



JOINT BUDGET & FINANCE AND SPECIAL CALLED COMMITTEE OF THE WHOLE MEETING
MONDAY, OCTOBER NOVEMBER 14, 2022 | 3:30 P.M.
COUNCIL CHAMBERS

<https://www.facebook.com/citycouncilbham>

MINUTES

COUNCIL PRESIDENT PRO TEM CRYSTAL N. SMITHERMAN, COMMITTEE CHAIR
COUNCIL PRESIDENT WARDINE T. ALEXANDER & COUNCILOR VALERIE A. ABBOTT, COMMITTEE MEMBERS

Councilor(s) Present: Smitherman, Abbott, Alexander Tate

- 1) **Call to Order**
The Meeting was called to order by the Committee Chair, Council President Pro Tem Smitherman.
- 2) **Approval of the Minutes**
Action Taken:
Councilor Alexander Motioned to Approve.
Councilor Abbott Seconded the Motion.
The October 24, 2022 Joint Budget and Finance and Special Called Committee of the Whole Meeting Minutes were approved as recorded.
- 3) **Consideration of the Consent Agenda**
Items #4,5,6,7,9,15,21,22,23,24,25,26,27
Action Taken:
Councilor Alexander Motioned to Approve.
Councilor Abbott Seconded the Motion.
Councilor Smitherman Abstained.
Items Recommended to the City Council Consent Agenda.
- 4) A request seeking a budget ordinance to transfer funds in the amount totaling \$3,000.00 (three thousand dollars and no cents 00/100) from the following District # 4 G/L account: account # 001_000_04240.542-001 to account # 102_000.533-009 for speed cushion/traffic calming expenses within the Killough Springs Neighborhood.
Submitted by: Jeffery McDaniels
Department: City Council Extension: 2035
Recommended Funding Source: District 4 G/L Account transfer to 102_000.533-009 Amount: \$ 3000.00
Action Taken:
Councilor Alexander Motioned to Approve.
Councilor Abbott Seconded the Motion.
Councilor Smitherman Abstained.
Item Recommended to the City Council Consent Agenda.
- 5) A request seeking a budget ordinance to transfer funds totaling \$30,001.00 (thirty thousand one) dollars and no cents 00/100) from Councilor Abbott's account # 001_000_04230.542-001 to the following Neighborhood Association accounts.
Glen Iris - 031_200_12170_12172_15198.540-001 (\$6,316.00)
5 Points South - 031_200_12170_12171_15198.540-001 (\$2,084.28)
Highland Park - 031_200_12140_12142_15198.540-001 (\$6,316.00)
Forest Park/South Avondale - 031_200_12140_12141_15198.540-001 (\$4,358.04)
Redmont Park - 031_200_12140_12143_15198.540-001 (\$6,316.00)

MINUTES

Crestwood South - 031_200_12040_12042_15198.540-001	(\$2,084.28)
East Avondale - 031_200_12210_12211_15198.540-001	(\$2,526.40)
	\$30,001.00

Submitted by: Jeffery McDaniels
Department: City Council Extension:2035
Recommended Funding Source: District 3 G/L Account 001_000_04230.542-001
Amount: \$ 30,001.00
Action Taken:
Councilor Alexander Motioned to Approve.
Councilor Abbott Seconded the Motion.
Councilor Smitherman Abstained.
Item Recommended to the City Council Consent Agenda.

- 6) An Agreement between the City of Birmingham and **Red Mountain Theatre Company, Inc. (RMTC)**, under which RMTC will (i) create powerful theatre experiences that enrich, educate and engage audiences - nourishing the human spirit, fostering valuable life skills and cultivating a deeper sense of community in the 22-23 season; and (ii) leverage its position as the area's leading producer of high quality musical theatre and arts education to create meaningful dialogue and connection within the Birmingham community through its Black History Month special programming and guided by RMTC's teaching artists, residents will have the opportunity to experience the creative process of show production by writing their own theatrical works that explore Black history. This programming will culminate in a day of performances at RMTC's Arts Campus in February 2023, when participants will have the opportunity to share their work with the City. The fee for these services is not to exceed total funds in the amount of \$6,000, inclusive of any reimbursable expenses. Said total funds will come from District #6 Discretionary Funds.

