

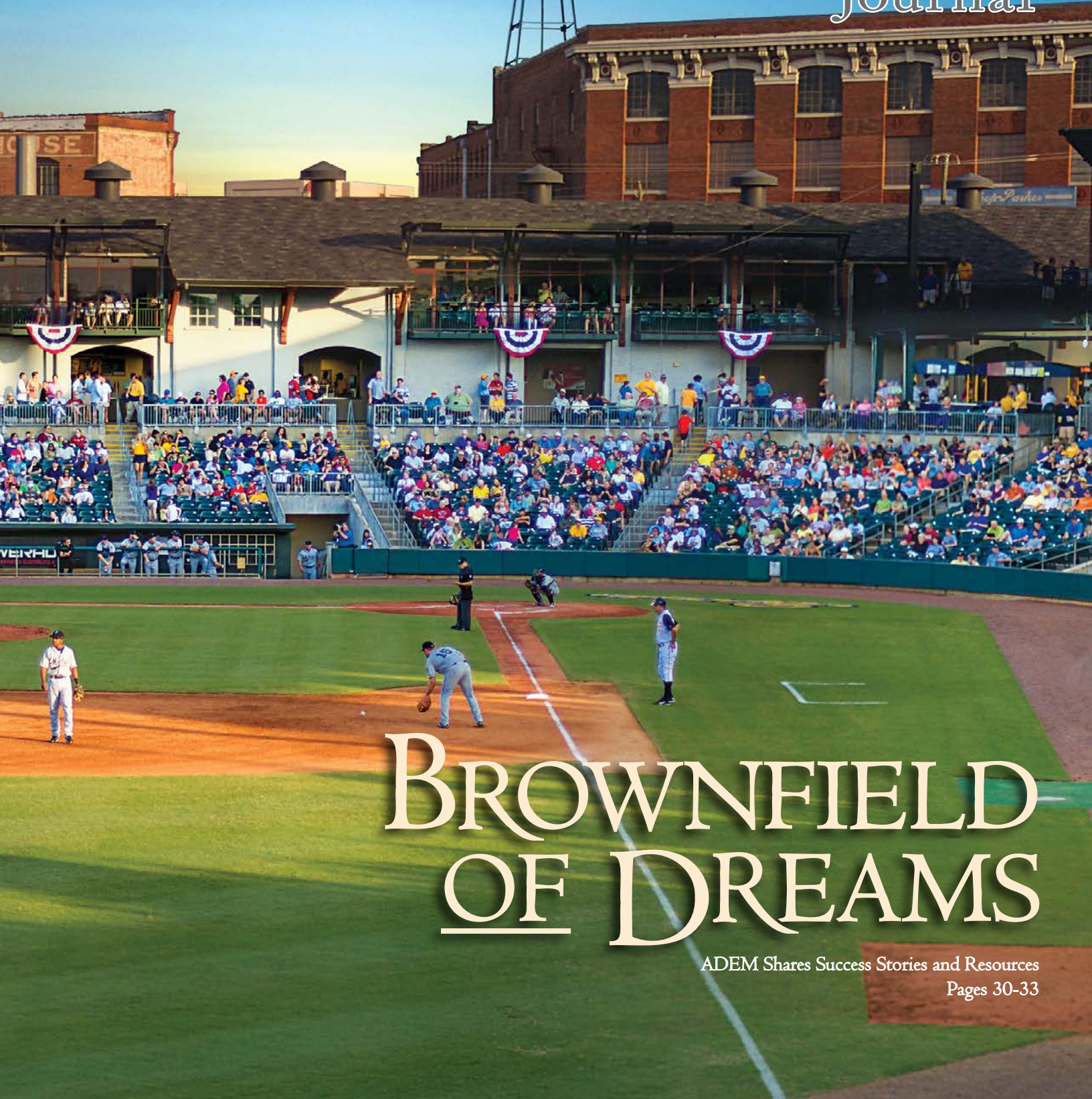
Summer 2023 Volume 81, Issue 1

The Alabama

MUNICIPAL

Official publication of the Alabama League of Municipalities

Journal



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Pages 30-33

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The Alabama League of Municipalities is a nonpartisan membership association of over 450 incorporated cities and towns. Since 1935, the League has worked to strengthen municipal government through advocacy, training and the advancement of effective local leadership. As the recognized voice of Alabama's cities and towns, ALM's member municipalities benefit from a variety of member programs, services and activities that are impossible to accomplish alone.



Photo Credit: Jamie Martin

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The Alabama MUNICIPAL Journal

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Montgomery's Riverwalk Stadium, home to the Montgomery Biscuits baseball team, was built on the grounds of an area once considered a brownfield. The Alabama Department of Environmental Management assisted the city with transitioning the area from a brownfield to a space welcoming to visitors and citizens. Photo credit: Mac, the Camera Guy

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ALM Summer Updates

Gregory D. Cochran • Executive Director

The ALM team continues to have a busy 2023 with the Alabama organizational, regular, and special legislative sessions (be sure to read Bryan and Baker's article on pages 12 - 15), summer Certified Municipal Official workshops across our state, national and regional legislative and municipal meetings and hosting our annual convention.

Each of these events provides us the intentional opportunity to engage with our members, state policymakers and strategic partners in an effort to better understand where opportunities and challenges lie within your communities and how we further our mission of providing the resources and tools to address them.

As lawmakers are back home in their districts, I encourage you to visit with them to share your community's challenges, opportunities and successes. Discuss your budgets and how you meet your financial obligations to provide services to your citizens. Discuss state grant and resource programs that you can collaborate on to get additional services to your community. Be sure to thank them for their commitment to supporting your efforts in building a community that attracts economic investment and provides quality of life services your constituents not only expect, but demand.

To assist you in these conversations, Baker Allen, ALM policy and research director, has published the third edition of our Municipal Resources Guide and the first edition of our Municipal Reporting Guide. The state of Alabama provides dozens of resources for local governments across several state agencies. As part of our mission to support our members, the League created the resource guide to help you navigate those available to your community. Additionally, Alabama has various state laws that require local governments to provide annual reports on specific municipal operations. The League created the reporting guide to ensure our municipalities are aware of such requirements and can maintain transparency with their citizens. To view these guides, please scan the QR codes at the end of this article.

This summer, we are hosting our congressional luncheons around the state. Kayla Bass, ALM deputy director, has coordinated these luncheons to provide municipal officials a unique opportunity to network with their congressional delegation and staff as well as their state lawmakers. In addition, the luncheons are an excellent way to not only develop lasting relationships with your state and federal delegation but to update them on what is taking place in your community. To register for the luncheons, visit www.almonline.org. Later this year, we will host the League's standing committee meetings on Wednesday, October 11 at Frazer Methodist Church in Montgomery. Participation



on these committees provides our team guidance in addressing policies being considered by state and federal policymakers. Our six standing committees will convene in the morning to meet with resource advisors on topics in their respective field, have lunch, and following that, the Committee on State and Federal Legislation will convene to discuss any recommendations from the standing committees. This is an important first step in determining the League's position on legislative matters going into next year. If you would like to serve on one of the six standing committees, please contact Kayla at kbass@almonline.org.

Lastly, we are working on the Municipal Leadership Institute (MLI) program, which is scheduled for November 8-10 at Perdido Beach Resort in Orange Beach. Online registration opened August 9 on the League's website. During the conference, we will honor those graduating from our CMO program and the Economic Development Academy (EDA), recognize Alabama Communities of Excellence (ACE) Star Award recipients, and recognize DesignAlabama and Certified Municipality Achievement Award communities. The agenda includes national and regional speakers to present on leadership topics, and you won't want to miss our Municipal Expo Hall! We look forward to seeing you there, and as always, we appreciate our strategic partners and exhibitors for participating in MLI.

We are thankful for your engagement, support and collaboration throughout the year. It takes all of us moving forward in a unified effort to accomplish our goals of providing our citizens with the quality of life they strive for, for themselves and their families.

Peace be with you. ■



MUNICIPAL GUIDES:

← Reporting Guide

Resources Guide →



Leadership Perspective

Mayor Randy Garrison • Hartselle • ALM President



One-On-One with President Randy Garrison

Hartselle Mayor Randy Garrison was sworn in as the Alabama League of Municipalities' president on May 12, 2023. ALM Communications Director Lori Johns recently took a trip up north to tour his city and learn more about him. Hartselle was founded by George Hartsell, without the "e," in 1870. This railroad city is located about 35 miles southwest of Huntsville along the Tennessee River and has grown into the second largest city in Morgan County, with a population of approximately 15,500. Hartselle is known as the "City of Southern Hospitality," and has a great quality of life, safe living, a highly ranked school system and many recreational opportunities.

After serving as a local newspaper publisher for 14 years, President Garrison felt led by the Lord to run for the office of mayor. With the support of his family, friends and community, he was elected in 2016 and re-elected in 2020, unopposed. Interestingly, his late father-in-law Don Brown had previously served as mayor of Hartselle from 1980 to 1984.

In 2021, the city began revamping an old 1970s Wells Fargo bank building into their city hall to increase their capacity for offices and public meeting space. President Garrison said that it is something that citizens can be proud of, especially since anyone that visits will see it at the main intersection of the city. In conjunction with city hall's relocation, Hartselle also created a new logo that was derived from a public survey on the top five nouns that describe the city. The five most popular submitted words – church/faith, family, community, the letter "H" and hospitality - were meshed together to create their new look. President Garrison said that if you look at the center of the two Hs, you will notice that it looks like shaking hands, which to him symbolizes togetherness and community.



President Garrison admits there is a bit of a learning curve to becoming the League's new president since he did not get to have the vice president phase, but he looks forward to serving the organization to the best of his abilities.



Why did you run for president of ALM, and what are your goals for this year?

I received a lot of encouragement from other past presidents, and I believe in the League and what it can do for our leaders and municipalities. I want to strongly encourage others to get more involved because together we can make a difference for each of our communities.

What other leadership roles have you had, or programs have you participated in with the League?

I completed the Certified Municipal Official Program, achieving Emeritus status. I served on the ALM Board of Directors for five years and the ALM Committee on Community and Economic Development as well as the Alabama Municipal Insurance Corporation Board of Directors. Each role has a distinct level of responsibility, and I truly enjoy learning. To grow and achieve, continuous learning is a must in any role you may have. The more knowledge I can obtain, the better I can lead our city to even greater heights.

What do you like most about your city?

There are so many things I like and love about Hartselle, but I think the people that call Hartselle home are the first that come to mind. Since I have lived here my entire life, Hartselle is what I know. Many of the folks are like family, and I have seen multiple generations of folks call Hartselle home. We have some of the friendliest folks who live here, and most, if not all, greet you walking down the sidewalks of downtown or even walking through city streets. Our folks are always ready to lend a helping hand to a neighbor in need, as well as support our young folks in most endeavors from sports to academic fundraisers and other events.

What kind of short-term and long-term projects are you working on?

Short-term goals include finishing sidewalk projects downtown, finishing several road improvement projects, completing a master plan update for the city's parks, completing architectural plans for a new library, event center and fire station. Long-term goals include updating the city's comprehensive 20-year plan, beginning construction and completing the library, event center and fire station. Also, we want to continue to update the city's infrastructure.

What changes have you seen in today's media since you first got started, and what advice do you have for other municipal officials with handling media interactions?

One of the biggest differences I have noticed is the lack of coverage by media outlets. It seems the media is not interested in what is happening, especially good events and positive happenings. Many times, I have noticed even news channels are simply picking up news events and other activities from social media posts. While



Pizza Ed is located in downtown Hartselle. AL.com recently ranked it as the best pizza restaurant in Alabama.

this may not be answering the question exactly, one thing I would recommend to all municipalities is to tell your own story. Share your events, promote your own good news, brag about your people, be the cheering section for your city or town. Only you can do the best job of telling the story that is your hometown, even if you think you can't do it, start by simply posting pictures on social media.

What did you take away from this year's legislative session?

It seems that municipalities were under attack, especially in terms of how each one can raise funds to operate and provide services to their citizens. The grocery tax reduction really concerns me. While the legislative act did not remove the sales tax from municipalities, it did block being able to raise sales taxes on groceries if the decision was made to increase the sales tax collected in the city or town. Also, I think this bill will bring attention and requests for municipalities to raise or lower the grocery tax locally as well. I truly feel that the citizens of each city or town will ultimately decide if they do not agree with the way their services are funded. After all, if the populace does not approve of the way taxes or other fees are raised, they can make a change with their ballots. Each municipality has unique needs, and the local officials have the closest contact with what those needs are and how best to meet them for their citizens.

Also, there was very little attention given to mental health issues, which affects all levels of government, but especially local first responders, police, fire and ambulance operators dealing with those suffering from mental health issues on an almost daily basis. ■



Downtown Hartselle is bustling with visitors.



Leadership Perspective

Mayor Mark Saliba • Dothan • ALM Vice President



When my father served as mayor of Dothan, Alabama for two terms, starting in 1989, I was just turning 30, and I witnessed firsthand the challenges of being an elected official. There were many times when people would become upset with decisions that were made by my father and or the commission. Directions that the commission may have been taking were scrutinized and deliberated around town at coffee shops, then splashed all over the front page of the local newspaper and in the editorial columns.

After such times, I would ask him, “Why would you want to put yourself through this? You have worked hard, served on many boards and could be doing anything else.” His answer would always come back, “Mark, it’s the most rewarding thing I have ever done. To serve and give back to your community that you love is a blessing!”

