

**The Joint Budget & Finance Committee Meeting  
&  
Committee of the Whole Meeting**

**Monday, May 22, 2023  
Conference Rooms D&E  
3:30 PM**

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

**AGENDA**

**1) Call to Order**

**2) Approval of the Minutes**

**3) Consideration of the Consent Agenda**

**4) A Resolution authorizing the Mayor to execute an agreement for and on behalf of the City with the Nadyne G. Foundation to host a spring break film camp for grades 8-12 for Birmingham City School students during which the students will be introduced to the many facets of the filmmaking industry including learning skills in editing, acting, production and more for a term not to exceed June 30, 2023 for an amount not to exceed three thousand and 00/100 dollars (\$3,000.00).**

**Submitted by: Paulette Sims**

**Department: City Council**

**Extension: 2294**

**Recommended Funding: Councilor Williams/\$1,000.00 - 001\_000\_04220.542-001**

**Councilor O'Quinn/\$1,000.00 - 001\_000\_04250.542-001**

**Councilor Alexander/\$1,000.00 - 001\_000\_04270.542-001**

**Amount: \$3,000.00**

**5) A Resolution by the Council of the City of Birmingham that the Mayor be and hereby is authorized to execute, for and as the act of said City, an Agreement with Empowerment, Incorporated ("Empowerment"), under which Empowerment shall plan, implement, and host the "Steel City Jazz Festival" ("Jazz Festival") in Linn Park in Birmingham, Alabama on June 16 and 17, 2023, the Jazz Festival is expected to generate revenue from out-of-town visitors and tourists and will provide**

positive publicity for the City, and the City will provide incentives and in-kind services to Empowerment, Incorporated in an amount not to exceed \$100,000.00 pursuant to Amendment No. 772 for hosting the Jazz Festival in Birmingham.

**Submitted by:** Michelle Inman  
**Department:** Mayor's Office  
**Extension:** 2144  
**Recommended Funding:** 057\_000.527-050 Sporting & Entertainment  
Recruit Non-departmental Professional Fees  
**Amount:** \$100,000.00

6) A resolution by the Council of the City of Birmingham 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 U. S. Department of Justice (DOJ), Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention Program grant in the amount of \$250,000.00 to prevent youth violence, including youth gang/group violence, through data-driven strategies with no matching funds due from the City.

**Submitted by:** Adrienne Stitt  
**Department:** Finance (Grants Division)  
**Extension:** 2434  
**Recommended Funding:** N/A  
**Amount:** N/A

7) A Contract for Sale of Real Estate between the City of Birmingham and **RPG Birmingham, LLC**, under which **RPG Birmingham, LLC** will purchase property known as the former Birmingham Board of Education (BBOE) Service Center located at 2320, 2312 Reverend Abraham Woods, Jr. Blvd. and 800-24<sup>th</sup> Street North, 35203 for the purchase price of One Million Nine Hundred Thousand and No/100 Dollars (\$1,900,000.00).

**Submitted by:** Cornell Wesley, Director of IEO  
**Department:** Innovation & Economic Opportunity  
**Extension:** 2273  
**Recommended Funding Source:** N/A  
**Amount:** \$ 1,900,000.00

8) A Software Agreement between the City of Birmingham and Calendly, LLC, under which Calendly, LLC shall deliver a scheduling automated platform, improve meeting requests outcomes, and maintenance services, for a term not to exceed (1) year, and for an amount not to exceed \$9,000.00.

**Submitted by: Anette Harris, Deputy Director**

**Department IMS Enterprise Systems**

**Extension: 2751**

**Recommended Funding Source: 102\_000.526-001 IMS102CP**

**Amount: \$ 9,000.00**

9) An Ordinance to amend the Donation Fund Budget for the fiscal year ending June 30, 2023, by appropriating \$2,500.00 to West End Manor NA, for general use per donation received from Jefferson County Community Service Fund.

**Submitted by: Dr. Meghan Thomas, Director**

**Department: Community Development**

**Extension: 2723**

**Recommended Funding Source: 001**

**Amount: \$ 2,500.00**

10) An Ordinance to amend the General and Birmingham Fund Budget for the fiscal year ending June 30, 2023, by appropriating \$15,076.48 to Equipment Management, Fleet Replacement. Funding source is reimbursement received from insurance proceeds.

**Submitted by: Cedric Roberts, Director**

**Department: Equipment Management**

**Extension: 6300**

**Recommended Funding Source: 001**

**Amount: \$ 15,076.48**

11) An Ordinance to amend the Neighborhood Allocations Fund Budget for the fiscal year ending June 30, 2023, by transferring \$1,500.00 from Ensley Neighborhood NA and appropriating it to Park & Recreation for the purchase of chairs for the McAlpine Recreation Center.

