

JOINT BUDGET AND FINANCE AND SPECIAL CALLED COMMITTEE OF THE WHOLE MEETING
MONDAY, APRIL 8 2024 | 3:30 PM
CITY COUNCIL CHAMBERS

MINUTES

COUNCILOR CRYSTAL SMITHERMAN, COMMITTEE CHAIR
COUNCILORS VALERIE A. ABBOTT & WARDINE T. ALEXANDER, COMMITTEE MEMBERS

Councilor(s) Present: Smitherman, Abbott, Alexander

- 1) **Call to Order**
The Meeting was called to order by the Committee Chair, Councilor Smitherman.
- 2) **Approval of the Minutes**
Action Taken:
Councilor Abbott Motioned to Approve.
Councilor Alexander Seconded the Motion.
The March 25, 2024 Joint Budget and Finance and Special Called Committee of the Whole Meeting Minutes were approved as recorded.
- 3) **Consideration of the Consent Agenda**
Items #4,8,9,12,18,20,21
Action Taken:
Councilor Alexander Motioned to Approve.
Councilor Abbott Seconded the Motion.
Items Recommended to the City Council Consent Agenda.
- 4) A request seeking a budget ordinance to transfer funds totaling \$1,867.82 (one thousand eight hundred sixty-seven dollars and 82/100 cents) from Councilor Abbott's G/L account # 001_010_04230_04231.534-075 to the Birmingham Police Department's G/L account # 001_043_26200_26212_26213.524-040 for fitness equipment.
Submitted by: Jeffery McDaniels
Department: City Council
Extension: 2035
Recommended Funding Source: Abbott G/L Account # 001_010_04230_04231.534- 075
Amount: \$ 1867.82
Action Taken:
Councilor Abbott Motioned to Approve.
Councilor Alexander Seconded the Motion.
Item Recommended to the City Council Consent Agenda.
- 5) A Resolution pursuant to §11-40-1, Code of Alabama 1975, authorizing the Mayor to execute and deliver a Professional Services agreement for a period of not more than 3 years with the Law Firms of CULPEPPER AND ASSOCIATES LLC, MAY JUNG LLC, and THE LAW OFFICE OF BARRETT YARBROUGH LLC (hereinafter the "Attorneys"), for legal representation involving investigation and litigation of claims related to any insulin manufacturers, distributors, and/or wholesalers. Attorneys will represent the City on a contingent fee basis, and the total amount of attorney's fees owed by the City shall not exceed Twenty-five percent (25%) of the first ten million dollars of recovery; twenty percent (20%) of any recovery of funds in excess of ten million dollars and less than twenty million dollars; and fifteen percent (15%) of any recovery of funds in excess of twenty million dollars. The City will also reimburse Attorneys for reasonable costs and expenses which shall not to exceed twenty five percent (25%) of the total recovery (gross) in favor of the City and this percentage will come from the fees recovered by Attorneys and are not to be charged as additional fees.

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Submitted by:

City Attorney

Department: Office of The City Attorney

Extension: 2369

Recommended Funding Source: Fee and costs will come from recovery, if any

Amount: TBD

Action Taken:

Councilor Alexander Motioned to Approve.

Councilor Abbott Seconded the Motion.

Item Recommended to the City Council Agenda.

- 6) A Resolution approving and authorizing the Mayor to execute a Software as a Service (SaaS) Agreement with Tyler Technologies, Inc. under which Tyler Technologies will provide software, professional services, and ongoing maintenance and support services related to the migration of Tyler Technology software products from a on-premises installation to a to a SaaS installation for a period of up to three (3) years in an amount not to exceed \$3,736,482.00.

Submitted by: Annette Harris

Department: IMS

Extension: 2751

Recommended Funding Source: 001_037_01920_01922.526-001 IMS-Systems Development-System Support Technology Maintenance-Software Maintenance Amount: \$ 3,736.482.00 (three-year term)

Action Taken:

Councilor Alexander Motioned to Approve.

Councilor Abbott Seconded the Motion.

Item Recommended to the City Council Agenda.