I must confess, at the time, I didn’t get it, but that was then.

I have learned a lot in the last 30 years, and of course, my dad was right, as usual!

One of the other lessons that life has taught me is that I can learn so much more by being actively involved in a community. Whether it is the Wiregrass community, my church community, or in the industry I was raised in, the home building community.

I learn so much more from others going through similar situations.

Hence my involvement with the Alabama League of Municipalities, it is this league, or this community of elected officials, where we can share in our mutual opportunities, or our legislative and legal issues, and the personal challenges of serving in municipal government.

In this community of elected officials, it doesn’t matter what the size of the city is, or where it

is located in the state, but it is in the opportunities, issues, and challenges, that we have in common, and having access to social networking is so valuable to our service in our respective roles.

I am appreciative of the opportunity to serve the League and build relationships in this community, and I look forward to building more friendships!

This leads me to our ongoing ALM congressional luncheons. These luncheons are your opportunity to build relationships with your congressional representatives and discuss with them the priorities of your communities. Please take this time to participate in them, even if it just having lunch and getting to know them, and them getting to know you better. These luncheons are just one of the many benefits of the activities that the League offers!

If you need me for anything, please do not hesitate to reach out, I would love the opportunity to share in our municipal efforts! Blessings. ■



The Alabama Legislature recently appropriated \$20 million to build the Wiregrass Innovation Center in Dothan. Dothan Mayor Mark Saliba is standing in the middle alongside state and local officials.

CONGRESSIONAL LUNCHEONS

Hosted by the League during the months of August and September. The luncheons are free but registration is required. **Scan the QR codes below more information.**



This August and September, ALM is hosting in-state congressional luncheons designed to provide municipal officials a unique opportunity to network with their congressional delegation and staff as well as their state lawmakers. In addition, the luncheons are an excellent way to not only develop lasting relationships with your state and federal delegation but to update them on specific issues and concerns facing your communities.

These luncheons will be **free** for you to attend; however, registration will be required so League staff can adequately prepare. All luncheons are from 11:30 a.m. to 1 p.m., regardless of date or location. **Registration will close one week prior to each individual event.**

Registration
Page



2021 Congressional
Map



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ALM HOSTS ALABAMA HEALTH CARE SUMMIT

Greg Cochran • Executive Director • ALM



In April, the Alabama League of Municipalities hosted the Alabama Health Care Summit, at our headquarters in Montgomery, to further the dialogue on improving health care access for citizens, recruiting and retaining physicians and health care professionals, and improving funding for health care facilities in Alabama.

The attendees heard from representatives of the Alabama Hospital Association, the Medical Association of the State of Alabama, physicians, Blue Cross and Blue Shield of Alabama and the Alabama Department of Mental Health along with Rep. Paul Lee, chair of the Alabama House Health Committee. Each discussed challenges and opportunities that their respective areas were experiencing in the health care field. The consensus was that each sustained unprecedented challenges during the pandemic, which exacerbated their existing challenges of providing health care to patients.

Our members know better than most that when developers and investors are seeking new economic investment opportunities, they prioritize communities that have reliable infrastructure, quality education systems, reliable health care and affordable housing. These are the foundation blocks to a vibrant community. Our municipalities, especially rural communities, are striving to recruit and retain physicians and health care professionals to provide those quality services needed for a community to sustain quality of life standards while also working to find adequate financial support to operate and support hospitals. Tuskegee Councilman Johnny Ford, ALM past president, and Thomasville Mayor Sheldon Day were two of the local officials that addressed the group about their personal efforts to improve access to quality health care in their cities and around the state.

As conversations about bridging the health care coverage gap and other health-related matters begin increasing in the state house, we want to make sure our members have an opportunity to connect with those that help make laws and policies that affect Alabamians' health care options. We have invited representatives of Blue Cross and Blue Shield of Alabama, the Alabama Hospital Association and the Medical Association of the State of Alabama to present an update on opportunities to improve access to care and funding for hospitals during the Municipal Leadership Institute on November 8-10, 2023, at Perdido Beach Resort in Orange Beach.

We feel that it is important for our members to remain engaged with these organizations and state leaders to make more favorable health care outcomes possible in our state. ■

Pictured left to right: Executive Director Greg Cochran, Don Williamson (president and CEO of the Alabama Hospital Association), Thomasville Mayor Sheldon Day, Danne Howard (deputy director of the Alabama Hospital Association), Tuskegee Councilman Johnny Ford, and Ted Hosp (VP for government relations at Blue Cross and Blue Shield of Alabama)

Executive Director Greg Cochran addresses attendees of the Alabama Health Care Summit at the ALM headquarters in Montgomery.



Review of the 2023 Legislative Session

Baker Allen • Director of Policy and Research • ALM
and Bryan Parker • Director of Governmental Affairs • ALM

The 2023 Alabama Legislative Session began on March 7 and brought with it a plethora of new changes - new quadrennium, new legislators, new leadership, new committees, new committee chairs, new legislative computer system, new record setting revenues and new opportunities. The “newness” of the Alabama Legislature, however, did not bring an end to the axiom, “history often repeats itself.” Legislators continued to reintroduce bills from past sessions and pursued new methods that limit local authority. Fortunately, most legislators wanted to work with the League’s advocacy team to address our major concerns or stop legislation that weakened municipalities.

Without a strong legislative strategy, and most importantly our membership’s engagement, our success would be far from assured. On behalf of the League, we thank those who took the time to heed our call to action by making phone calls, coming to Montgomery or providing timely information. Your actions truly made the difference.

2023 First Special Session

During Gov. Kay Ivey’s state of the state address, lawmakers were called into a special session to appropriate the remaining \$1.1 billion from the American Rescue Plan (ARPA). During the special session, lawmakers passed legislation that will pay off the remaining debt of nearly \$60 million owed to the Alabama Trust Fund (ATF). The funding used to pay off the ATF is from the state’s General Fund. Funding from ARPA was designated for:

- \$339 million for health care
- \$260 million for broadband
- \$400 million for water and sewer projects:
 - Up to \$195 million for high-need projects
 - Up to \$100 million that includes wastewater and must include a factor for needs of growing communities
 - Up to \$100 million that includes wastewater, includes a factor for needs of growing communities and requires at least a 35% match
 - Up to \$5 million for septic systems in the Black Belt
 - \$55 million for negative economic impacts of the public health emergency



Governor Kay Ivey signs “The Game Plan” football.
Photo credit: Governor’s Office /Hal Yeager

- \$5 million to reimburse the AL Department of Labor
- \$1 million to reimburse administration, auditing and reporting requirements

As opportunities become available for municipalities to collaborate with state agencies to maximize their funds for the purposes of municipal use, the League’s advocacy team will update its membership.

2023 Regular Legislative Session

Throughout every legislative session, since the League’s inception, our organization has served as the primary legislative advocate for Alabama’s communities – and this year proved to be no different!

The Alabama Legislature adjourned sine die from the 2023 Regular Session on June 6 using all 30 of their available legislative days. Both budgets, the Education Trust Fund and the General Fund, were signed by Gov. Ivey. The Legislature passed a \$3 billion General Fund budget and a \$207.6 million General Fund supplemental budget, which is the largest in the state’s history. The General Fund and General

Fund supplemental budget includes a 2% pay raise for state employees, funding increases for most state agencies, \$50 million to a savings account and \$40 million to pay off state bonds. Additionally, the Legislature passed an \$8.8 billion Education Trust Fund budget and the \$2.8 million Education Trust Fund supplemental budget.

The only way to know what a bill does is to read it. With 876 bills filed, the League's bill review team developed an in-depth review process. Most bills impacting municipalities are obvious, but at times legislation intended to address one issue will sometimes unintentionally impact municipalities. The League's bill review process involves meeting twice a week during session. On Thursdays, the team meets to assign out new filed bills and any amendments to legislation. The following Monday, the team reconvenes to assign a tracking status and discuss any concerning legislation. This process allows the advocacy team to manage the large number of bills and respond quickly to legislation. By the end of session, the League tracked bills can be categorized as 21 supported, five opposed, 331 neutral, 293 monitored, 166 pertained to local issues, and 60 were related to education.

League Supported Legislation that Passed

Act 2023-335, carried by Rep. Jim Hill and Sen. Jabo Waggoner, validates and ratifies any annexations prior to the effective date of the act. This legislation is brought by the League about every 10 years.

Act 2023-497, carried by Rep. Kerry Underwood and Sen. Sam Givhan, increases the public works bid threshold from \$50,000 to \$100,000. The bill also updates some of the notice and publication procedures and requirements.

The Game Plan (Acts 2023-36; 2023-35; 2023-34; and

2023-33), a series of four bills Gov. Ivey proposed during her state of the state address, focuses on economic development issues such as incentives, site development, small business support and transparency. This legislative package broadens and expands existing incentives, provides money to develop sites and updates reporting requirements for incentives. This legislative package was carried by Sen. Arthur Orr, Sen. Garland Gudger, Rep. Danny Garrett, and Rep. Anthony Daniels. Our team is in discussions with state officials on next steps for implementing this package. We will keep our members updated as we receive new information.

Act 2023-135, carried by Sen. Linda Coleman-Madison, increases the competitive bid law contract threshold to \$30,000 and raises the threshold amount for repair parts and repair of heavy duty off-highway construction equipment to \$40,000. Additionally, the Legislative Council can adjust the threshold every three years based on the Consumer Price Index.

League Opposed Legislation that Failed to Pass

SB65 by Sen. Andrew Jones, if passed, would have incrementally reduced any occupational tax levied by a municipality greater than 1% based on an annual reduction in the percent of the tax until the tax would be 1%. SB65 would have provided that any business license tax by a municipality would not apply in the police jurisdiction. Additionally, it would have provided a referendum, under certain conditions, in any county in which two or more municipalities levied an occupational license tax greater than 1% on January 1, 2023, and would have prohibited any municipality from levying a new occupational license tax or increasing any existing occupational license tax. The League applauds Senators Linda Coleman-Madison, Kirk Hatcher, Merika Coleman



Governor Kay Ivey signs "The Game Plan" legislation with members of the Alabama Legislature. Photo credit: Governor's Office /Hal Yeager



and Josh Carnley for voting against the bill in committee. Additionally, the League appreciates Sen. Clyde Chambliss for introducing an amendment that would have delayed the bill from taking place until debts tied to the occupational licensing tax have been paid off, and Sen. Jay Hovey for introducing a substitute that removed most of the language that would have prevented a municipality from collecting occupational license taxes in annexed areas.

ALM opposed this legislation, and we appreciate our membership for reaching out to their delegation to ask that they continue to allow local governments to manage local resources how they best see fit, in an effort to address local needs.

Other Legislation Engaged by the League's Advocacy Team

Act 2023-554, carried by Rep. Danny Garrett and Sen. Andrew Jones, begins reducing the state sales and use tax on food immediately, with future rate reductions contingent upon certain growth requirements in the Education Trust Fund until the rate is 2%. The bills define food as items on the Special Supplemental Nutrition Assistance Program (SNAP). The bill prevents any future increases in sales tax on food above a municipality's general sales tax rate on the effective date of the act. A municipality can lower its tax rate on food by 25% in any year in which the growth of the municipality's general fund exceeds 2% over the prior year. The advocacy team was able to amend the original bill to put some municipal authority back into the bill.

Act 2023-28, carried by Rep. Steve Clouse, requires motor fuel taxes implemented after the effective date of the act to be used in the same manner as the state's motor fuel revenue or for public transportation. The advocacy team amended the legislation to allow for broader uses of motor fuels revenue and for it only to apply prospectively.

Act 2023-421, carried by Rep. Anthony Daniels, excludes hours worked above 40 in any given week from gross income for state income tax purposes beginning after December 31, 2023 through June 30, 2025.

Act 2023-316, carried by Sen. Clay Scofield and Rep. David Faulkner, clarifies the circumstances in which a road builder contractor could be liable for injuries to the motoring public. The League negotiated with stakeholders to ensure that all the liability was not placed on local governments.

Act 2023-130, carried by Sen. Steve Livingston and Rep. Debbie Wood, provides that municipalities may not set speed limits on county-maintained streets within its corporate limits unless a traffic study is performed and approved by the county engineer.

Act 2023-42, carried by Sen. David Sessions, states that under existing law, a person is guilty of permitting livestock or animals to run at large in the state upon the premises of another or public lands if they do so unlawfully or knowingly. The bill provides that no municipal governing body may adopt or continue in effect any ordinance, rule, resolution or directive that prohibits this same conduct but does not require the same mental state as state law (i.e. unlawfully or knowingly).

Act 2023-74, carried by Sen. Chris Elliot, provides that a municipal or county governing body, or any agency thereof, may not directly or indirectly adopt or enforce any ordinance, rule, bylaw, order or local building code provision that would require, in the construction of a residential structure, certain latent features, including wiring, plumbing, gas tubing or framing, which features would not be operational at the time of completion.

Act 2023-522, carried by Rep. Adline Clarke, makes changes to the historic tax credits including the age restriction

to qualify, tying the credits to the year in which the reservation is allocated and membership of the Historic Tax Credit Evaluation Committee. Additionally, the bill increases the rehabilitation credit allocation.

SB196 as substituted, carried by Sen. Arthur Orr, sought to amend public records laws to provide for specific response times for public entities responding to public records requests. In committee, SB196 was substituted to include language clarifying that records custodians are not obligated to respond to requests that are ambiguous, overly broad or unreasonable in scope. This legislation did not pass. However, the League expects to see this type of legislation in future sessions.