Submitted by: Connie Horn
Department: City Council Extension: 2430
Recommended Funding Source: District 6 Discretionary Funds 001_000_04260.542-001
Amount: \$ 6,000.00
Action Taken:
Councilor Alexander Motioned to Approve.
Councilor Abbott Seconded the Motion.
Councilor Smitherman Abstained.
Item Recommended to the City Council Consent Agenda.

- 7) An Agreement between the City of Birmingham and **Promoting Empowerment and Enrichment Resources, Inc. (P.E.E.R.)**, in an amount not to exceed \$5,000, to provide the following goods and services for the City: P.E.E.R. will provide a farmer's market, offering healthy food options, fruits and vegetables for residents of the City and will provide below market rate discounts to the poor, needy and elderly citizens of the City. Said funds to come from the South Eastlake Neighborhood Association funds.

Submitted by: Melony Martin
Department: Community
Development Extension: 2535
Funding Source: 031_200_12150_12153_15198.540-001
Amount: \$ 5,000.00
Action Taken:
Councilor Alexander Motioned to Approve.
Councilor Abbott Seconded the Motion.
Councilor Smitherman Abstained.
Item Recommended to the City Council Consent Agenda.

MINUTES

- 8) A Resolution authorizing the Mayor to issue, on behalf of the City, a firm commitment to allocate \$250,000.00, in local grant match, in support of a \$10,000,000 Consolidated Rail Infrastructure and Safety Improvements (CRISI) planning grant application to the Federal Railroad Administration Railroad to develop highway-rail and pathway-rail grade crossing improvement projects that focus on improving the safety and mobility of people, goods, and services. Norfolk Southern and the City of Trussville have committed to pay the remaining balance of the 20% local match requirement for the CRISI grant.
Submitted by: Chris Hatcher
Department: Community
Development Extension: 2558
Funding Source: N/A
Amount: N/A
Action Taken:
Councilor Alexander Motioned to Approve.
Councilor Abbott Seconded the Motion.
Item Recommended to the City Council Agenda.
- 9) An Ordinance authorizing the Mayor of the City of Birmingham, Alabama to enter into a Purchase Agreement with the University of Alabama at Birmingham, for the purchase, by the City of Birmingham, of drugs and supplies for the Birmingham Fire and Rescue Service. Birmingham will pay to UAB their acquisition cost plus a 7% administrative fee with funding coming from the BFRS annual budget for drugs and supplies.
Submitted by: Cory Moon
Department: BFRS Extension: 2510
Recommended Funding Source: 001_022_17000_17400.524-025 – Medical Supplies
Amount: Acquisition cost plus a 7% administrative fee
Action Taken:
Councilor Alexander Motioned to Approve.
Councilor Abbott Seconded the Motion.
Councilor Smitherman Abstained.
Item Recommended to the City Council Consent Agenda.
- 10) A Resolution authorizing the Mayor to execute a professional services Agreement with the Penny Foundation to implement, administer and manage the fiscal and budgetary aspects of Common Ground, a cognitive based conflict resolution initiative using the Pinwheel Group's Habilitation, Empowerment, and Accountability Therapy (H.E.A.T.) a curriculum designed for people of color and/or others facing socioeconomic issues which applies a holistic, culturally relevant, responsive, strength-based model that emphasizes a positive and engaging approach to handling anger management and conflict resolution throughout each Birmingham City high school, middle school and K-8, and alternative learning schools during the school year as well as in each sector of the City's communities on behalf of the City for an amount not to exceed \$100,000.00 with all services to be performed over the next three fiscal years ending on June 30, 2025.
Submitted by: Galvin Billups
Department: DYS
Extension: 205.320.0879
Funding Source: G/L Account 001_061_01000.527-091
Amount: \$ 100,000.00
Action Taken:
Councilor Alexander Motioned to Approve.
Councilor Abbott Seconded the Motion.
Item Recommended to the City Council Agenda.