**Submitted by: Dr. Meghan Thomas, Director**  
**Department: Community Development**  
**Extension: 2723**  
**Recommended Funding Source: 031**  
**Amount: \$ 1,500.00**

**12) BE IT RESOLVED** by the Council of the City of Birmingham, Alabama that the Mayor be and hereby is authorized to apply, accept, and expend the continuation grant funds on behalf of the City of Birmingham, with the Corporation for National and Community Services (CNCS) AmeriCorps VISTA, under Title I, Part A of the Domestic Volunteer Services Act of 1973. The continuation grant funds will be used to expand the City's reach in building on education, economic opportunities, and healthy futures by supporting one: (1) VISTA Supervisor position, 25 full-time VISTAs, and 40 Summer Associates. The term of the agreement is for one (1) year beginning September 2023 and ending September 2024, with the City contributing \$68,646.00 in matching funds. The Mayor is authorized to take all actions and execute such other documents as are appropriate and necessary to apply, accept and expend the continuation grant award in accordance with the terms of the Grant.

**Submitted by: Adrienne Stitt**  
**Department: Finance/Grants Division**  
**Extension: 2482**  
**Funding Source: 001\_031\_34000.545-001**  
**Amount: \$68,646.00**

**13)** A Project agreement between the City of Birmingham and The Library on 2nd, LLC ("Library on 2nd"), under which Library on 2nd, LLC will undertake a project to construct and buildout of a cigar lounge, including architectural design, renovation, and enhance the existing premises located at 2008 2<sup>nd</sup> Avenue North, Birmingham, involving the creation of a comfortable and elegant space where cigar aficionados can relax and enjoy their favorite cigars in a sophisticated environment and the City will provide incentives to Library on 2<sup>nd</sup> LLC in the amount of Two Hundred Thousand and No/100 (\$200,000.00) pursuant to Amendment No. 772 to the Constitution of Alabama (1901) ("Amendment No. 772"), which authorizes the City to lend its credit to or grant public funds and things of value in aid of or to any corporation or other business entity for the purpose of promoting the economic development of the City.

**Submitted by: Cornell Wesley, Director of Innovation and Economic Opportunity  
Department Dept. of Innovation and Economic Opportunity**

**Extension: 2273**

**Recommended Funding Source: 001\_500\_95094.545-001**

**Amount: \$ 200,000.00**

**14)** A resolution authorizing the Mayor to enter into a forgivable loan Roderick Conwell/Uptown Entertainment d/b/a Uptown Jazz Lounge in an amount of Thirteen Thousand Two Hundred Twenty Dollars and 00/100 (\$13,220.00) for Uptown Jazz Lounge to perform improvements to their business located at 2250-Suite B; 9<sup>th</sup> Avenue North; Birmingham, AL 35203. Said funds to come from CDBG Block Grant #: B-20-MC-01-002/081\_013\_05700\_05704.536-001.

**Submitted by: Yolanda Y. Lawson**

**Department: Mayor's Office**

**Extension: 2369**

**Recommended Funding Source: CDBG Block Grant #: B-20-MC-01-002/081\_013\_05700\_05704.536-001**

**Amount: \$13,220.00**

**15)** A resolution authorizing the Mayor to enter into a forgivable loan with Otto Realty, LLC d/b/a Jazzi's on 3<sup>rd</sup> Music Gallery in an amount of Twenty-One Thousand Four Hundred Eighty Four Dollars and 09/100 (\$21,484.09) for Jazzi's on 3<sup>rd</sup> to perform improvements to their business located at 1725-3<sup>rd</sup> Avenue North; Birmingham, AL 35203. Said funds to come from CDBG Block Grant #: B-20-MC-01-002/081\_013\_05700\_05704.536-001.

**Submitted by: Yolanda Y. Lawson**

**Department: Mayor's Office**

**Extension: 2369**

**Recommended Funding Source: CDBG Block Grant #: B-20-MC-01-002/081\_013\_05700\_05704.536-001**

**Amount: \$21,484.09**

**16)** A resolution authorizing the Mayor to enter into a forgivable loan with Lemar Story d/b/a Life Touch Massage, LLC in an amount of Fifty Thousand Dollars and 00/100 (\$50,000.00) for Life Touch Massage, LLC to perform improvements to their business located at 7841-1<sup>st</sup> Avenue

North; Birmingham, AL 35206. Said funds to come from CDBG Block Grant #: B-20-MC-01-002/081\_013\_05700\_05704.536-001.