- 7) An Agreement pursuant to Amendment 772 of the Alabama Constitution of 1901 and pursuant to §11-47-19, Code of Alabama 1975 with Birmingham Folk Festival, Inc., under which Birmingham Folk Festival, Inc. will assist the City of Birmingham with the organization, promotion, and management of "The Birmingham Folk Festival" scheduled to take place at Avondale Park on May 4, 2024, which will feature music and local artists. Admission

Submitted by: Connie Horn

Department: Council Extension: 2430

Recommended Funding Source: Councilor O'Quinn / 001_000_04250.542-001

Amount: \$5,000.00

Action Taken:

Item Withdrawn

- 8) 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 \$20,500.00, to provide the following goods and services for the benefit of students at the following Birmingham City Schools:

The Board shall coordinate with Carver High School, in the amount of \$12,000.00 and **Jackson Olin High School**, for the amount of \$4,500.00, to assist with school expenses. The allocation is exclusively for the purposes stated. Said funds will come from District #9 Discretionary Funds.

The Board shall coordinate with **Wylam Elementary School**, in the amount of \$1,000.00, to assist with school expenses, and **Wilkerson Elementary School** for \$1,000.00 to assist with associated with school expenses. The allocation is exclusively for the purposes stated. Said funds will come from District #9 Discretionary Funds.

The Board shall coordinate with **Tuggle Elementary School**, in the amount of \$1,000.00, to assist, and **South Hampton K-8 School** for \$1,000.00 to assist with associated school expenses. Said funds will come from District #9 Discretionary Funds. The allocation is exclusively for the purposes stated. Said funds will come from District #9 G/L 001_000_04290.542.002 Discretionary Funds.

Submitted by: Connie Horn

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Department: City Council

Extension: 2907

Recommended Funding Source: G/L 001_000_04290.542.002 District # 9 Discretionary Funds

Amount: \$20,500.00

Action Taken:

Councilor Abbott Motioned to Approve.

Councilor Alexander Seconded the Motion.

Item Recommended to the City Council Consent Agenda.

- 9) A Resolution pursuant to §11-40-1 and §41-16-51(a)(16), Codes of Alabama 1975, authorizing the Mayor to execute and deliver an agreement with Carahsoft Technology Corporation, under which Carahsoft Technology Corporation shall provide installation and access control locks at the Birmingham Fire and Rescue Stations and Facilities for a term of one (1) year in an amount not to exceed \$247,744.31.

Submitted by: Chief Cory Moon

Department: Birmingham Fire and Rescue Services Extension:

205-873-9557

Recommended Funding Source: G/L 22_16000_16009.527-050- Professional Services

Amount: \$247,744.31

Action Taken:

Councilor Abbott Motioned to Approve.

Councilor Alexander Seconded the Motion.

Item Recommended to the City Council Consent Agenda.

- 10) 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 \$500,000.00 to provide the following goods and services for the benefit of students of the Birmingham City Schools. The Board will provide assistance to create a Birmingham City School System School Based Mental Health Services Program that will provide mental health support on every Birmingham City School System campus selected by the Birmingham Board of Education. This allocation is exclusively for the purposes stated. Said funds shall be paid from Account Number 001_400_96200_96214.550-003.

Submitted by: Michelle Inman

Department Mayor's Office

Extension: 2144

Recommended Funding Source: 001_400_96200_96214.550-003- Annual Contributions Board of Education

Amount: \$ 500,000.00 (not to exceed)

Action Taken:

Correction: Amount changes \$885,000.00

Councilor Alexander Motioned to Forward item to the Committee of the Whole with NO Recommendation from the Budget and Finance Committee.

Councilor Abbott Seconded the Motion.

Item Recommended to the Committee of the Whole.

- 11) 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 the U.S. Department of Justice (DOJ) Law Enforcement Mental Health and Wellness Act (LEMHWA) Implementation Projects grant in the amount of \$200,000.00 to improve mental health and wellness services for law enforcement officers, dispatchers, and other interdepartmental personnel that experience trauma with no matching funds due from the City.

Submitted by: Adrienne Stitt

Department: Finance (Grants Division)

Extension: 2434

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Recommended Funding: N/A

Amount: N/A

Action Taken:

Councilor Alexander Motioned to Approve.

Councilor Abbott Seconded the Motion.

Item Recommended to the City Council Agenda.