MINUTES

- 11) A redevelopment Agreement between the City of Birmingham and NCRC Housing Rehab **Fund, LLC (NCRC)**, under which the City shall convey to NCRC a total of 52 lots located in the Pratt City Community at 1430 Pratt Highway, Birmingham and also award funds under the Community Development Block Grant Disaster Recovery Program (CDBG-DR), in the amount of \$2,987,000 for NCRC for the development of single family affordable, energy-efficient houses containing approximately 1200-1700 square feet of living space.
Submitted by: Cory Stallworth
Department: Community Development Extension: 205.789.9865
Funding Source: CDBG-DR B13-MS-01-0001
035_013.536-001-Grant Expenditures Grant Costs to be Reimbursed Project Code: CD035GR 022028_004 - Multi-Family Housing
Amount: \$2,987,000.00
Action Taken:
Councilor Alexander Motioned to Approve.
Councilor Tate Seconded the Motion.
Item Recommended to the City Council Agenda.
- 12) An Affordable Housing Development Funding Agreement between the City of Birmingham and **Neighborhood Housing Services of Birmingham, Inc. (NHSB)**, under which the City shall convey 20 multi-family affordable rental units in the Pratt City area on property located at 1430 Pratt Highway, Birmingham to NHSB and also award funds under the Community Development Block Grant Disaster Recovery Program (CDBG-DR), in the amount of \$100,000, to make needed repairs to the units
Submitted by: Cory Stallworth
Department: Community Development Extension: 205.789.9865
Funding Source: CDBG-DR B13-MS-01-0001
035_013.536-001-Grant Expenditures Grant Costs to be Reimbursed Project Code: CD035GR 022028_004 - Multi-Family Housing
Amount: \$100,000.00
Action Taken:
Councilor Alexander Motioned to Approve.
Councilor Tate Seconded the Motion.
Item Recommended to the City Council Agenda.
- 13) An Amended and Restated Project Agreement between the City of Birmingham and **The Hardwick, LLC**, under which The Hardwick will undertake a project to redevelop, rehabilitate, and enhance property located at 2308 First Avenue South, Birmingham, into an upscale, full-service office building and retail destination in the City of Birmingham known as "The Hardwick," consisting in part of approximately 48,750 square feet of Class A office space and 9,354 square feet of retail and restaurant space, and the City will provide The Hardwick two incentives: (1) an upfront Lump Sum Incentive in an amount up to, but not to exceed **Eight Hundred Fifty-Five Thousand and No/100 Dollars (\$855,000.00)**, to assist with the development of the project; and (2) a 10 year Revenue Sharing Incentive in an amount up to, but not to exceed **Two Hundred Thousand and No/100 Dollars (\$200,000.00)** per year, based on a percentage of actual sales tax revenue following each year during the payment term, for a cumulative total amount up to but not to exceed **Two Million Dollars and No/100 (\$2,000,000.00)**.
Submitted by: Cornell Wesley
Department: Innovation & Economic Opportunity Extension: 2799
Funding Source:
039_000.513-001
039_000.513-002
039_000.513-009
039_000.527-001
039_000.528-015

MINUTES

039_000.513-006

Amount: \$855,000.00

\$2,000,000.00 - revenue sharing of actual sales taxes generated

Action Taken:

Councilor Alexander Motioned to Approve.

Councilor Abbott Seconded the Motion.

Item Recommended to the City Council Agenda.

- 14) A Lease Agreement between the City of Birmingham and **Dale T. Pugh d/b/a D.T.P., Inc.**, under which D.T.P., Inc. will lease property located at 930 6th Avenue North, Birmingham, to the City, for operations of the Birmingham Police Department K-9 Unit and for other related purposes, for a term of seven (7) months, for a sum of \$11,142.86 per month, for a total amount not to exceed \$78,000.02.

