



COMMITTEE OF THE WHOLE  
TUESDAY, APRIL 16, 2024 | 2:00 PM  
COUNCIL CHAMBERS

MINUTES

COUNCIL PRESIDENT DARRELL B. O'QUINN, COMMITTEE CHAIR

**Councilor(s) Present:** O'Quinn, Abbott, Alexander, Clarke, Moore, Smitherman, Tate, Williams

1. **CALL TO ORDER**

The Meeting was called to order by the Committee Chair, Council President O'Quinn.

2. **APPROVAL OF MINUTES**

**Action Taken:**

**Delayed – Due to Lack of Quorum**

**The March 19, 2024 Committee of the Whole Meeting Minutes were Delayed until the next scheduled Committee of the Whole Meeting.**

3. **COUNCIL ADMINISTRATOR'S REPORT- CHERYL KIDD, COUNCILOR ADMINISTRATOR**

The Council Administrator's Report was presented by Deputy Administrator Jeffery McDaniels.

**Department Budget Update:**

Under the direction of President O'Quinn, the essential expenses are being advanced and aligned with the Councilor's feedback to President O'Quinn.

Staff is making progress towards completing the requests within the current fiscal year. The vacant departmental FTE's should be filled before the end of the current fiscal year.

**District Budget:**

The Councilors have prioritized their transactions as staff prepares to close out the current fiscal year. There are approximately 25 discretionary contracts and/or appointment letters in progress. All General Fund contracts are between 80% to 100% utilization.

**Departmental Concerns:**

There are two employees who experienced disruption with their direct deposit/payroll. Staff is working with the payroll specialist and the issue should be resolved during the current payroll cycle or by the next payroll cycle. There was no loss in payment, they were taken out of direct deposit and issued live checks.

**Travel:**

The Delegates for the Alabama League of Municipalities Convention have been confirmed. The convention will be held May 15 – May 17, 2024 in Huntsville, AL.

The travel advances have already gone before Council and will be processed by Connie Horn.

Planning is underway for Councilors who are participating in the 3<sup>rd</sup> Economic Development Academy. Staff is working to confirm a June 2024 date (four participating Council members and one staff member from the Administration).

Business Council of Alabama 2024 Governmental Affairs Conference is scheduled for August 9 – August 11, 2024 in Point Clear, AL. Lodging is still available for those who are interested in registering and attending the conference.

The 53<sup>rd</sup> Annual Legislative Conference of the Congressional Black Caucus is set for September 11 – September 15, 2024. Individuals who have registered should have received notification via email. Registration is open.

**Questions & Concerns:**

None

4. **IMC FINANCIAL FREEDOM PROJECT- ISAAC COOPER, CEO- IMC FINANCIAL CONSULTING**

**Isaac Cooper presented an update of information.**

IMC Financial Consulting is not just in the classroom, they are providing solutions for faculty, staff and parents through two different channels: (1) workshops and (2) one-on-one consultations.

They used a third party to review their curriculum and are the hills of completing year two.

MINUTES

The State of Alabama has mandated financial literacy at the 9<sup>th</sup> grade level starting in the 2024 – 2025 school year.

IMC Financial Consulting has brought on different specialists to ensure that their design is effective.

They have gained interest from Texas A&M, who has the top financial planning program in the country and have completed ten (10) workshops since November 2023.

They are building a software program utilizing Salesforce to track program participants.

They will meet with State representatives to discuss how to measure implementation.

They are in conversation with Birmingham City Schools to see how they can be factored into their overall budget on a multi-year contract.

Students are very receptive about the financial literacy process in the classroom.

They aligned the classes to make sure the math standards are correlated within the curriculum.

**Action Taken:**

**No Action - Information Only.**

**5. MUNICIPAL COURT OPERATIONS OVERVIEW- PRESIDING JUDGE ANDRA SPARKS- MUNICIPAL COURT Judge Sparks presented an update.**

Municipal Court is the largest court, by operation in the state, that serves a municipality.

Judge Sparks invited each of the division leaders to explain their operations.

The programmatic approach to dealing with situations makes Municipal Court on par with some circuit courts around the state; how they approach issues, deal with circumstances, etc.

They follow the principles of procedural fairness, and all the judges have been properly trained. They are one court with three locations.

**Partners:**

Office of the City Attorney, Joseph Basgier, III, Chief Prosecutor

Indigent Defense, Emory Mauldin, Managing Attorney

Security Liaison, Birmingham Police Department – two polices are stationed at the Court.

Counsel – puts out solicitations for Indigent Defense Counsel, interviews lawyers and hires lawyers. Those lawyers contract directly with the City to perform defense counsel work at the court. There are four (4) fulltime and four (4) parttime attorneys that operate as Indigent Defense Counsel.

Municipal Court cases originate from BPD, UAB, Lawson State, Birmingham Airport, Code Enforcement, Parking Enforcement, Citizens, and Transferer from other jurisdictions.

The jail court is managed by special judges appointed by Birmingham City Council.

The Municipal Court Team is composed of 11 appointees; 9 judges (appointed by the City Council) and 2 court administrators (appointed by the mayor). There are five acting judges. The law allows the Mayor to appoint judges for emergency situations. They serve as needed and are paid on an hourly basis. There are 92 Civil Service appointees in 34 job classifications through the Personnel Board. There are nine divisions at the Court. By law, the presiding judge is responsible for administering and managing the court.

On average, the Court sees approximately 17,000 people on a monthly basis.

**CODE ENFORCEMENT**

The Council requested an overview of the Municipal Court Code Enforcement responsibilities.

Judge Sparks stated that their information has been submitted to the Administration, and the Administration submitted the information in writing to the Council.

**Action Taken:**

Due to pending or potential litigation, the City Attorney recommended the Council move into Executive Session for further discussion.

Councilor Williams Motioned for the Council to go into Executive Session.

Councilor Smitherman Seconded the Motion.

The Council Moved into Executive Session.

After the meeting reconvened, additional Municipal Court employees presented overviews of their roles and responsibilities.

Judge Sparks stated that Municipal Court is working on how to deal with penalties and other pertinent information as it relates to exhibition driving.

The OCA is exploring options how the cases will be effectively prosecuted based on the law.

MINUTES

A drug court has been in place since 2008 and was awarded a grant that allows it to receive Federal funding to assist up to 150 individuals annually with drug addictions. Municipal Court has secured Federal funding under court grants since 2008 to the tune of \$5.2 million. They have also applied for additional grants that will provide funding for an additional four years. A DWI Court was established in 2017 and operates in the same manner as the drug court.

Municipal Court started the first Veteran's Treatment Court in the State of Alabama in 2010. Veterans are able to utilize all aspects of the Federal government funding and resources.

The Turning Point Court/Homeless Court is in place to ensure that the homeless has a clear and legal pathway to resolve their legal/court issues.

**Action Taken:**

**No Action – Information Only.**

6. **OLD/NEW BUSINESS**  
None

7. **ADJOURNMENT**  
**Councilor Williams Motioned to Adjourn.**  
**Councilor Smitherman Seconded the Motion.**  
**Meeting Adjourned.**