- 12) A Resolution authorizing the Mayor to execute on behalf of the City of Birmingham a Master Lease Agreement with Dell Financial Services, LLC, under which Dell Financial Services, LLC shall replace 700 old computers across the City that will include servers, storage and desktops, etc. for a term of Five (5) years in an amount not to exceed \$1,268,199.00.

Submitted by: Darryl Burroughs

Department: Information Management Services

Extension: 205-254-2803

Recommended Funding Source: G/L IMS153CP 004034, IMS148CP 003871 and IMS148CP 003871

Amount: \$1,268,199.00

Action Taken:

Councilor Abbott Motioned to Approve.

Councilor Alexander Seconded the Motion.

Item Recommended to the City Council Consent Agenda.

- 13) An Agreement pursuant to Amendment 772 of the Alabama Constitution of 1901 and pursuant to §11-47-19, Code of Alabama 1975 with Birmingham Folk Festival, Inc., under which Birmingham Folk Festival, Inc. will assist the City of Birmingham with the organization, promotion, and management of "The Birmingham Folk Festival" scheduled to take place at Avondale Park on May 4, 2024, which will feature music and local artists. Admission will be free and open to the public. The fee for the services will be an amount not to exceed \$5,000.

Submitted by: Connie Horn

Department: Council

Extension: 2430

Recommended Funding Source: Councilor O'Quinn / 001_000_04250.542-001

Amount: \$5,000.00

Action Taken:

Councilor Alexander Motioned to Approve.

Councilor Abbott Seconded the Motion.

Item Recommended to the City Council Agenda.

- 14) An Ordinance approving and authorizing the Mayor to execute, for and as the act of the City, a Contract for Sale of Real Estate between the City of Birmingham and The Surge Project, Inc., for the purchase of property known as "Eureka School" located at 816- 18th Way Southwest, Birmingham, AL 35211 for the purchase price of Twenty-Five Thousand and No/100 Dollars (\$25,000.00).

Submitted by: Janice Douthard

Department: Innovation and Economic Opportunity Extension:

2496

Recommended Funding Source: N/A Amount: \$

25,000.00

Action Taken:

Item Withdrawn

- 15) A Resolution authorizing the Mayor to enter into a Project Funding Agreement between the City of Birmingham and Johnina, LLC, under which Johnina, LLC will undertake a project to open a five-star Japanese restaurant in the downtown Birmingham area, generating employment opportunities for over 40 individuals and fostering job growth and economic development. The City will provide financial incentives to Johnina, LLC under the RISE program in the amount of \$50,000 and a tax incentive over the next three (3) years in an amount up to, but not to exceed, \$371,833.00 to assist with operations in the city and in support of the project.

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Submitted by: Cornell Wesley
Department: Innovation and Economic Opportunity
Extension: 2799
Recommended Funding Source: 001_003_00900.476-003-Rise Funds
Amount \$50,000.00
Action Taken:
Councilor Alexander Motioned to Approve.
Councilor Abbott Seconded the Motion.
Item Recommended to the City Council Agenda.

- 16) A Contract for Sale of Real Estate between the City of Birmingham and Scannell Properties #653, LLC, under which the City will sell approximately 19 acres of land located at 450 Republic Street, in the Daniel Payne Industrial Park, to Scannell Properties for a purchase price of \$55,000 per acre, for an estimated total purchase price of \$1,045,000, with the property to be used for development of a 50,000 square foot office and warehouse facility.
Submitted by: Janice Douthard
Department: Innovation & Economic Opportunity
Extension: 2273
Recommended Funding Source: N/A Amount: \$55,000 per acre paid to the City
Action Taken:
Councilor Alexander Motioned to Approve.
Councilor Abbott Seconded the Motion.
Item Recommended to the City Council Agenda.
- 17) A Resolution, pursuant to §11-40-1 and §11-47-19, Code of Alabama 1975, authorizing the Mayor to execute and deliver an agreement with **Byrd Landscaping, LLC** in an amount not to exceed \$2,250.00, to allow Byrd Landscaping, LLC to perform regular lawncare services for City owned and approved lots and right of ways in the Industrial Center Neighborhood for a period of one year. Said funding to be paid from the Industrial Center Neighborhood Association Fund.
Submitted by: Ceara Benson
Department: Community Development
Extension: 2548
Funding Source: 031_200_12090_12094_15198.540-001 Amount: \$2,250.00
Action Taken:
Councilor Alexander Motioned to Approve.
Councilor Abbott Seconded the Motion.
Item Recommended to the City Council Agenda.
- 18) A Resolution pursuant to §11-47-19, of the Code of Alabama, 1975 to authorize the Mayor to expend funds and execute agreements with the Birmingham Library Board (the "Library Board") in an amount not to exceed \$700, to allow the Library Board to provide supplies and equipment for the Wylam Library Branch. Said funds shall come from the Wylam Neighborhood Association
Submitted by: Herman Lumzy
Department: Community Development
Extension: 8244
Funding Source: 031 200_12080_12084_15198.540-001
Amount: \$700.00
Action Taken:
Councilor Abbott Motioned to Approve.
Councilor Alexander Seconded the Motion.
Item Recommended to the City Council Consent Agenda.