SB169 as substituted, carried by Sen. Gerald Allen, sought to allow businesses to deduct motor fuels from gross receipts for the purpose of calculating business licenses and would have become effective January 2025. The advocacy team was able to amend the original bill to reduce the impact on municipal business license authority. This legislation did not pass. However, the League expects to see this type of legislation in future sessions.

SB134, carried by Sen. Gerald Allen, sought to provide that any reservoir used in the collection or storage of water is part of a water system. This legislation did not pass.

HB351 as substituted, carried by Rep. Phillip Pettus, sought to require certain benefits be provided to first responders who suffer from work-related PTSD, including reimbursement for certain out-of-pocket treatment expenses and paid time off for employed first responders for treatment.

It would provide eligibility requirements for participants to receive the benefits. The League has worked with stakeholders on a PTSD bill in several different forms over the last three years. As substituted, the League supported HB323. This legislation did not pass. However, the League expects to see this type of legislation in future sessions. We will continue working to make sure this type of legislation has the least impact on municipalities including caps, limitations and cost.

HB351 and SB282, carried by Rep. Tracy Estes and Sen. Bobby Singleton respectively, sought to delay the starting point for municipalities to begin reporting the collection of certain monies outside of their corporate limits and inside their police jurisdiction by 12 months. This legislation did not pass. However, the League expects to see this type of legislation in future sessions.

HB253, carried by Rep. Jim Hill, sought to allow municipalities to use census tracts to make the required description in the ordinance in order to redraw districts, and it would have applied retroactively to validate districts and wards already redrawn using census tracts. This legislation did not pass. However, the League looks forward to working with the sponsor next year.

Thank you, again, to our members and stakeholders, for working with the League's advocacy team this session to ensure that Alabama's communities are a place where citizens want to live, work, play and prosper, and where businesses want to invest. ■



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Who is eligible to use the MIS system?

Only municipal entities within Alabama are eligible to use the MIS system. This includes cities, towns, certain utility boards, housing authorities and hospitals. For more information, visit: www.alintercept.org.

Over 240 Local Officials Participate in 2023 CMO Training

Cindy Price • CMO / Corporate Relations Manager • ALM

In 1994, the Alabama League of Municipalities became the second league in the nation to offer a Certified Municipal Official credential to mayors and councilmembers looking for professional development. Since then, more than 5,100 elected municipal officials have enrolled in this program. Each year, ALM hosts day long trainings for the CMO Program in five regional locations. Host cities are strategically selected in areas of the state where travel is convenient for neighboring municipalities to attend a training closer to home.

This year, we were proud to partner with Spanish Fort, Vestavia Hills, Dothan and Athens. The last training was held at the ALM headquarters in Montgomery. From February to July, over 240 municipal officials, representing 110 cities and towns, gathered to learn and expand their knowledge on how to better serve their communities. Thank you to Spanish Fort Mayor Michael McMillian, Vestavia Hills Mayor Ashley Curry, ALM Vice

“A mountain climber must have essential gear to climb a mountain and the same goes for an elected official. The ALM CMO Program provides the opportunity for us to equip ourselves with the essential gear we need to best serve our communities. The training enables us to perform duties efficiently and effectively.”

Gayle C. Robbins, Councilmember, Florala

“I am in my fifth term and have been attending training for close to twenty years. I appreciate the League for having training available. I feel that the opportunity to learn the operations of municipal government is very important for councilmembers. It is just as important as the opportunity to network with other councilmembers and get to know others involved in running municipalities. The relationships that I made are as important to me as the knowledge I gained.”

Danny Wagnon, Councilmember, Glencoe

CMO training participants and ALM staff pose for a photo in front of the ALM headquarters in Montgomery on July 27, 2023.



President Mark Saliba, mayor of Dothan, and ALM past President Ronnie Marks, mayor of Athens, for their gracious hospitality and use of municipal facilities.

These one-day events allow for smaller groups of 30-50 municipal officials to come together, in a classroom style learning environment, for networking and question-and-answer opportunities. The agenda is geared toward fundamental municipal government training and meeting the CMO Program's core curriculum requirements along with some hot topics. This year's presentations were on the public purpose doctrine, municipal finance budgeting and auditing, public records, nuisance abatement, the Coach Safety Act and a legislative update.

Are you interested in learning about the benefits of participating in the Certified Municipal Official Program? Visit almonline.org, and read the testimonies from mayors and councilmembers who have expanded their municipal government expertise and leadership skills through the CMO Program. ■



"By becoming a CMO, I am better prepared to do the things I need to do to help and promote my town. I have the training to know what I can and cannot do in situations that come up in a council meeting or when talking to my constituents. Also, in attending the CMO classes and events, I have met others in elected and appointed positions that have benefited me in gaining information on who and where to obtain assistance for the town. I have contacts with other municipalities that I can ask questions, along with asking questions of the people working at ALM."

Terry L. Burgett, Mayor, Nauvoo

CMO attendees ask questions and take notes while attending the Montgomery 2023 training session.



Cindy Price joined the League staff in January 2007 and became corporate relations manager for the member services department in 2015. Cindy is responsible for sponsorships, vendor advertising for League publications and managing the expo at the League's annual convention. Cindy also serves as the program administrator for the League's Certified Municipal Official Program.

**CERTIFIED
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Source: Urban Institute



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Exploring the Knowledge is Power and Policing and Me Mini Unit Programs

Lori Jhons • Communications Director • ALM

The city of Opelika, located in east Alabama, is one of the fastest growing cities in the state. It has a population of approximately 32,000 citizens and is the sister city to Auburn in Lee County. Opelika is working to keep up with the demand for more housing; they have acquired several new businesses in the area; and they recently built a new sportsplex and aquatics center, fire station, police department and library. The city has made many improvements to its quality of life over the years with Mayor Gary Fuller at the helm.

Following an extensive career in broadcast radio and real estate, Mayor Fuller began his career in public service in 2000 as an Opelika councilmember before being elected as mayor in 2004, where he is currently in his fifth term. When I sat down with him in July, it was clear why the city is experiencing such growth. He is a visionary that is open to new ideas that can improve his city. One such idea was born in 2020, when he partnered with Dr. Chenavis Evans, CEO and owner of Critical Insights Consulting LLC (CIC), to develop a comprehensive program to help the city achieve a refocused mission of strengthening community relations through a campaign titled, “Together, Opelika.”

CIC is a small, Auburn-based consulting firm that provides unique and innovative insight into team and relationship building, critical thinking, communication, problem-solving and cultivating better leaders. The CIC team has over 60 years of experience working in and with universities, corporate America, the NFL and the public school system. Dr. Evans said their services are industry agnostic, which means it does not matter what industry they work in because they consider themselves as problem solvers and change agents.

Since their partnership began in 2020, CIC has successfully created and implemented seven initiatives in the city that are building trust and relationships within the city at large. This article is going to focus on their most recent work between the Opelika Police Department (OPD) and the Opelika City School System, specifically, within Opelika High School.

Getting Started

Mayor Fuller and Opelika Police Chief Shane Healey, who at the time was a captain, attended a law enforcement workshop where Dr. Evans was conducting a training on self-management. That initial workshop impressed them so much that they began brainstorming with Dr. Evans about another potential collaboration. With the support of the city council, they received approval to fund two mini unit curriculum programs for their police officers to teach high school students.

CIC spent their first six months, in partnership with the police department, hosting public forums and community events to meet with Opelika’s citizenry. They asked questions about the citizens’ needs and what the police department



Pictured left to right: OPD Capt. Tony Amerson, Dr. Chenavis Evans, Opelika Mayor Gary Fuller, OPD Chief Shane Healey, OHS Principal Kelli Fischer and OPD Officer Jonathon Glover stand in front of Opelika High School.



“These types of programs are great because it allows us to get in front of the students and let them know that we are more than just police officers.”
 – OPD Sgt. Jonathan Whaley



could do to make a difference in their community to build better relationships.

Chief Healey has been with OPD for 32 years and has served as chief the last two years. He said they discovered the community was looking for a two-fold education initiative. First, they wanted to make sure police officers were educated properly using some of the latest tactics, such as de-escalation training, and second, they wanted to be educated on what officers do and how they do it.

Dr. Evans said, “What was very profound for me was that we had a group of students ranging from 13 to 18-years-old say that they wanted to be educated on what they needed to do if they were stopped by the police because they were afraid.”

Based on these important conversations, CIC worked with leaders in the police department and high school to build programs that could be directly embedded into classes already being taught. They created the Knowledge is Power mini unit to specifically help high school students navigate traffic citations and the court system. It is tied into the curriculum for the driver’s education class, an elective course, for ninth and tenth graders. The Policing and Me mini unit is taught to eleventh and twelfth graders in their economics class. It focuses on the Bill of Rights and understanding their rights during various situations involving police officers.

Implementation

The mini units are taught by trained School Resource Officers (SROs) that are officers with OPD. The police department has over 100 officers and roughly 10 are SROs. Before these classes are taught to students, SROs must complete a thorough training provided by CIC. Dr. Evans said the training is customized based on not only national law enforcement standards but also on the standards and expectations set forth by the city and the police department.

Chief Healey said that the concept was initially a challenge for the department because it was something new. The officers were not used to having interactions with the citizens outside of routine policing and emergency calls. He said, “Policing in general across America is at this crossroads of transitioning between what I call traditional policing, a little more old school thinking, into more modern, progressive ideas on how can we police achieving the same goals but using different tactics.”

He continued by saying that incorporating more officers into the program development process has allowed it to catch fire and take off in the department.



Pictured: OHS Principal Kelli Fischer and Dr. Chenavis Evans, CEO and owner of CIC



Pictured left to right: OPD Sgt. Jonathan Whaley, OPD Capt. Tony Amerson and OPD Chief Shane Healey



Opelika Mayor Gary Fuller



Rebecca Johnson, CIC director of implementation

During the Knowledge is Power mini unit, students are educated on the do's and don'ts of what to do when pulled over by a police officer as well as when interacting with a court administrator or judge. On the first day of the course, students have discussions in the classroom, and then they get to go outside and role play with the SROs using police cars on the second day. They go over various types of traffic stops and even situations that involve drunk driving. They actually get to play the role of the officer and are exposed to some of the realities that police officers face on a day-to-day basis. This allows the students to not only learn the proper steps to take, but it also helps them to understand the difficult job that police officers have and helps them reevaluate some of the misconceptions shared in the public.

Sgt. Jonathan Whaley is the supervisor of the SRO unit and has been with OPD for 10 years. He helps implement the program in the school, schedules the training for the SROs and helps build relationships with the students.

"These types of programs are great because it allows us to get in front of the students and let them know that we are more than just police officers," Sgt. Whaley said. "It gives them the why about what we do and if they understand the why and buy into the why then hopefully as they get older, we'll have more synced up relationships between the police department and our community."

Examples of some of the top questions the SROs get in this class are: do I have to stop when the police get behind me; can I get to a lighted place; do I have to get out of the car when a police officer gets behind me; and where do I put my hands when pulled over?

Opelika Police Capt. Tony Amerson oversees the public relations and special services division. He has been with the department for 27 years and credits his first 11 years of working in the public housing authority for building his strong belief in the importance of getting out in the community and getting to know the citizens. He used to teach the mini units and is now responsible for helping the CIC team incorporate standards in the curriculum that make police sense.

"The biggest take away for me is passing on that generational knowledge. I think that is what police officers should be doing," Capt. Amerson said. "For a long time, we just stayed focused on being a patrol officer or being on command staff and really just doing the police side. This side of getting out there and giving this knowledge has really helped us see what the community really needs and what they really want, so we can build our program to fit them."



Officers in the Opelika SRO unit celebrate SRO Day.



OHS students participating in the Knowledge is Power class get to role play with SROs using police cars.



The Policing and Me mini unit is more advanced and is focused on what to do and not to do, based on a citizen's legal rights, during any interactions with law enforcement. It allows the SROs to address misconceptions about police officers and certain populations of citizens. The students get to share their feelings and personal experiences along with the officers for a healthy discussion; this provides cross-sectional learning for both the students and officers. Sgt. Whaley said one of the toughest questions they often receive is about racial profiling. "We explain to them the difference between reasonable suspicion and probable cause and how that can kind of go into profiling and the difference . . .," he said. "Most of the time we already have a great relationship with our students, so they trust us, and they're willing to have that dialogue with us, but we hit it head on. We don't try to shy away from anything; that's why we are there."

Knowledge is Power has been taught over a two-day period for the past two years and is increasing to three days for the 2023-2024 school year. Policing and Me is designed to be taught over six weeks. Dr. Evans estimates the SROs teach well over 100 students a day between several blocks of classes.

CIC has a member of their team attend most classes to grade the officer's presentation, ensure the material is being taught correctly and address any concerns that may arise by students, teachers, CIC or the principal. Rebecca Johnson, director of implementation for CIC, is typically that team member. She has 16 years of experience working with law enforcement and has also gone through the Alabama Peace Officers' Standards and Training Commission (APOSTC) certification process. SROs are provided training on a yearly basis, but more can be given throughout the year to ensure best practices are kept. The CIC team also meets with the police department on a weekly basis, so they can keep up with the progress of the mini units and to stay abreast of any new laws or local issues.

"We are always brainstorming and trying to make it better and not make it cookie-cutter. We don't want it to be one size fits all," Johnson said. "We want to make sure that everyone gets something out of what we are teaching."