Submitted by: Sergeant Gregory Porter

Department: Birmingham Police Extension: 205-757-7907

Recommended Funding Source: 035_043.531-009 – Project #POLO35GR 016133

Amount: \$78,000.02

Action Taken:

Councilor Alexander Motioned to Approve.

Councilor Abbott Seconded the Motion.

Item Recommended to the City Council Agenda.

- 15) A Resolution pursuant to §11-40-1, §11-47-1 and §11-47-9 Codes of Alabama 1975, authorizing the Mayor to execute and deliver an agreement with Birmingham Times Media Group, LLC in an amount not to exceed \$65,000.00 to provide the following goods and services to the City: Provider will provide Weekly print, and online advertisements to inform and educate the citizens of the City of Birmingham about city codes, ordinances, programs, and services. In addition, the provider will deliver and distribute 50 weekly copies of the Birmingham Times Newspaper. Said funds to come from Professional Fees Consulting (001_010_04200.527-050).

Submitted by: Jeffery McDaniels

Department: City Council Extension: 2035

Funding Source: 001_010_04200.527-050

Amount: \$ 65,000.00 (not to exceed)

Action Taken:

Councilor Alexander Motioned to Approve.

Councilor Abbott Seconded the Motion.

Councilor Smitherman Abstained.

Item Recommended to the City Council Consent Agenda.

- 16) A Resolution authorizing the Mayor to execute an Agreement with Avenue Insights & Analytics, LLC under which Avenue Insights & Analytics, LLC will provide to the City of Birmingham data integration services which will allow transfers with City of Birmingham business license statuses to Accela for the Planning, Engineering and Permits (PEP) Department allowing Accela fields to be updated with recent statuses of business license for the permit review process preventing the issuance of a permit without a license for a period not to exceed one year for a total amount not to exceed 21, 600.00.

Submitted by: Annette Harris

Department: IMS

Extension: 2751

Recommended Funding Source: FY2022 - 102_000.527-050 IMS102CP003871

MINUTES

Amount: \$21,600.00

Action Taken:

Councilor Abbott Motioned to Approve.

Councilor Alexander Seconded the Motion.

Item Recommended to the City Council Agenda.

- 17) A resolution determining the City of Birmingham Tree Lighting Ceremony as a part of the holiday season and that public activities and events held on or around November 27th serve as a public purpose and the City of Birmingham funds will be administered to pay for said events and goods and services in accordance with Section 3-1-7 of the General Code of the City of Birmingham.

Submitted by: Jeffery McDaniels

Department: City Council (10) Extension: 2035

Recommended Funding Source:

Departmental Budgets 10 and 31 (cost share)

Amount: \$15,000.00 (not to exceed)

Action Taken:

Councilor Alexander Motioned to Approve.

Councilor Abbott Seconded the Motion.

Item Recommended to the City Council Agenda.

- 18) A Project Funding Agreement with **Dreamz Bar & Lounge, Inc.**, under which Dreamz Bar & Lounge will develop a restaurant as part of a project involving improvements to approximately 3,500 square feet of space located at 1506 Pearson Avenue SW, Birmingham, and the City will provide financial incentives to Dreamz Bar & Lounge of up to \$100,000 in support of the project.

Submitted by: Cornell Wesley

Department: Innovation & Economic Opportunity Extension: 2799

Recommended Funding Source: ARP: G/L 039_000.513-001

Amount: \$100,000.00

Action Taken:

Councilor Alexander Motioned to Approve.

Councilor Abbott Seconded the Motion.

Item Recommended to the City Council Agenda.

- 19) An Incentive Agreement with **Parkway Auto Group, LLC d/b/a Birmingham Mitsubishi**, pursuant to the "City of Birmingham New Automotive Sales Stimulus Program" in which the dealer will pay to the City on a quarterly basis an amount equal to 0.25% of the gross proceeds of sale of used automobiles sold by the dealer during the prior quarter and the City will pay to the dealer on a quarterly basis an amount equal to 1.0% of the gross proceeds of sale of new automobiles sold by the dealer during the prior quarter for a term ending September 27, 2039.