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- 19) A Resolution pursuant to §11-40-1 et. seq. and §11-47-19 Codes of Alabama, 1975, authorizing the Mayor to allocate funds in an amount not to exceed \$700.00 for the purchase of four (4) 3 ft. by 3 ft. two-sided yard signs and two (2) banner style signs with grommets to be installed on the public right of ways or public property located in the Powderly Neighborhood. Said funds to come from the Powderly Neighborhood Association funds.
Submitted by: Ceara Benson
Department: Community Development
Extension: 2548
Funding Source: 031_200_12180_12184_15198.540-001
Amount: \$700.00
Action Taken:
Councilor Alexander Motioned to Approve.
Councilor Abbott Seconded the Motion.
Item Recommended to the City Council Agenda.
- 20) A Resolution pursuant to §11-47-19, of the Code of Alabama, 1975 to authorize the Mayor to expend funds and execute agreements with the Birmingham Library Board (the "Library Board") in an amount not to exceed \$2,000, to allow the Library Board to provide supplies and equipment for the Pratt Library Branch. Said funds shall come from the following sources: \$500 from South Pratt Neighborhood Association, \$500 from the Central Pratt Neighborhood Association, \$500 from the Sandusky Neighborhood Association, and \$500 from the Thomas Neighborhood Association.
Submitted by: Herman Lumzy
Department: Community Development
Extension: 8244
Funding Source: \$500.00 - 031_200_12130_12135_15198.540-001; \$500.00 - 031_200_12130_12131_15198.540-001; \$500.00 - 031_200_12130_12136_15198.540-001; \$500.00 - 031_200_12130_12133_15198.540-001
Amount: \$2000.00
Action Taken:
Councilor Abbott Motioned to Approve.
Councilor Alexander Seconded the Motion.
Item Recommended to the City Council Consent Agenda.
- 21) A Resolution pursuant to §16-11-9.1, Codes of Alabama, 1975 authorizing the Mayor to allocate funds in an amount not to exceed \$2,000 and execute contracts with the Birmingham Board of Education to allow the Board to provide services to the City by coordinating with Sun Valley Elementary School to provide \$1,000.00 to support after school programs, chrome books, and other educational resources at Sun Valley Elementary School and \$1,000.00 to be used at the discretion of the principal of Sun Valley Elementary to provide educational resources in reading and math and academic incentives at Sun Valley Elementary School. Said funds will come from Sun Valley Neighborhood Association Funds.
Submitted by: Harold Houston
Department: Community Development
Extension: 2523
Funding Source: 031_200_12070_12075_15198.540-001 Amount: \$2000.00
Action Taken:
Councilor Abbott Motioned to Approve.
Councilor Alexander Seconded the Motion.
Item Recommended to the City Council Consent Agenda.

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- 22) **Old & New Business**
City to Birmingham to make application, receive and expend grant funding from the Appalachian Regional Commission Partnerships for Opportunity Workforce and Economic Revitalization Initiative Power in the amount of \$2 million in the redevelopment of North Birmingham Elementary School with a match requirement which will be allocated from the existing HUD funds.
Action Taken:
Councilor Alexander Motioned to Approve.
Councilor Abbott Seconded the Motion.
Item Recommended to the City Council Agenda.
- 23) **Adjournment**
Councilor Abbott Motioned to Adjourn.
Councilor Alexander Seconded the Motion.
Meeting Adjourned.