Feedback

These programs are centered around a great deal of data collection and analysis. Students' feedback is collected anonymously by the school system after parents sign a waiver. Over 700 students completed the mini units in the first two years of the program; 313 completed surveys. According to CIC's survey data from 2021 and 2022, 98% of students that participated in the questionnaire said the classes met their expectations, 90% said they will apply the information covered from the unit on policing and 79% believe the mini units should be mandatory classes.



OPD SROs teach OHS students about handling traffic stop situations.



OPD Capt. Tony Amerson leads a class discussion about the Bill of Rights during a Policing and Me presentation.

Opelika High School Principal Kelli Fischer said, “It has been received really well. One of the things that has been great is that over the time that we have implemented it, we have gotten feedback from students and teachers, and it has evolved a little bit and become more hands on and practical, so students really feel like they have a purpose in it.”

The top four point of interest results in the 2021 survey data were for the mini units to be more hands on, interactive, include role play and have more representation (all white officers). In 2022, the only recommended change was for more outside interaction.

Students were also asked if the classes changed their perspective on policing and/or police officers; 79% said it did. Here are some examples of the answers students gave: it made me look at things differently from their point of view; it taught me to look for the whole story instead of going off social media; I respect them even more; I thought police officers were abusing their power, but they are just doing their job; it made me more aware that not all police are bad, and it showed me some police are making a difference; it made me more aware of procedures and daily happenings of our officers. It also made me more comfortable in handling different situations I may encounter in life.

Mayor Fuller added, “I have not heard one negative from any parent, any student, teacher, administrator or police officer. I think it makes our police officers feel good and our students, teachers and school administrators feel good, so that is a win-win for the community.”

What’s Next

Dr. Evans wants to take the two mini units to the next level and have them implemented in high schools across the state, whether that is made possible through state legislation or working with municipalities on an individual basis.

“When [students] say, ‘This needs to be in the school system for everybody.’ ‘This has helped me.’ When they say, ‘I am not afraid anymore, or it has helped me to not be afraid and all police officers are not bad’— that’s huge,” Dr. Evans said. “We are making a difference.”

When it comes to the idea of scaling the mini units program for a larger audience, Dr. Evans recognizes that some smaller and rural municipalities may not be able to afford their services alone and that they may need to merge multiple police departments together to educate them. She envisions offering trainings in the Auburn-Opelika area and being able to travel to different parts of the state to host individual city and regional trainings. Pricing for the mini units is based on various components, like the number of officers being trained, the size of the school, the level of certifications and the level of customization a municipality requests.

“I think that this is a great program and that any school that implemented it would benefit from it. It is very practical,” Principal Fischer said. “I have sat in lessons, and I’ve learned things and been reminded of things that maybe I knew but don’t use that often. I really think that it would be valuable to anybody that decided to implement it.”

Capt. Amerson shared this advice for other police departments: “Step out on a ledge. Take a chance. You are going to have a lot of people on the sideline telling you not to do it, but I think we are in a position now that we don’t have a choice. If you start looking at the Department of Justice on what changes they expect out of police departments, it has changed, and we have to meet those changes. If we don’t meet those changes, we will fall behind.”

Mayor Fuller concluded by saying, “I would encourage municipalities that – maybe have had some issues or maybe recognize the fact that their officers can be better and that the relationships with their community can be better – that they would want to at least explore the possibility of doing something. It may not be for everybody, but I am guessing that it is. I would encourage folks to just explore to see what the opportunities might be for you.” ■



Participants in Opelika's Citizen's Police Academy investigate a mock crime scene during detective night.



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2023 Changes to the State Bid Laws

During the 2023 Alabama Legislative Session, the Alabama Legislature made several changes to the state bid laws. It is important to stay apprised of these changes, especially since a violation of the bid laws is one of the few areas of law applicable to municipal officials that can result in criminal penalties. More importantly, the bid laws affect municipal day-to-day operations. Operating a city requires a variety of daily expenditures, some requiring more immediate attention than others. The cumbersome process of the state bid laws can sometimes act to stifle municipal efforts to meet immediate needs. For example, prior to the changes made by the Legislature this year, with prices so high and the bid law threshold so low, minor expenditures like changing a light bulb would require public bidding. All jokes aside, the Legislature has acknowledged some of the issues faced by municipalities when bidding out projects and have instituted changes to the bid laws to resolve those issues.

COMPETITIVE BID LAW—ACT 2023-135 (SB108) AND ACT 2023-544 (SB291)

When does the competitive bid law apply?

The competitive bid law is codified at Sections 41-16-50 through 41-16-63, Code of Alabama 1975. The competitive bid law applies to expenditures of municipal funds for labor services or work or for the purchase or lease of materials, equipment, supplies or other personal property. Generally, the competitive bid law applies to most, if not all, contracts where the public works bid law does not apply. Of course, there are certain exemptions under both the competitive bid law and public works bid law that will not be addressed by this article but that municipal officials need to be familiar with. For more information regarding exemptions to the state bid laws, please review the articles in the League's Selected Readings for the Municipal Official titled "The Competitive Bid Law" (2022) and "Public Works Bidding" (2020) by scanning the QR codes at the end of this article.

There are two state bid laws to be familiar with (1) the competitive bid law and (2) the public works bid law. Additionally, there are four pieces of legislation that made changes to the state bid laws that this article will review:

- **Act 2023-135 (SB208) - amending the competitive bid law effective August 1, 2023**
- **Act 2023-544 (SB291) - amending the competitive bid law effective September 1, 2023**
- **Act 2023-497 (HB168) - amending the public works bid law effective September 1, 2023**
- **Act 2023-180 (HB157) - amending the public works bid law effective August 1, 2023**

What is the new bid threshold under the competitive bid law?

The bid threshold is the dollar amount that determines whether the municipality must follow the procedures required by the competitive bid law. Act 2023-135 increased the bid threshold from \$15,000 to **\$30,000**, meaning a contract for labor services or work or for the purchase or lease of materials, equipment, supplies or other personal property above \$30,000 must be bid pursuant to the competitive bid law. In addition, the bid threshold for contracts involving repair parts and repair of heavy-duty, off-highway construction equipment and vehicles with a gross vehicle weight rating of 25,000 pounds or

greater, including machinery used for grading, drainage, road construction and compaction for the exclusive use of county and municipal highway, street and sanitation departments was increased from \$22,500 to **\$40,000**. Additionally, the bid threshold for the leasing of the type of equipment previously mentioned was increased from \$5,000 per month to **\$10,000 per month**. Beginning October 1, 2027 and every three years thereafter, the threshold amounts are adjusted by the Legislative Council based on the Consumer Price Index.

What is the procedure for when no bids or only one bid is received after bids are solicited under the competitive bid law?

This is a common question the League's Legal Department receives. Act 2023-135 provides a few options for this type of situation. First, the municipality can choose to go through the process of advertising and seeking competitive bids again. Second, the municipality may negotiate through the receipt of informal bids not subject to the strictures of the competitive bid law. If you decide the informal negotiation route after receiving a single bid from a responsive and responsible bidder, the negotiation cannot result in a contract with a different entity with a higher price than the first bid received. Any bid accepted must be lower than the bid price previously received.

What if all the bids received pursuant to the competitive bid law exceed the proposed budget for the project?

Predicting the cost of municipal projects can be a tall task for municipal officials. The competitive bid law now accounts for situations where the municipality has budgeted less than what the market calls for. In the event both or all bids received by the municipality exceed its anticipated budget, the municipality may negotiate with the lowest responsible and responsive bidder, provided the negotiated price is lower than the bid price.

What if the competitive bid law applies to a contract that was not competitively bid, but it was reasonably believed the contract value would not exceed the threshold amount?

Again, human error is inevitable, especially when attempting to predict future needs and markets. The Legislature understands that markets consistently change, prices fluctuate and unpredicted circumstances arise; as a result, it promulgated a procedure for when a contract is not competitively bid when it should have been. First, the municipality must document its reasonable belief, based on expenditures in previous years, that the expenditure would not meet the dollar threshold requiring public notice and bidding and that based on the belief the expenditure was made. Lastly, any subsequent expenditure must be competitively bid. So, once it is realized the contract should have been competitively bid you cannot rely on this procedure for any subsequent expenditures. If this procedure is followed the municipality

will be deemed to not have violated the competitive bid law despite not bidding an expenditure above the competitive bid threshold. This is not a procedure to abuse; a **reasonable belief** and **good faith** is required, or you risk facing criminal penalties.

What is the proper procedure for letting contracts, subject to the competitive bid law, in emergency circumstances?

Emergency circumstances develop unexpectedly requiring immediate action or in other words an immediate expenditure to remedy the emergency. Act 2023-135 exempts contracts from the requirements of the competitive bid law, if entered to address circumstances that would **likely cause harm to an individual or public property**. Such contracts can only be let to the extent necessary to mitigate the harm threatened by the emergency circumstances. In essence, the expenditure made must directly remedy the emergency. Prior to entering into the contract, the municipality must (1) document two or more price quotations or price estimates and (2) adopt a resolution declaring the nature of the circumstances, the action to be taken, and the reasons for taking the action.

What exemptions did Act 2023-544 add to the competitive bid law?

Act 2023-544 added two additional exemptions. First, contracts regarding purchases of computer programs and software applications are now exempt. Lastly, contracts including purchases of services to aid in the prevention and detection of criminal activity by law enforcement agencies and community-oriented policing programs are no longer subject to the competitive bid law.

PUBLIC WORKS BIDDING—ACT 2023-497 (HB168) AND ACT 2023-180 (HB157)

When does the public works bid law apply?

The public works bid law is codified at Sections 39-2-1 through 39-2-14, Code of Alabama 1975. Public works contracts, as defined in Section 39-2-1 of the Code of Alabama 1975, above the public works bid threshold are not covered by the regular competitive bid law found in Title 41 of the Code of Alabama 1975. Section 39-2-1, Code of Alabama 1975, defines public works as:

The construction, repair, renovation or maintenance of public buildings, structures, sewers, waterworks, roads, bridges, docks, underpasses and viaducts as well as any other improvement to be constructed, repaired, renovated or maintained on public property and to paid, in whole or in part, with public funds or with financing to be retired with public funds in the form of lease payments or otherwise.

This is not an all-inclusive list and is merely intended as examples of the type of municipal projects that are subject

to the public works bidding procedures. Additionally, if the municipality plans to finance a public works project and pay off the loan or bond issue with public funds, the project must be bid as well.

What is the new bid threshold under the public works bid law?

Act 2023-497 increased the bid threshold under the public works bid law from \$50,000 to **\$100,000**. Keep in mind that any contract below the \$100,000 threshold is still subject to the competitive bid law threshold. Therefore, just because the public works bid law does not apply does not mean the contract should not be bid out pursuant to the competitive bid law.

What is the proper way to advertise for a public works contract involving an estimated amount in excess of \$500,000?

Prior to Act 2023-497, municipalities were required to advertise public works contracts in excess of \$500,000 in three newspapers of general circulation throughout the *state*. Act 2023-497 removed this requirement. Now *all* public works contracts need only be advertised once in a newspaper of general circulation published in the *municipality*. If no newspaper is published in the municipality, the municipality shall advertise by posting notice on a bulletin board maintained outside the purchasing office and in any other manner and for the length of time as may be determined.

What are the permissible methods for providing notice of project completion under the public works bid law?

Unlike the competitive bid law, the public works bid law requires that the contractor (**not the municipality**), immediately after the completion of the contract, give notice of the completion for three weeks. Act 2023-497 provides a few methods for providing notice of completion: (1) in a newspaper of general circulation in the county or counties in which the work, or some portion thereof, has been done; (2) on a website that is maintained by a newspaper of general circulation in the county or counties in which the work, or some portion thereof, has been done; and (3) on a website utilized by the awarding authority for publishing notices. If no newspaper is published in the county in which the work was done, and if the awarding authority does not utilize a website for the purpose of publishing notices, the notice may be given by posting at the courthouse for 30 days, and proof of the posting of the notice shall be given by the awarding authority and the contractor. For contracts for road resurfacing materials that are awarded on an annual basis, where the bid specifications include options such as a unit price for materials, a unit price for the delivery of materials, or a unit price for materials to be laid in place by the bidder, notice of completion, pursuant to this subsection, may be given on an annual basis upon completion

of the project as a whole, rather than at the completion of each processed order. Although this notice requirement does not fall on the municipality, it is important because the contractor is required to furnish proof of publication to the municipality before a final settlement of the contract.

Can bidders submit bids electronically?

Act 2023-497 allows for sealed bids to be solicited and submitted through electronic means. Electronic means includes, but is not limited to, electrical, digital, magnetic, optical, electromagnetic, or any other similar technology provided that the municipality adopts rules and policies to ensure that all electronic submissions are transmitted securely, and bids remained sealed until bid opening.

What is the proper procedure for letting public works contracts in emergency situations?

Similar to the competitive bid law, the public works bid law provides a procedure for remedying emergencies without public advertisement and bidding. Act 2023-497 allows municipalities to circumvent the requirements of the public works bid law in emergency situations *for which delay in remedying the emergency would cause harm to any person(s) or public property*. However, such contracts can only be let to the extent necessary to mitigate the harm created by the emergency. Before employing this emergency exception, the municipality must declare in writing the nature of the danger to be remedied, which must be made public and published.