**Submitted by: Yolanda Y. Lawson**

**Department: Mayor's Office**

**Extension: 2369**

**Recommended Funding Source: CDBG Block Grant #:B-20-MC-01-002/081\_013\_05700\_05704.536-001**

**Amount: \$50,000.00**

**17)** A resolution authorizing the Mayor to enter into a forgivable loan with Tom Saab d/b/a Bistro 218 in an amount of Forty-Five Thousand One Hundred Eighty-Three Dollars and 00/100 (\$45,183.00) for Bistro 218 to perform improvements to their business located at 218-20<sup>th</sup> Street South; Birmingham, AL 35203. Said funds to come from CDBG Block Grant #:B-20-MC-01-002/081\_013\_05700\_05704.536-001.

**Submitted by: Yolanda Y. Lawson**

**Department: Mayor's Office**

**Extension: 2369**

**Recommended Funding Source: CDBG Block Grant #:B-20-MC-01-002/081\_013\_05700\_05704.536-001**

**Amount: \$45,183.00**

**18)** A Lease Agreement between the City of Birmingham and **Lugar, LLC**, under which Lugar, LLC, 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 one year and the sum of \$6,000.00 per month, for a total amount not to exceed \$72,000.00.

**Submitted by: Michael Pickett**

**Department: Police**

**Extension: 2751**

**Recommended Funding Source: 035\_043.531-080**

**Amount: \$ 72,000.00 (not to exceed)**

**19)** A Resolution pursuant to §11-47-19 of the Code of Alabama, 1975, to authorize the Mayor to appropriate funds in the amount of One Thousand Nine Hundred and No/100 Dollars (\$1,900.00) for the installation, removal and storage of the City's Christmas decorations, used for the Central

Pratt neighborhood on four poles in the Pratt Business District, for the period of November 2023 to January 2025. Said funds to come from the Central Pratt Neighborhood Association fund.

**Submitted by: Herman Lumzy**

**Department: Community Development**

**Extension: 8244**

**Funding Source: 031\_200\_ 12130 \_ 12131 \_15198.540-001**

**Amount: \$1900.00**

**20)** A Resolution pursuant to §11-47-19, Code of Alabama, 1975 authorizing the Mayor to expend funds in an amount not to exceed \$305.40 for the purchase of twelve (12) Neighborhood Association meeting signs. Said funds to come from the Brownsville Heights Neighborhood Association Funds.

**Submitted by: Harold Houston**

**Department: Community Development**

**Extension: 2523**

**Funding Source: 031\_200\_ 12010\_ 12012 \_15198.540-001**

**Amount: \$305.40**

**21)** A Resolution authorizing the Mayor, pursuant to §11-47-19, Code of Alabama 1975, to appropriate funds in an amount not to exceed \$500 per neighborhood, per calendar year, for authorized goods and services, consistent with the purpose of supporting the annual holiday party events to be held between November and December, in lieu of the CAB annual event. Said sum to come from the requesting neighborhood association's fund.

**Submitted by: Alice Williams**

**Department: Community Development**

**Extension: 8085**

**Funding Source: 031\_200\_ \_ \_15198 or \_15199.540-001**

**Amount: \$500.00**

**22)** A Resolution pursuant to §11-40-1, §11-47-16, and §11-47-19, Code of Alabama, 1975 authorizing the Mayor to execute and deliver an agreement with Urban Impact, Inc. in an amount not to exceed \$10,000.00 to provide services for the City of Birmingham by promoting and protecting the cultural heritage and historical assets of the greater 4th Ave Historic Black Business District through business education, music appreciation events, and community education events will be held on various dates and will be open to the public. Said funds to come from the following source: Professional Fees Consulting, 001\_010\_04200.527-014.

**Submitted by: Lamford Johnson**  
**Department: Council**  
**Extension: 2611**  
**Funding Source: 001\_010\_04200.527-014**  
**Amount: \$10000.00**

**23)** A Resolution pursuant to §16-11-9.1 of the Code of Alabama, 1975 to authorize the Mayor to allocate funds in an amount not to exceed \$8980 and execute contracts with the Birmingham Board of Education to allow the Board to provide services to the City by coordinating with Glen Iris Elementary School to support Glen Iris Elementary School's 100-year celebration event and its related landscaping project. Said funds to come from the Glen Iris Neighborhood Association fund.

**Submitted by: Melony Martin**  
**Department: Community Development**  
**Extension: 2535**  
**Funding Source: 031\_200\_12170\_12172\_15198.540-001**  
**Amount: \$8980.00**

**24)** A Resolution pursuant to §11-47-19, Code of Alabama, 1975 authorizing the Mayor to expend funds in an amount not to exceed \$200.00 for the purchase of disposable bags for dog stations in Crestline Park. Said funds to come from the Crestline Neighborhood Association Funds.

