director Barbara Murdoch was in attendance on Tuesday and said she had reviewed and signed the contract.

**Next Steps:** For more information, please contact the Office of the City Council at 205.254.2294

*Refer to Council agenda item 80*

For the Full Birmingham City Council Agenda click [here!](#)

## **Announcements and Reminders**

### **Wednesday, January 24, 2018**

**3:30 p.m. – Committee of the Whole Meeting – Conference Rooms “D & E”**

### **Thursday, January 25, 2018**

**10:00 a.m. – Committee Roundup Meeting - Conference Room “A”**

**2:30 p.m. – Agenda Meeting – Conference Room “A”**

**Thursday, February 1, 2018**

**3:00 p.m. – Joint Planning & Zoning and Special Called Committee of the Whole Committee Meeting – 5<sup>th</sup> Floor Conference Room**

**Friday, February 2, 2018**

**3:00 p.m. – Joint Governmental Affairs and Public Information and Special Called Committee of the Whole Committee Meeting – Conference Rooms “D & E”**

Decorum - Any person making profane, slanderous, or inflammatory remarks will be barred from the audience of the city council. (City Code s 2-2-12)

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