Where must iron be purchased pursuant to the provisions of a contract subject to the public works bid law?

Act 2023-180 requires municipal contracts, subject to the public works bid law to include contract provisions requiring the use of domestic iron, if iron is to be used to fulfill the contract. If this provision is breached, the contract price must be adjusted downward in an amount equal to the savings realized by the contractor.

Further questions?

Please contact the League’s Legal Department at 334-262-2566, or visit www.almonline.org, if you have any questions regarding the requirements for the state bid laws. ■

SELECTED READINGS FOR THE MUNICIPAL OFFICIAL:



The Competitive Bid Law



Public Works Bidding

REDEVELOPING ALABAMA BRICK BY BRICK

CHEY-ANNE KILPATRICK
ENVIRONMENTAL SCIENTIST, DEVELOPMENT UNIT
ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

Beginning in 1995, the Environmental Protection Agency (EPA) developed the Brownfields and Land Revitalization Program. The Brownfields Revitalization and Environmental Restoration Act was passed in 2002 which created a state voluntary cleanup program managed by the Alabama Department of Environmental Management (ADEM). This allows for assessment and remediation of contaminated sites and grants certain liability protections.

So, let's understand what a brownfield is and why it is important to work together to redevelop and

revitalize communities across the state.

A brownfield is defined as any property, the expansion, redevelopment or reuse of, which may be complicated by the presence or potential presence of a hazardous substance, pollutant or contaminant. Imagine vacant buildings and lots in your community that are closed, abandoned and contribute to the overall blight in these areas. Usually, the sites have vegetation overgrowth, dilapidated structures, or empty lots with or without previous foundations on these properties. Some examples of sites previously assessed

by the redevelopment program at ADEM include old gas stations; old dry cleaners; empty lots that previously housed garages and supermarkets; and closed or abandoned manufacturing facilities. Redeveloping these sites can be beneficial to any community. It is **PROVEN** that redeveloping brownfields increases



Stovehouse is built on the bones of Martin Stamping and Stove Factory on Governors Drive in Huntsville, AL.

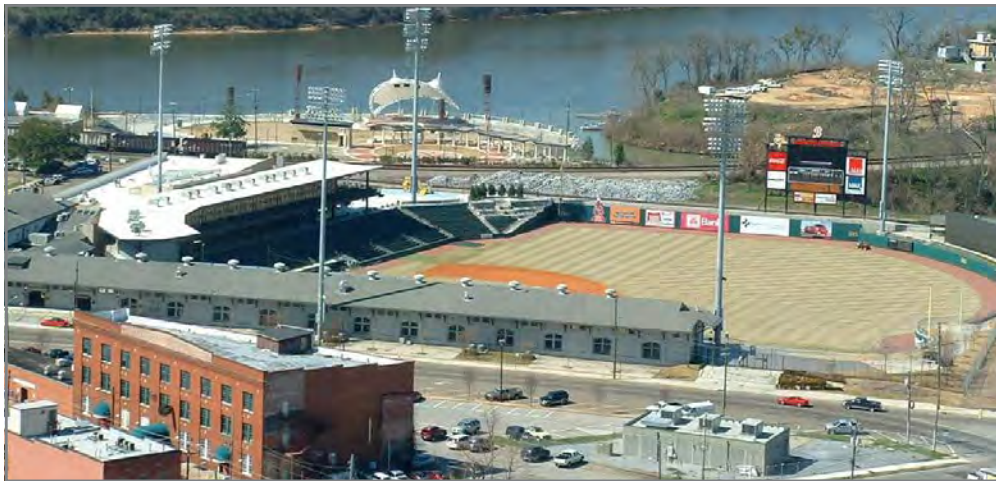




*An aerial photo of downtown Montgomery entertainment sites and businesses along the Alabama River;
Below: Riverwalk Stadium is home to the Montgomery Biscuits baseball team; Montgomery Amphitheatre;
An inside look at Riverwalk Stadium*

residential property values near these sites, increases local tax revenues, decreases crime and blight, strengthens the K-12 education system and brings jobs to the community!

Let us look at a brownfield success story. In Montgomery, Alabama, the Riverfront Development Master Plan was created by the city in 2001. With the help of a brownfields grant, the Riverfront Development Brownfields Initiative began. A commonly known brownfield redevelopment from Montgomery is Riverwalk Stadium, which was a part of the Brownfields Pilot Project with ADEM in 2002. The site was a 19th century train yard. Contamination onsite included lead, chromium, and trichloroethylene (TCE). Riverwalk Stadium was constructed on the portion that housed the historic train depot. Architects incorporated the existing buildings into the construction of the stadium, which includes 20 luxury suites to watch the games from, picnic areas, a children's playground area and



a full bar, known as “The Club Car Bar.” The space can host up to 7,000 people a night.

Another site in Montgomery is E.A.T. South’s Downtown Farm located just one-half mile away from Riverwalk Stadium. E.A.T. South is a community based 501(c)(3) non-profit organization. This is a four-acre site that was remediated and has been utilized as an urban garden and outdoor classroom since 2011. When the COVID-19 pandemic shut down the educational programs, E.A.T. South began sharing vegetables with a local church food pantry giving people access to nutritious food. In Huntsville, Stovehouse is now a premier destination for food, drinks, shopping and leisure. This property dates back to 1928 and has a long history of manufacturing stove parts and air circulators. The company also manufactured bomb crates during World War II. Reconstruction began on the Stovehouse campus in 2018 with a goal of revitalizing the energy of the old factory and the district surrounding it. The mixed-use development opened in April 2021, which helped create a ripple effect on development in the area. Revitalizing brownfield properties can have an exponential development effect on the surrounding community.

How can you jump start the revitalization process for your communities? Easy answer. ADEM’s redevelopment program provides **FREE** services to cities, counties and nonprofit organizations on a **First Come, First Serve basis**. The services include a Brownfield Inventory, Phase 1

Environmental Site Assessment (ESA), Phase 2 ESA and Community Visioning.

If you currently do not have a redevelopment plan or need help identifying prime redevelopment locations, the brownfields program can identify the brownfields in your community by completing a Brownfield Inventory. This is a windshield surveillance performed by the brownfields staff to document the brownfield locations by taking a photograph and recording the address. Once the Brownfield Inventory is complete, a booklet of all the locations is assembled. This booklet includes a prioritization matrix to assist communities in prioritizing site redevelopment. Also, it can serve as a marketing tool for economic development.

Once a site has been chosen for redevelopment, a Phase 1 ESA can be conducted. This document includes the historic and current use of a property; the hydrology of the area; an incident radius review; a site visit documenting current conditions of the property; and interviews from previous and current owners, residents, or local government officials. A Phase 1 ESA has a shelf life of six months and counts as the due diligence prior to a purchase. Based on the Recognized Environmental Concerns (RECs) found from this report, a Phase 2 ESA may be recommended as the next step.

A Phase 2 ESA is the sampling event of a site. If a Phase 2 ESA is deemed to be necessary, a sampling plan is required that best evaluates the conditions of the site. Surficial soil, subsurface soil, groundwater

E.A.T. South is an urban, educational farm located in downtown Montgomery.



and surface water samples can be collected from the site. It is important to note that each site is unique and sample plans may differ depending on topography and site conditions. The samples are sent to a lab for analysis. The brownfields program reviews the analytical data and compares it to the Regional Screening Levels (RSLs) that EPA provides. A report is developed, and a copy of the report is provided to the requesting entity, which provides an explanation of the current environmental conditions of the site.



Usually, brownfield sites have vegetation overgrowth, dilapidated structures or empty lots with or without previous foundations on these properties.

Now, on to the “good stuff!” A Community Visioning is a great opportunity to give community members a chance to voice their wants or vision for future redevelopment. The brownfields program provides art supplies and allows an hour for the community members to brainstorm and create redevelopment ideas. At the end of the session, a representative from each group, or an individual, will present the ideas to the group. All of the community’s ideas are captured by an artist, who will create professional renderings to present to the community of what their redevelopment could look like at a future meeting. Brownfields program representatives attend the community meetings and events to provide brownfield training or educational outreach as well.


Are there other ways to receive funding to assess brownfield properties? Absolutely! The upcoming application period for EPA Solicitations for Brownfields Grants are anticipated to open in September 2023. The grants are Assessment, Cleanup and Multipurpose. More information can be found at <https://www.epa.gov/brownfields/solicitations-brownfield-grants>. The redevelopment program has offered grant writing courses before and can do so again upon request.

Another program the redevelopment unit oversees is the Voluntary Cleanup Program (VCP). The VCP is a voluntary, fee-based program. The program offers Departmental oversight of assessment and cleanup activities of a site. An applicant, responsible or non-responsible, can apply to the program at any time; however, it is recommended to apply at the beginning. This way you can be sure you have

covered all your steps and the possibility of having to do any additional work is limited. Applicants can receive liability protections and even tax abatements from being in the program.

Local government and non-profit pseudo-governmental organization applicants enrolled in the VCP can also apply for the Alabama Land Recycling Revolving Loan Fund (RLF). This is a low interest loan with a 10-year payback period and an opportunity for some loan forgiveness. The purpose of the RLF program is so public entities can remediate contaminated sites and be able to afford to do that. For more information regarding the RLF, please email BCSRF@adem.alabama.gov. By utilizing the Brownfields Redevelopment and Voluntary Cleanup Program at ADEM, communities can begin the revitalization process and redevelop blighted areas within their community. For more information regarding our program, please email BRVCP@adem.alabama.gov, or visit us online at <https://rb.gy/alpqt>. ADEM looks forward to working with you! ■

ADEM BROWNFIELD LINKS




←

→

Brownfield Grants

Email: ADEM

Brownfield Info





Chey-Anne Kilpatrick is an environmental scientist with the Redevelopment Unit at the Alabama Department of Environmental Management. She graduated from Auburn University with a Bachelor of Science degree in May 2021 and began working for the department in December 2021. She works closely with cities and counties to assist in the redevelopment plans of blighted areas, otherwise known as brownfields.



ALM Board of Directors Tours Auburn and Opelika

The League's Board of Directors took their July meeting on the road to east Alabama to learn more about the incredible growth taking place in Auburn and Opelika. Auburn's population tops 81,000 residents while Opelika has approximately 32,000 citizens.

Auburn Mayor Ron Anders and Opelika Mayor Gary Fuller did an exceptional job of answering board members' questions while showcasing their cities. Some of the major points of interest included Auburn's new high school (the largest in the state); their new indoor sport complex and soccer fields; an emergency department and Buc-ees. Opelika features a new sportsplex and aquatics center, fire station, police department, library and sixth grade school.



League board members visited Auburn's new Town Creek Inclusive Playground during a tour on July 19, 2023.

Florala Discovers Unity in Community ACE Designation

Lori Jhons • Communications Director • ALM



The Alabama League of Municipalities is excited to showcase Florala in this edition of our quarterly magazine for our spotlight on Alabama Communities of Excellence. The ACE program was established in 2002 as a 501(c)(3) organization with the mission of offering Alabama's smaller communities, ranging in population

from 2,000 to 18,000 people, technical resources and tools to help them promote growth and prosperity by focusing on their distinctive assets and resources. Florala was accepted into the ACE program in 2019 and received their official ACE designation in 2022. Florala's ACE Local Committee consists of Mayor

Terry Holley, Councilmember Gayle Cooper Robbins, City Clerk Gina Hendriks and ACE Local Coordinator Samantha McDaniel.

Florala was incorporated in 1901 in Covington County. It has been known as the "Gateway to the Gulf Coast" for decades, as many beachgoers travel through Florala, via US 331 and AL 55, to get to their destinations in the Florida Panhandle. Florala is also home to the largest natural lake in Alabama; Lake Jackson is 500 acres and is their biggest tourist magnet. The city experiences tremendous "daycation" crowds year-round for those looking to enjoy a variety of outdoor amenities like fishing, swimming, walking and cycling paths, camping and water activities. Lake Jackson is the scene for several annual bass tournaments, speedboat races and military training maneuvers. The lake was originally called McDade's Pond before it was changed to Lake Jackson in honor of Gen. Andrew Jackson who once camped in the area with an army of 1,200 soldiers in 1818 during the Seminole War.

Florala also has an intriguing historic district, which features both residential and commercial buildings including a remarkable collection of Victorian-era architecture that dates from the beginnings of the town's development along Fifth Street. Citizens are actively working on documentation necessary to nominate Florala's city cemetery, Greenwood Cemetery, for designation on the National Register of Historic Places.

The city also has two major yearly festivals, Cancer Freeze and the annual



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Masonic Celebration, which has taken place for 153 years and is the oldest consecutive Masonic Day celebration in the world. These festivals bring thousands of visitors to the community and are a boost to the local economy as well as a way to strengthen community pride. Many citizens from local churches, civic, and nonprofit organizations volunteer and support these festivals and community events every chance they can.

During the country-wide economic downturn in the 1980s and following years, Florala lost its once vibrant textile and wood product industries. As these local industries collapsed, jobs and incomes were lost and the population declined. Consequently, this decreased school enrollment, led to a hospital closure and caused local businesses to struggle to survive.

"We applied to the ACE program because we believed it would provide quality, technical assistance to market and enhance our unique features such as tourist traffic, a natural lake and a historic district listed on the National Register of Historic Places to promote growth and prosperity once again for our community," McDaniel,



Florala's Lake Jackson offers visitors a range of outdoor activities from fishing to cycling.





a proud native of Florala, said. “The ACE program seemed to be a perfect answer to obtaining professional guidance to promote economic growth and tourism.”