**Submitted by: Harold Houston**  
**Department: Community Development**  
**Extension: 2523**  
**Funding Source: 031\_200\_12030\_12031\_15198.540-001**  
**Amount: \$200.00**

**25)** A Resolution pursuant to §11-47-19 of the Code of Alabama, 1975, to authorize the Mayor to appropriate funds in the amount of Two-Thousand Five Hundred and No/100 Dollars (\$2,500.00) per neighborhood, per calendar year, for authorized goods and services, such as the rental of inflatables, interactives, carnival equipment, tents, tables, large industrial fans, generators, portable restrooms, and concession equipment, for the services of a disk jockey and for any other service or equipment that is like the specifically listed items above, consistent with the purpose of supporting the annual community picnic events. If food is purchased, an additional amount of Five Hundred and No/100 Dollars (\$500.00) is authorized for the purchase of concessions, expenditures for food and non-alcoholic beverages, for an annual amount not to exceed Three



Thousand and No/100 Dollars (\$3,000.00). Said sum to come from the requesting neighborhood association's fund.

**Submitted by: Alice Williams**

**Department: Community Development**

**Extension: 8085**

**Funding Source: 031\_200\_ \_ \_15198 or \_15199.540-001**

**Amount: \$3000.00**

**26) (A)** An Amendment to Mortgage Note under which the Mortgage Note between the City of Birmingham and Phoenix Arts, LLC, dated January 26, 2004, in the principal sum of \$1,191,600, will be amended: (i) to delete the provisions requiring Phoenix Arts, LLC to make fifteen (15) annual payments of \$61,000 each, commencing on December 1, 2019, and continuing until December 1, 2034; (ii) to waive the accrual of interest during the period between December 1, 2021, and February 8, 2038; and (iii) to provide that the outstanding principal balance and accrued and unpaid interest thereon shall be due and payable on February 8, 2038.

**(B)** A First Amendment to Subordination Agreement under which a Subordination Agreement between Highland Commercial Mortgage, LLC, City of Birmingham and Phoenix Arts, LLC, dated February 1, 2021, with respect to the City's subordinated loan and mortgage against mortgaged property known as "The Phoenix Building," located at 1710 Second Avenue North, Birmingham, will be amended to modify the subordinate loan documents to defer Phoenix Arts, LLC's payment of the subordinate loan so that Phoenix Arts, LLC is not required to make the annual payments of \$61,000 on the subordinate loan and to extend the maturity date of the subordinate loan until February 8, 2038.

**Submitted by: Cory Stallworth**

**Department: Community Development**

**Extension: 205-789-9865**

**Funding Source: N/A**

**Amount: N/A**

**27)** A Novation Agreement between 1904 on 4<sup>th</sup>, LLC, City of Birmingham and Lakeview Green Birmingham Owner, LLC, and the City of Birmingham under which Lakeview Green Birmingham Owner, LLC will be substituted for 1904 on 4<sup>th</sup>, LLC as the developer with respect to a Project Agreement with the City in connection with the redevelopment of the former Davis School property located at 2901 4<sup>th</sup> Avenue South, through a mixed-use retail and multi-family project

for which the City agreed to provide a financial incentive of up to \$1,090,000, payable from future sales tax revenue generated by the project.

**Submitted by: Irenio Johnson**  
**Department: Innovation & Economic Opportunity**  
**Extension: 8668**  
**Funding Source: N/A**  
**Amount: N/A**

**28)** A Resolution authorizing the Mayor to execute an agreement for and on behalf of the City with the Nadyne G. Foundation to host a spring break film camp for grades 8-12 for Birmingham City School students during which the students will be introduced to the many facets of the filmmaking industry including learning skills in editing, acting, production and more for a term not to exceed June 30, 2023 for an amount not to exceed three thousand and 00/100 dollars (\$3,000.00).

**Submitted by: Paulette Sims**  
**Department: City Council**  
**Extension: 2294**  
**Recommended Funding: Councilor Williams/\$1,000.00 - 001\_000\_04220.542-001**  
**Councilor O'Quinn/\$1,000.00 - 001\_000\_04250.542-001**  
**Councilor Alexander/\$1,000.00 - 001\_000\_04270.542-001**  
**Amount: \$3000.00**

**29) Old & New Business**

**The next Budget & Finance Committee meeting will  
be on **Monday, June 12, 2023, at 3:30 pm.****