Submitted by: Irenio Johnson

Department: Innovation & Economic Opportunity Extension: 8668

Recommended Funding Source: 1% Sales Tax Rebate on New Car Dealership

Amount: N/A

Action Taken:

Councilor Alexander Motioned to Approve.

Councilor Abbott Seconded the Motion.

Item Recommended to the City Council Agenda.

- 20) A Resolution authorizing Jefferson County to abate the City's non-educational municipal ad valorem taxes in connection with Novu Parkside Residences, LLC's redevelopment and reuse of a Brownfield site consisting of approximately 4.1 acres located at the corner of 12th Street and 2nd Avenue South as a 5-story multifamily residential building that will deliver approximately 315 apartment units and related amenities including a

MINUTES

- 21) clubhouse, fitness center, salt water pool, co-working space, sky lounge, two outdoor social lawns, and a parking deck that will deliver approximately 400 parking spaces. The abatement will be in effect for a period of three years for each parcel of property obtained by Novu Parkside Residences, LLC for the project.
Submitted by: Griffin Lassiter
Department: IEO
Extension: 2799
Recommended Funding Source: N/A Amount: N/A
Action Taken:
Councilor Alexander Motioned to Approve.
Councilor Abbott Seconded the Motion.
Item Recommended to the City Council Agenda.
- 22) A Resolution pursuant to §11-40-1 and §16-11-9.1, Codes of Alabama 1975 authorizing the Mayor to execute and deliver an agreement with the **Birmingham Board of Education** in an amount not to exceed \$1,500 to provide the following goods and services for the benefit of students of the Birmingham City Schools: The Board shall coordinate with Carver High School associated with expenses related to transporting the Carver High School Band to Arthur Shores Park to perform in the Christmas parade on December 2, 2022. The allocation is exclusively for the purposes stated. Said funds will come from the Druid Hills Neighborhood Association.
Submitted by: Willie Andrea' Watson
Department: Community Development Extension: 2066
Recommended Funding Source: Druid Hills Neighborhood Funds 031_200_12120_12122_15198.540-001
Amount: \$1,500
Action Taken:
Councilor Alexander Motioned to Approve.
Councilor Abbott Seconded the Motion.
Councilor Smitherman Abstained.
Item Recommended to the City Council Consent Agenda.
- 23) An Agreement with the **Birmingham Board of Education** in an amount not to exceed \$112,727, to provide the following goods and services for the benefit of students at Birmingham City Schools: The Board will assist with food insecurity solutions for students at Smith Middle School. The allocation is exclusively for the purpose stated. Said funds will come from District #1 Discretionary Funds.
Submitted by: Lamford R. Johnson
Department: City Council Extension: 2611
Recommended Funding Source: District 1 Discretionary Funds_000_04250.542-001
Amount: \$112,727.00
Action Taken:
Councilor Alexander Motioned to Approve.
Councilor Abbott Seconded the Motion.
Councilor Smitherman Abstained.
Item Recommended to the City Council Consent Agenda.
- 24) A Resolution pursuant to §11-47-19, of the Code of Alabama, 1975 to authorize the Mayor to allocate funds in an amount not to exceed \$1,000, for the purchase of cleaning supplies for the Oakwood Park Neighborhood Association's clean up days. The allocation is exclusively for the purposes stated. Said funds will come from the Oakwood Park Neighborhood Association.
Submitted by: Harold Houston
Department: Community Development Extension: 2523
Recommended Funding Source: Oakwood Park Neighborhood Funds 031_200_12200_122203_15198.540-001

MINUTES

Amount: \$1,000.00

Action Taken:

Councilor Alexander Motioned to Approve.

Councilor Abbott Seconded the Motion.

Councilor Smitherman Abstained.