During phase one of the ACE program, a team of ACE professionals - none of whom had ever been to Florala before - visited the town, took a short tour and met with community stakeholders. Weeks later, Florala’s ACE Local Committee received an assessment report from the team captain and ACE professionals clearly identifying their positives and negatives alike, along with suggestions to improve both. The team of ACE professionals introduced the local committee to a variety of individuals who served as resources to assist in economic development, education and workforce development, health care, historic preservation, leadership and more. The team held community meetings regarding workforce and education strategies and connected the local committee with professional assistance for marketing and branding, landscape planning and tourism development.

McDaniel said they have continued to strengthen the partnerships established with their team as well as local and regional partnerships. She specifically pointed out that one very important contact and resource for them has been the Southeast Alabama Regional Planning and Development Commission who assisted them in obtaining a grant for comprehensive plan development and helped secure a consultant for the plan, which is currently under development.

Florala had a strategic plan in place prior to participating in the ACE program. It is updated annually; however, through the ACE program, they developed a short-term action plan and are working on a long-term comprehensive plan, which is a requirement of ACE communities. Their action plan serves as a guide to measure progress in achieving the goals and objectives of the strategic plan and is valuable to position their city for growth and expansion during “the rural migration” they are currently experiencing.

“People are moving to rural areas such as ours in ever-increasing numbers, desiring the slower pace and strong sense of community – Florala has that,” McDaniel exclaimed! “A comprehensive plan will provide the roadmap for present and future administrations deciding how best to accommodate growth and expansion of Florala’s infrastructure and overall landscape.”

Florala’s population is just over 1,900 citizens, making it one of the smallest ACE communities in the state. McDaniel said, “We are extremely proud the city of Florala achieved the designation as an ACE community, meeting the same criteria as larger ACE communities, which possess more local professional and financial resources and supporters. It has been ‘all hands on deck’ for Florala, but all hands have shown up, time and time again, to take advantage of the professional and technical assistance offered. We can see the results.”

Florala Alabama

Some of those results are being created by local citizens taking part in Florala’s newly established LEAD Florala leadership program. The 2023 leadership class is in the process of implementing their project called The Little Free Pantry. The pantry serves both individuals and families in need as well as community givers. Zero-barrier access allows local families with food insecurity to take needed items while also inspiring the surrounding community to donate to the pantry. It fulfills a need, whether a need for food or a need to give.

Two other projects resulting from the leadership program are in the planning stages. The Florala Downtown Development Board has also made aesthetic improvements to the downtown area and is coordinating with the Tri-Cities Chamber of Commerce to enhance downtown buildings with paint adhering to Florala’s historic color palette. Another benefit of ACE has been the revitalization of the community boards, authorities and committees to better monitor the success of the strategic and action plans.

Achieving the honor of becoming an ACE community is typically a two-to-four-year commitment of not only the municipality’s local committee but of the citizens too, leaders and businesses. McDaniel said, “The ACE distinction means we rediscovered the ‘unity’ in community. Extraordinary community members are working to achieve great things for our community regarding quality of life, economic development, development of future leaders through our leadership program and comprehensive planning.”

McDaniel admits she volunteered to be the ACE local coordinator without a full understanding of the commitment, but from the looks of it, Florala is in good hands with the 2022 Outstanding ACE Local Coordinator leading their town’s efforts. Keep shining, Florala!

Any municipality interested in learning more about the ACE program should visit www.alabamacommunitiesofexcellence.org or reach out to our Education and ACE Program Coordinator Mary Jackson at mjackson@almonline.org. ■

**For more information
about the ACE program,
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Is Your Municipality's Website ADA Compliant?

Chuck Stephenson • Director of Information Technology • ALM,
(with contributions from Victoria Boyko • Web Project Manager • VC3)

Does your municipality's website meet the web accessibility requirements of the Americans with Disabilities Act (ADA)? The United States Department of Health and Human Services defines being accessible as "how successfully a person with a disability can locate, get to, and understand the wanted or needed information. Accessibility results in benefits like eliminating barriers to information and communications technology (ICT) and encouraging development of technologies and techniques."

The ADA applies to state and local governments (Title II) and prohibits discrimination against people with disabilities. According to the U.S. Department of Justice's Civil Rights Division, state and local governments must take steps to ensure that their communications with people with disabilities are as effective as their communications with others. The DOJ has consistently taken the position that the ADA's requirements apply to all the services, programs, or activities of state and local governments, including those offered on the web.

A few great resources for ADA compliance are Section 508 Information and Communication Technology Standards published by the U.S. Access Board and the Web Content Accessibility Guidelines (WCAG) 2.0 AA Standards of Accessibility published by the Web Accessibility Initiative of the World Wide Web Consortium (W3C). According to VC3, the Alabama



Electronic documents such as webpages and emails can be read in braille format and text can be written using a braille keyboard.



Look for this symbol on compliant websites for other accessibility options.

League of Municipalities' IT consulting partner since 2018, "The WCAG offers a clearer picture of what is needed for a compliant website. It was published by the W3C, the internet's primary international standards organization. WCAG outlines how your website should interact with a variety of assistive technology tools including screen readers, screen magnification and alternative input devices."

Unfortunately, many municipal websites do not comply with the best practices to allow disabled individuals to access their content. The problem is compounded by the fact that even if the municipal sites are compliant, municipal employees may still upload documents and other content that are not.

What should municipalities do in order to start moving toward ADA compliance? Victoria Boyko, web project manager at VC3, has several best practice tips for your municipality's website designer and/or whoever creates and uploads content to your website.

1

Describe images with text

Many people just upload an image to a website as quickly and simply as possible. However, there should be an option on the back end of your website to provide alternative text (alt text) for an image. For example, if you place a picture of city hall on your website, then the alt text may say "Picture of city hall on a sunny day." If someone is blind or cannot see very well, they may use a screen reader tool that describes all images on a page. When you fill out the alt text, you make images "readable" and accessible to people with vision problems.

2

Provide alternate ways to access video and audio content

Videos and audio files, like podcasts, have become more and more embraced by cities, but what if someone cannot see a video, or what if someone cannot hear the audio? Provide alternate ways for people to access the content. For example, offer closed-captioning for videos with audio content. Some video services will do this automatically for you (although it is a good idea to spot check the quality of the closed-captioning), or you can do it manually. You can also offer transcripts for videos and audio files. In some cases, a summary description may be sufficient for visually-heavy videos with little spoken word or a lack of heavy substance.

3

Provide a clean, simple navigation website structure

If your website is a structural mess, then it will be even worse for people with disabilities who try to navigate it with screen readers or keyboards alone. Your website's information architecture (meaning the way your webpages are structured and organized) needs to be as simple and clean as possible. For example, you would not want to clutter your homepage with a dozen things about your city's history while barely mentioning or providing links to your most important city services.

4

Work with your designers to ensure that people can adjust colors and font sizes with ease

Many disabled people with vision problems often need to adjust the contrast and sizing on their computers to see what is on their screen. While the design specifications for ensuring ADA compliance are complex, most modern websites allow disabled people to adjust contrast and sizing. If you are not sure about your city's website, especially if you have not modernized it in a long time, then ask someone with website design experience to help you assess this aspect of accessibility.

5

All content should be accessible by keyboard alone

Some disabled people cannot use a mouse and click on website content such as buttons or links. They need to rely only on a keyboard to get to it. If you have content on your website inaccessible by keyboard, then make it accessible as soon as possible. You should also consider adding a "skip navigation" link so that keyboard users can skip the often long navigation tabs (the ones seen on every page). That will save disabled people from wasting a lot of time.

6

Avoid flashing images

Luckily, most modern websites avoid flashing images because they look tacky. However, if you are tempted to use them, consider that they may cause seizures in some people.

7

Follow writing best practices

Write simply, clearly and concisely. This is a good best practice anyway, but it also helps disabled people who need information stated as clearly as possible. Rambling text, typos and bad grammar prevent you from communicating to your audience. Consider hiring a professional writer to write your content if you are unable to ensure a high writing standard.

8

If you hyperlink text, then make sure it is descriptive

The phrase “click here” is not descriptive; however, “January 5, 2021 City Council Agenda” is descriptive. When disabled people use screen readers, they often look for links to take them to another webpage. Make sure the text you hyperlink contains a specific description instead of something vague.

9

Post website documents in an accessible format

Unfortunately, screen readers cannot always read Portable Document Format (PDF) documents. When publishing documents on your website in PDF, Word, or other formats, make sure they pass an accessibility test or post the documents in an alternative text-based format such as Hypertext Markup Language (HTML) or Rich Text Format (RTF).

If the thought of converting tons of PDF documents to HTML or RTF horrifies you, then talk to your IT staff or vendor. You may be able to find a tool that can convert your PDFs to accessible HTML. Then, it’s a matter of going through the PDFs you offer on your website and creating accessible HTML versions of each document.

10

Avoid cutting and pasting pre-formatted content to your website

When city employees upload content to websites, we often find that they make the mistake of posting pre-formatted content. For example, people may cut and paste content from a Microsoft Word document to the city’s website.

What is the problem? Microsoft Word content contains a lot of HTML code that makes sense when you are working in Microsoft Word—and not so much sense when you transfer it somewhere else. That is why what looked great in your Word processing software can look awful on your website.

Usually, cutting and pasting into the Notepad program (a free application that comes with nearly all computers) first and then cutting and pasting the Notepad version into your website’s content management system will remove junk formatting and convert your words into clean, plain text.

Victoria has done a great job here with some tips to get your site started on the path to ADA compliance. VC3 has been making IT personal, making IT easy, and getting IT right for more than 28 years. Serving over 1,100 municipalities of all sizes, VC3’s Alabama-based engineers are supported by a deep bench of national talent. Learn more about their services at VC3.com. ■

For technical assistance, contact the U.S. Access Board for guidance on these ADA standards at (202) 272-0080 or 508@access-board.gov. More information is also available at Section508.gov.



← Section508.gov

Email:
508@access-board.gov





Originally from Tennessee, Chuck Stephenson earned his bachelor's degree in business administration from Faulkner University and is a VMware Certified Professional. He joined the League staff in March 2010 as the information technology specialist and became director of information technology in 2016, where he is responsible for all computer operations, technical support,

systems analysis and programming. Chuck has three children and three grandchildren.



Victoria Boyko is a web project manager at VC3. Born in Kyiv, Ukraine, she holds a bachelor's degree in education from the National Pedagogical Dragomanov University in Kyiv. After moving to Georgia in 1996, she studied computer programming at Gwinnett Technical College, and she's been developing software for more than 20 years. In her spare time, she enjoys spending time with her husband, daughter,

twin sons and pursuing her hobbies of gardening, cooking and photography.

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ALM Spotlights Guin's Economic Development Academy Experience

Lori Johns • Communications Director • ALM

The Alabama League of Municipalities is pleased to recognize the city of Guin for our second Economic Development Academy spotlight in this publication. Guin is located in Marion County in northwest Alabama and has a population of approximately 2,500. Guin city officials graduated from the first EDA class in 2022, which consisted of 30 municipalities taking part in regional trainings. Mayor Phil Segraves, Councilmember Mineo Lindsey and City Attorney

Matt LeDuke represented the city of Guin at EDA classes.

The academy is specifically designed to educate and engage municipal officials and designated community business leaders on best practices and strategies for successful economic and community development. EDA also focuses on the role of elected officials regarding evaluating abatements, legal processes and implications, correctly marketing the community, gauging the community's expectations,

workforce development as well as other key aspects of the development process. Like many small towns and cities, Guin finds itself trying to attract new companies looking to invest in Alabama.

Guin owes its creation to the railroad system. Guin was established in 1889 on Dr. Jeremiah Guin's farm. This was the site where the Frisco Railroad met between Memphis, Tennessee and Birmingham. Guin is home to America's first combined senior center/disaster shelter facility called the Collins Life Center; it is home to the only public/school library in Alabama and is the location for the first high school in the county. Guin is also known for having the manufacturing company 3M; boasting several high school athletic championships in football, basketball, track and cheerleading; and being devastated by an EF-5 tornado in 1974.

Mayor Segraves was born and raised in Guin, so he has a special appreciation for helping it to expand and thrive. His father actually served on the Guin City Council for 32 years. Taking after him, Mayor Segraves decided to run for office. He was first elected as mayor in 2000 and has served 19 years non-consecutively.

Mayor Segraves said that the city participated in EDA to learn how to better prepare for economic development



Twelve Tesla charging stations have been installed at the Holiday Inn parking lot in Guin.



and growth. He said, "I was very pleased with the high expertise of speakers and material that was given to each city. The academy brought in qualified professionals, who were well respected and accomplished in their field, to teach our class."

EDA was developed by Bryan Parker, ALM director of government affairs, and Neal Wade, former director of the Alabama Development Office. They created the curriculum and facilitate the classes in conjunction with the Alabama Community College System.

Parker said, "The many years of experience I have gained in economic development coupled with that of Neal Wade, along with the resources of ACCS, presents a unique opportunity for us to teach municipal leaders about a variety of factors that they need to consider when not only recruiting businesses but retaining them as well. We try to make the program as engaging and real world as possible by including prominent guest speakers, thought provoking activities and presenting current legislative and policy updates."

One requirement of EDA is for participating municipalities to implement an approved project or program and follow reporting requirements. Guin's project was focused on recruiting a housing contractor to build residential housing in their city to help with the recruitment of industry and retail development. Downtown Guin boasts a former manufacturing site that is well positioned for redevelopment as a mixed-use project to include commercial offices and downtown housing.

Although Guin is modest in size, the city in partnership with the Holiday Inn of Guin, has managed to successfully recruit Tesla for the recharging of their electrical vehicles. Twelve super charging stations have been installed and six additional universal supercharging stations will be installed in the near future. So much of who the city is has been based on access to the railroad, and now the completion of I-22, which connects Memphis to Atlanta by way of Birmingham, is giving them more leverage in their recruitment efforts to their 220-acre commercial park and their industrial park.

Furthermore, Guin has been active with the League for many years. It was designated as an Alabama Community of Excellence in 2005 and an ALM Certified Municipality in 2019. Mayor Segraves served as the League's president in 2016 and currently serves on the board of directors.



Guin was established in 1889 on Dr. Jeremiah Guin's farm. This was the site where the Frisco Railroad met between Memphis, Tennessee and Birmingham.



In 1954, 3M broke ground on a 60-acre site in Guin that used to be a cotton field. It is now one of the largest employers in the area.



The Holiday Inn of Guin is located right off of I-22.

He exclaimed, “Knowledge is an acquired commodity. Being involved in the CMO and ACE programs has allowed me to expand my base. Identifying resources, developing a plan to build on your assets, and improving your areas of concern are all part of the CMO and ACE programs. The relationships you develop along the way are priceless, and it is imperative that we stay active and current in the community.”

Guin is certainly doing all it can to make its case for being current by earning the distinction of being an Alabama GIG Community. Gigabit refers to a data transfer rate of 1,000 megabits-per-second (Mbps), which means his city’s broadband speed is by far way faster than the national standard. The Federal Communications Commission’s broadband speed benchmark is 25 Mbps for downloading and 3 Mbps for uploading data.

Mayor Segraves is very proud of all that Guin has achieved during his tenure, but he is keeping his sights set

on the future. As for those that are interested in participating in EDA, the mayor has this advice to share, “Treat this as an investment of your time and resources to improve your city.”

ALM is accepting EDA applications until August 30, 2023; up to 10 communities will be accepted. For more information, visit the EDA webpage (almonline.org/EconomicDevelopmentAcademy), or contact Bryan Parker at bparker@almonline.org. ■





ECONOMIC DEVELOPMENT ACADEMY

The EDA was launched in 2021 and is specifically designed to educate and engage municipal officials on the essential elements and phases of economic development while highlighting their vital role in economic initiatives and projects within their communities.

Application for 2024 class closes August 30



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Trisha Black • Assistant State Coordinator • Main Street Alabama

The Main Street Alabama designation program is a crucial milestone for communities looking to revitalize their core districts and promote economic growth. Main Street Alabama's selection process is rigorous and ensures that communities have demonstrated a need for the MSA Program, a strong public-private partnership, a desire to run an inclusive program and an adequate budget. Centreville and Russellville have been selected by MSA, joining 30 other designated communities, which recognizes their immense potential and dedication to preserving their unique character while enhancing their downtown districts. Through MSA's technical services, these communities will receive invaluable support to cultivate thriving local economies, attract visitors and foster a sense of community pride. The MSA designation allows local programs to use the trademarked Main Street Alabama name, further promoting their dedication to revitalize their downtown areas.

Following the designation announcement, MSA staff organized a comprehensive on-site training session for

the steering committees/boards of the newly designated programs. The two-hour training provided an overview of board roles and responsibilities, best organizational practices, and available MSA resources. The training was followed by a public media event and celebration to mark the official launch of the MSA Program.

In 2016, Russellville (population 10,866), became affiliated with MSA's network as an introductory level of service. This provided the community with access to Main Street Alabama's resources, training on Main Street's Four Point Approach®, a discount to MSA's training workshops and the opportunity to apply for designation. Recently, in 2022, Russellville was selected to serve as a pilot for MSA's new Aspiring tier. This tier is focused on selecting an organizational structure, board training, building a volunteer base, creating a funding strategy, as well as short term goal setting and implementation. The group agreed to participate in the pilot and thus formed the Downtown Russellville Collective.

The Downtown Russellville Collective, while progressing

An aerial view of uptown Centreville.



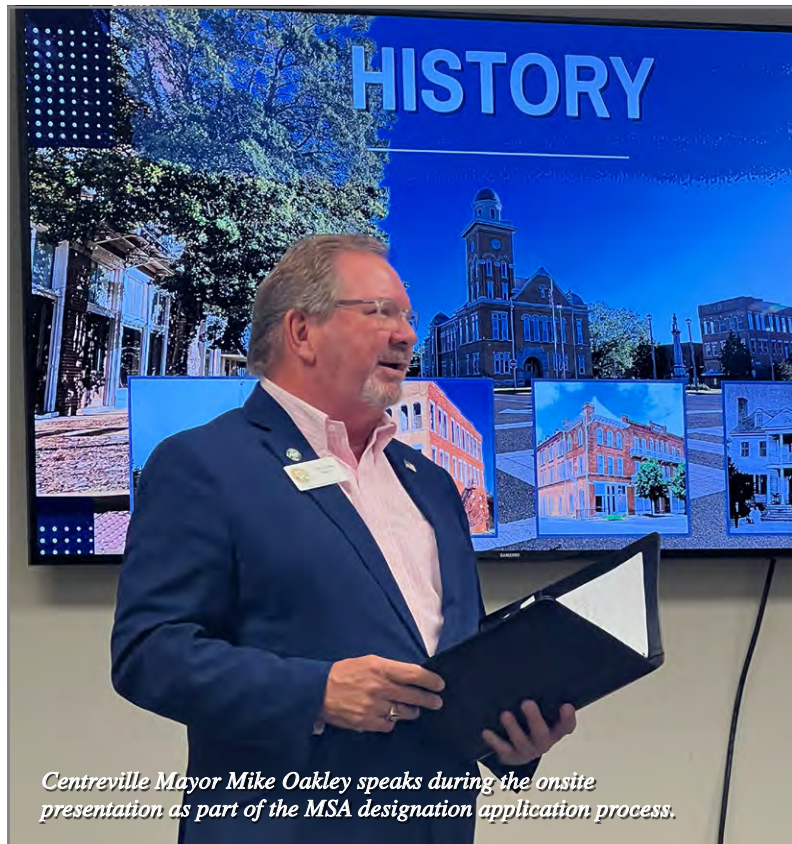
through the Aspiring track, decided to apply for designation. In January 2023, Ann McDermitt, the newly appointed Downtown Russellville Collective director, attended an application workshop in Huntsville to gain a deeper understanding of the designation application process. Following the submission of their written application in early May, the group was given the opportunity to make an in-person presentation to the selection committee. This presentation took the form of a captivating singer/songwriter showcase, involving approximately 15 participants, including Russellville Mayor David Grissom. Each participant had the chance to express what makes Russellville special and emphasized the importance of downtown. The group highlighted the necessity for a thriving main street, focusing on their desire to see more businesses, the revitalization of buildings and the creation of an inviting environment for residents and visitors alike.

Over the last nine years, the city of Russellville has made significant strides toward revitalizing its downtown area. During a visit in 2017, I had the chance to tour several empty buildings with Chris Chain, owner of Renovations of Mississippi, and city officials to discuss the possibility of upper floor living. Thanks to a recent streetscape project, the city had already provided taps to the buildings, making it easier to access water for sprinkling.

Following our visit, Mayor Grissom and Franklin County Commissioner Chris Wallace, his business partner, renovated a downtown building, adding two apartments upstairs and retail space on the first floor. Since then, downtown Russellville

has added eight loft apartments and a five-room boutique hotel. Additionally, the relocation of a Russellville florist to the district, coupled with the addition of new restaurants, has already led to increased foot traffic downtown.

The results of these revitalization efforts are clear. Since June 2022, Russellville has seen the creation of six



Centreville Mayor Mike Oakley speaks during the onsite presentation as part of the MSA designation application process.



The view from a loft overlooking businesses in Russellville.



Chris Wallace, Franklin County commissioner, speaks at Russellville's Main Street organizational kickoff.

new businesses, resulting in seven new jobs and private investment of \$805,531. We are thrilled to see the positive impact of these efforts and are committed to continuing our work to make downtown Russellville a vibrant and thriving community.

In late 2019, MSA State Coordinator Mary Helmer Wirth and I had the opportunity to visit Centreville (population 2,781). During our visit, we were impressed by the building stock and had the opportunity to tour the former Bibb County Bank and Trust building, located on Court Square East in uptown Centreville. However, concerns arose by the sight of water pouring through the ceiling in certain areas. We realized that if immediate action was not taken, Centreville would risk losing this valuable historic asset.

Due to the unforeseen circumstances of the COVID-19 pandemic, it was not until 2021 that our staff could finally return to Centreville to make a presentation on how the community could benefit from becoming affiliated with Main Street Alabama. Centreville made the decision to join the MSA network in 2022.

Centreville saw a rejuvenation last year as electrical engineer, Jeff McGee, relocated his firm to his hometown. McGee recently purchased the bank building and wasted no time in securing it against further damage. His vision includes converting the upper floors into apartments, while the first floor will be dedicated to retail and office spaces, including an office for Centreville Main Street.

Not content with just one project, McGee has more rehabilitation ventures in the pipeline. The community started buzzing with excitement as they witnessed the renewed interest in the district and the future transformation of these architectural treasures.

This renewed interest motivated Centreville to apply for designation in 2023. In May, a united front of city officials, including Mayor Mike Oakley, community organizations such as Bibb Medical Center, and property owners (like McGee), presented their case to MSA's selection team. The collaboration between public and private entities exemplified the power of a true partnership, where shared goals and a collective vision could drive positive change.



Centreville team members participated in the onsite presentation for the MSA designation.

Centreville, a community with a strong dedication to preserving its history and natural resources, expressed interest, in their application, in historic restoration and economic development through its partnership with MSA. The community stated a desire to build an organization that would restore historic assets, foster entrepreneurship and capitalize on its natural resources, such as the Cahaba River. With a focus on creating a more vibrant and sustainable community, Centreville looks to MSA to help develop an uptown center that will drive economic growth and community vibrancy.

Both communities will receive a visit from our strategic plan resource team in the upcoming months. The team consists of experts in the Main Street Four Point Approach® focusing on design, promotion, organization and economic vitality. The visit will span three days and will involve various meetings with stakeholders, a public visioning session, an online survey and a public presentation. Each team member will provide individual findings specific to the community.

Following the visit, a comprehensive strategic plan will be developed within six weeks. This plan will outline recommendations for the next five years, tailored to the unique needs of each community. In order to ensure that the team addresses each community's specific requirements, team members are selected based on those needs. For instance, considering Russellville's significant Hispanic population, which constitutes over 40% of the total population and includes a substantial number of Hispanic-owned businesses in the district, an additional team member will be assigned to work closely with this segment of business owners.

In year two, each community will receive a comprehensive downtown market study. This study will provide valuable primary and secondary data, as well as recommended economic development strategies specifically tailored to our Main Street Alabama program. This in-depth analysis will help guide our communities toward sustainable growth and success, and in year three, both communities will engage in a branding service that will result in district and program branding. This exciting initiative will help create a strong and cohesive identity for each MSA district.

During this initial designation phase, MSA also provides a wide range of resources and services. These include extensive training in each of the four points, a board retreat



with goal setting, work plan training, and access to customer relationship management (CRM) software to track economic impact and building inventory.

It is important to note that MSA's dedication to supporting designated communities goes far beyond the initial designation phase. District revitalization is an ongoing commitment, and MSA is fully dedicated to providing continuous training, advocacy, and collaboration to ensure the long-term success of MSA programs. Through ongoing support and guidance, we aim to empower MSA programs to thrive and achieve sustainable success. With ongoing efforts, MSA aims to create vibrant, prosperous and sustainable communities across Alabama.

To learn more about Main Street Alabama or to schedule an on-site visit, email info@mainstreetalabama.org or contact Mary Wirth at (205) 910-8819. ■



Trisha Black joined Main Street Alabama in 2016 after working as a local director in Athens, AL. In 2020, she transitioned into marketing and communications and earned her Main Street America Revitalization Professional certification. In 2022, she became MSA's assistant state coordinator.



Creating Jobs. Keeping Character.

Clotilda: The Exhibition Opens

After 163 Years, Stories of the 110 Survivors of the Last American

Mindy Bianca • Founder & CEO • Mindy Bianca Public Relations

Mobile, Alabama — Saturday, July 8 marked the grand opening of “Clotilda: The Exhibition” at Africatown Heritage House, located in the heart of one of the most significant communities in African American history. The opening took place on the 163rd anniversary of what’s locally known as “The Landing,” the date when 110 West Africans arrived in the United States – in shackles and against their will – on the last documented slave ship to arrive in this country.

The exhibit tells a big story in a small space that’s not so much larger than the ship that transported the 110 back in 1860 – 52 years after international slave trade became illegal – then was burned and sunk to cover up the crime that had been committed. The group survived the Middle Passage and five years of enslavement, then created the only community of its kind, one that was entirely run by African-born Americans. There they maintained their African identities; continued to speak their languages; established their own set of governance; and built churches, schools and businesses based on what they knew from their homeland.

It’s the ultimate story of resilience, and it’s one that has long needed to be shared. A tale that was once only whispered among descendants of the 110 is now – finally – being heard by people around the world.