Item Recommended to the City Council Consent Agenda.

- 25) A Resolution authorizing the Mayor, pursuant to §36-25A-3, Code of Alabama 1975, to appropriate funds in the amount of \$1,500 per neighborhood, per calendar year, for the authorized services to be used to electronically notify neighborhood residents of meeting dates and times, such as automated calling service minutes. Said sum to come from the requesting neighborhood association's fund.

Submitted by: Alice Williams

Department: Community Development Extension: 8085

Recommended Funding Source:

Requested Neighborhood Association Funds 031_20015198.540.001

Amount: 1,500.00

Action Taken:

Councilor Alexander Motioned to Approve.

Councilor Abbott Seconded the Motion.

Councilor Smitherman Abstained.

Item Recommended to the City Council Consent Agenda.

- 26) An Ordinance to amend the Neighborhood Allocations Fund Budget for the fiscal year ending June 30, 2023, by transferring \$3,000.00 from Killough Springs NA and appropriating \$3,000.00 to Department of Transportation, R&M Infrastructure Street & Traffic Signs (i.e. speed cushions) for traffic calming efforts.

Submitted by: Dr. Meghan Thomas, Director

Department: Community Development Extension: 2723

Recommended Funding Source: 031 & 102

Amount: \$ 3,000.00

Action Taken:

Councilor Alexander Motioned to Approve.

Councilor Abbott Seconded the Motion.

Councilor Smitherman Abstained.

Item Recommended to the City Council Consent Agenda.

- 27) An Ordinance to amend the Grants Fund for the fiscal year ending June 30, 2023, by appropriating \$10,764,981.00 to Mayor's Office for Good Jobs Challenge per grant award received. (Resolution Number 98-22).

Submitted by: Chaz Mitchell, Chief of Operations

Department: Mayor's Office

Extension: 2136

Recommended Funding Source: 035 Grants Fund

Amount: \$ 10,764,981.00

Action Taken:

Councilor Alexander Motioned to Approve.

Councilor Abbott Seconded the Motion.

Councilor Smitherman Abstained.

Item Recommended to the City Council Consent Agenda.

- 28) An Ordinance to amend the Donation Fund Budget for the fiscal year ending June 30, 2023, by appropriating \$5,000.00 to Harrison Park and \$10,000.00 to Memorial Park for general use per donation received from Jefferson County Community Service Fund.

MINUTES

Submitted by: Shonae Eddins-Bennett, Director
Department: Parks and Recreation
Extension: 2867
Recommended Funding Source: 032 Donation Fund
Amount: \$ 15,000.00

Action Taken:

Councilor Alexander Motioned to Approve.

Councilor Abbott Seconded the Motion.

Councilor Smitherman Abstained.

Item Recommended to the City Council Consent Agenda.

Addendum

- 29) A Resolution authorizing the Mayor to execute an Agreement with Alabama State University (“ASU”) and Alabama Agricultural and Mechanical University, (“AAMU”) under which ASU and AAMU shall host the Magic City Classic Football Game (the “Magic City Classic”) for four (4) years at Legion Field Stadium. The Magic City Classic is expected to bring college athletics, numerous fans, guest, and visitors from outside the City, which will create and foster community pride while providing recreation and entertainment opportunities for attendees, bring jobs, and have a positive economic impact for the City. For ASU and AAMU hosting the Magic City Classic game at Legion Field, the City will provide incentives not to exceed \$1,000,000 each year in accordance with Amendment No. 772.

Department: Mayor’s Office

Extension: Chaz Mitchell x-2771

Funding Source: 057_400_96100_96116.550-002

Amount: \$4,000,000

Action Taken:

Councilor Alexander Motioned to Approve.

Councilor Abbott Seconded the Motion.

Item Recommended to the City Council Agenda.

- 29) **Old & New Business**
None

- 30) **Adjournment**
Councilor Abbott Motioned to Adjourn.
Councilor Alexander Seconded.
The Meeting Adjourned.