In 2019, the remains of the shipwrecked *Clotilda* were identified at the bottom of the Mobile River, providing irrefutable proof of the 160-year-old crime. The sunken ship also offers a tangible link to the 110, making their descendants a rarity among the millions of African Americans who long for specific details about when and how their ancestors were forcibly brought into the United States.

Some pieces of the sunken ship scientifically verified to be the *Clotilda* are among the artifacts on display in the exhibition, which puts its emphasis not on the ship, but on the 110 men, women and children it brought to the United States. The exhibit also features a variety of other artifacts, interpretive text panels and documents.

That paperwork includes land deeds and marriage certificates that prove that the shipmates – most of whom didn’t know each other before their capture, many of whom didn’t even speak the same languages or practice the same religions – became a community and, by all reckoning, each other’s family in the absence of true kin.

Ripped apart from everyone they knew in West Africa, the survivors eventually established their own family units in the United States. Because they arrived five decades after international slave trade was abolished and they were quite young at the time – the oldest *Clotilda* survivors were in their early 20s in 1860 – some of them lived well into the 20th century and documented their first-hand accounts. This means that their children and grandchildren knew the stories of what happened to the 110 – their capture, their enslavement, the Middle Passage, and the burning and sinking of the *Clotilda* – and passed them down from generation to generation.

The modern-day descendants – ranging from third generation into seventh generation and perhaps beyond – were the first people to visit the exhibition. Out of respect to the descendants, the exhibition opened in a special preview for them a couple of days early. Throughout that day, hands were held, tears were shed and hugs were shared, all representing a mix of emotions that ran the gamut from grief to joy.

“I hope the exhibit draws attention to the story of our ancestors’ beginnings and to the challenges the Africatown community faces today,” said Jeremy Ellis, president of Clotilda Descendants Association.

On July 8, which marked the public opening of both Africatown Heritage House and *Clotilda: The Exhibition*, the community of Africatown came together to invite the world to share in a story that has been 163 years in the making.



CLOTILDA
THE EXHIBITION

AT THE AFRICATOWN HERITAGE HOUSE
A SITE OF THE HISTORY MUSEUM OF MOBILE

at Africatown Heritage House

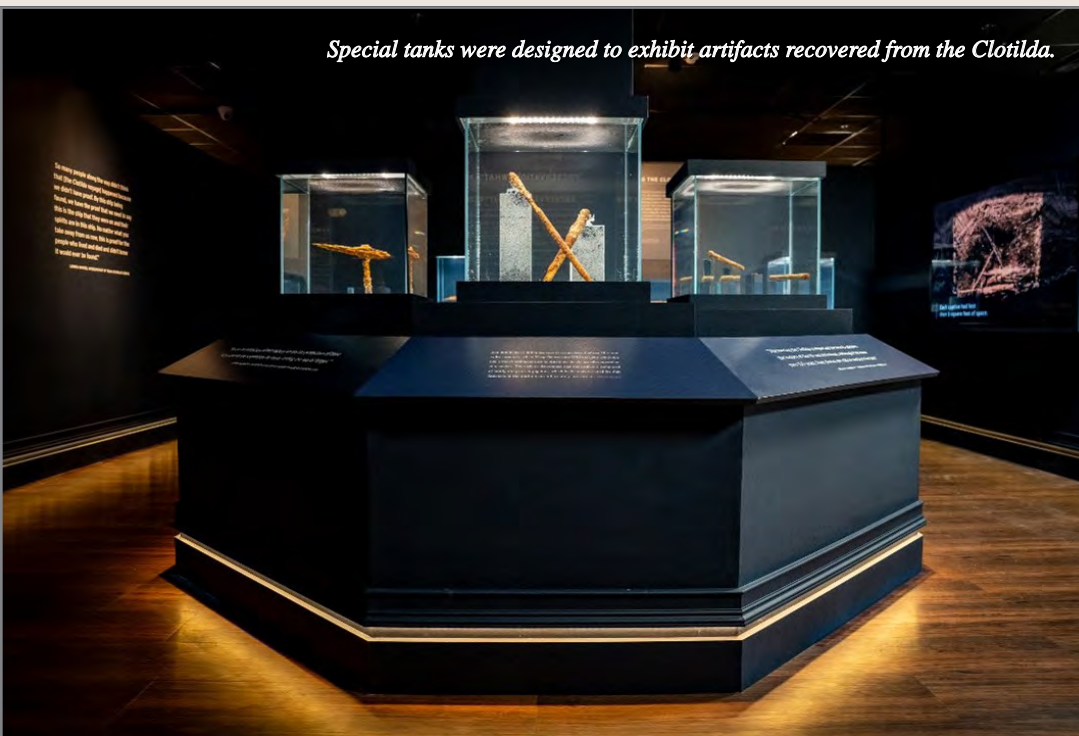
Slave Ship are Finally Shared with the World

The first hundreds of visitors who passed through the doors included descendants from around the country, members of the community, people who have been following this fascinating

story for years, the dive team and marine archaeologists who are studying and conserving the boat, the elected officials and donors who set aside the funding to create the site and exhibition, and the museum curators who have worked hard to trace the stories of the survivors.

"I have spent years reading and writing stories of the survivors," said Meg McCrummen Fowler, the director of the History Museum of Mobile, which curated, constructed and funded the exhibition and operates Africatown Heritage House. "You can't do that and not be changed. My hope is that visitors to Africatown Heritage House will leave not just having learned historical facts, but rather having had an experience with history that brings the humanity of the story into sharp relief ... and maybe even

Special tanks were designed to exhibit artifacts recovered from the Clotilda.



Scan the QR code to view Alabama Public Television's video, Africatown Heritage House.





*Top: The exhibit follows Africatown residents throughout history.
Left: Altevese Lumbers-Rosario, vice president of Clotilda Descendants Association, stands next to a sculpture of Kossola.
Bottom: Africatown Heritage House*



learning something about themselves in the process.”

Africatown Heritage House is open Tuesdays through Saturdays, from 10 a.m. to 5 p.m. Due to space limitations, tickets for *Clotilda: The Exhibition* – which will remain at the site for at least three years – are timed and should be reserved online in advance of a visit. Tickets, which

can be purchased up to 60 days in advance, are \$15 for adults; \$9 for guests ages 65 or more, students age 18 or more with a valid school ID, and active or retired military with ID; \$8 for children ages 6 to 18; free for children 5 and under; and free for Mobile County residents with proof of residency (though donations are encouraged).

“I hope that visitors leave Africatown Heritage House knowing that there is still greatness in the community and amongst the people, and feel deeply connected to something larger than themselves,” said Altevese Lumbers-Rosario, vice president of Clotilda Descendants Association. “That is what my ancestor, Kossola, and the remaining founders of Africatown strived to embody, teach their descendants, and anchor their lives to.” ■

OPPORTUNITY ALABAMA

Launches New Services for Communities as the Organization Reaches its Five-Year Milestone

Keya Kraft • Director of Storytelling • Opportunity Alabama

Formed in 2018, Opportunity Alabama (OPAL) is a statewide nonprofit that helps communities identify, scale and de-risk projects or initiatives that improve quality of place through the built environment. We work in all types of communities to create the kind of spaces that support local businesses, create jobs, generate new or improved units of housing or meet other defined community needs. Partnering with local entities working on projects of all asset classes (industrial, mixed-use, historic rehabilitation, workforce housing, etc.), our goal is to position them to secure the capital investment needed to deliver on budget and on time. We also help communities secure grant funding for local place-based initiatives to improve economic vitality and create conditions that attract quality developments. To date, OPAL has worked in communities across 40 of Alabama's 67 counties, with the goal of impacting all 67 by the end of next year.

Our Services

To help communities identify and scale the kind of development they want, we now offer three technical

assistance programs, each designed for a different type of local stakeholder looking to do something catalytic in their community.

Through the **Community Growth Accelerator (CGA)**, OPAL works with a team of local leaders to assess local opportunities and then identify the project or initiative that sits at the intersection of three critical metrics: (1) community impact, (2) speed to market and (3) ability to finance. A team participating in CGA can be led by a Main Street Alabama city director, municipal leader, economic developer, chamber of commerce director or nonprofit leader capable of building a local coalition focused on place-based solutions for economic vitality. Through our kickoff one-day site visit, subsequent meetings with the CGA team and interviews with other relevant community members, we identify one development project or initiative that can be accelerated over a two-month to four-month time period.

Our focus is local and place-based, so each community's results are unique to their needs and opportunities at the time of the engagement. For example, we helped Main Street Marion to plan and secure grant funding for a revolving loan fund to

The Miles College Community Development Corporation in Fairfield, AL worked with OPAL through the Community Growth Accelerator to secure funding for a critically-needed LMI housing initiative targeting the historic neighborhoods near Miles College.





OPAL staff toured Talladega, AL for a site visit to kick off Community Growth Accelerator engagement in 2022.



OPAL staff visited the campus of Auburn's Rural Studio in Newbern, AL and met with local nonprofit and small business leaders in 2022.



OPPORTUNITY ALABAMA

support small businesses in their historic downtown district. We helped the Miles College Community Development Corporation in Fairfield refine their plan to acquire and redevelop tax-delinquent residential lots to meet housing needs of low-to-moderate income residents. We helped the Centreville Historic Preservation Commission engage local stakeholders around revitalization of a city-owned anchor historic property, resulting in the sale of the property to a developer who has already begun stabilizing the structure. Through CGA, we bring local stakeholders to the table to strategize immediate results. Because progress is incremental, CGA is focused on achieving a first step to improve quality of place and catalyze further growth and vitality.

Our **Property Development Assistance Program (PDAP)** helps property owners and emerging developers take a community-supported project through predevelopment to construction. We support individuals working in underserved markets who want to do something catalytic with real estate. Our staff brings decades of experience developing and securing financing for commercial real estate projects across the state. Through PDAP, we help the development team create a predevelopment schedule and budget; evaluate the property's highest and best use; create a pro forma; identify incentives and tax credits that could bring subsidy to the project; and develop a comprehensive capital stack. We de-risk community-supported projects so they have a greater chance of delivering on budget and on time. Many of the projects we support through PDAP have been identified through CGA. We piloted PDAP in several communities in early 2023, and officially launched the program in the summer of 2023.

Many Alabama communities have faced decades of disinvestment and economic distress, limiting the range of projects that can be immediately successful without significant risk. To create stronger local conditions, we connect local nonprofits and municipalities to state and federal sources of funding with our **grant writing assistance** services. Sometimes, our grant writing services directly follow the work of a CGA team that has planned a local economic development initiative. For instance, we helped Main Street Marion apply for a USDA grant for their small business revolving loan fund, a concept developed during CGA.

We have also helped secure predevelopment dollars and gap financing for projects in our PDAP program. In the summer of 2023, we began offering grant writing as a contract service. For an entity that has already planned a viable program (and identified a grant to fund it), we can help develop a compelling narrative for how that initiative will effectively and efficiently meet local needs. Piloting these services in late 2022, we have helped communities secure more than \$1.6 million in grant funding to date.

In addition to CGA, PDAP and grant writing assistance, OPAL has raised and launched a new impact-oriented capital vehicle, called OPAL Community Capital (OCC), for projects in underserved markets that will have significant impact. We launched OCC in early 2023 to meet the needs of some of the small businesses, developers, and property owners we were identifying through CGA and PDAP. Our goal is to grow OCC into a Community Development Financial Institution (CDFI), which will allow us to further scale our “impact through real estate”-oriented investment strategy.

Why We Exist

Founder and CEO, Alex Flachsbarth, began contemplating the impact an organization like OPAL could have while working as an economic development and corporate tax attorney at Balch & Bingham and familiarizing himself with the opportunity zone legislation in the 2017 Tax Cuts and Jobs Act (Public Law No. 115-97). He and several other major stakeholders across the state realized that Alabama had, for decades, been missing out on the capital investment needed to spur revitalization of Alabama’s disinvested places. OPAL was created to help those disinvested communities identify their priorities for development and then leverage the capital resources available (including but not limited to opportunity zone investment, new market tax credits, federal grants and loan guarantees, CDFI lending, etc.) to spur private investment

in the kinds of catalytic projects that can revitalize local economies across the state.

For projects supported through CGA, we have secured more than \$16 million in outside investment. Through our programs and investment through our capital vehicles, we have leveraged an additional more than \$450 million in private investment. These projects have produced an estimated



2,000-plus construction jobs with thousands of permanent jobs anticipated as projects reach completion and secure tenants. We have brought \$1.6 million in grant funding to multiple Alabama communities for initiatives to support small businesses, grow local innovation ecosystems, build LMI housing and more. We are excited to officially launch these programs and help more communities attract the kind of transformative investment that they want and need. We admit participants to our programs on a rolling basis, so email a member of our team at opportunityalabama.com/about/ to learn more about how you or a member of your community can apply for CGA, PDAP or our grant writing assistance services. ■



As OPAL's director of storytelling, Keya Kraft supports the communications team and leads grant writing and reporting for the organization. She also oversees OPAL's grant writing assistance program for communities across the state, which has developed successful applications to fund initiatives to develop LMI housing, historic revitalization, small business support, and entrepreneurship and innovation programs. Prior to joining OPAL, Keya worked with state agencies, academic researchers, and nonprofits to develop grant applications (securing more than \$33 million for the state of Alabama), reports, strategic plans, and case studies. She has taught literature and writing at Washington University in St. Louis and Samford University.

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