



1st sign of Obstruction of Commerce

Is Ensley in an Opportunity Zone?

First response: No, Ensley was left out due to a “clerical error”

Josh Carpenter: 8-5-2018

Director Of Economic Development



Josh Carpenter
Director of Economic Development



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“Material Facts” and “Legal Cause” of Obstruction of Commerce Brian discover letter Mayor Woodfin send to Governor Ivey.

LIBERTY



CITY OF BIRMINGHAM

OFFICE OF THE MAYOR

PUTTING PEOPLE FIRST

March 6, 2018

Honorable Governor Kay Ivey
State Capitol
600 Dexter Avenue
Montgomery, AL 36130

Dear Governor Ivey,

I submit this letter to request your consideration of the enclosed proposal to designate Birmingham's eligible census tracts as Opportunity Zones. Since meeting with you on February 2, 2018, my team has been working hard to determine which census tracts contain the appropriate mix of economic assets and community development projects that would yield a return for investors, produce value for Birmingham residents and deliver on the promise of creating opportunity for the small businesses, entrepreneurs and institutions that are vital to a thriving community and state.

In total, the City of Birmingham contains 49 census tracts that are eligible for Opportunity Zone designation, according to the 2011-2015 American Community Survey data. However, we understand and appreciate that you are only able to designate 157 tracts statewide. Consequently, we built a framework for identifying community and economic assets that would enable us to objectively determine which census tracts we would recommend to you for nomination.

The attached proposal outlines in detail the model we used to identify the 49 tracts we propose for Opportunity Zone designation in Birmingham. Our formula took into account the number of unique assets located in each tract, relative to their importance to Opportunity Zones. Each tract was scored according to the distribution of the following assets: post secondary education institutions, incubators and accelerators, co-working spaces, brownfield sites, city-owned assets, transit nodes, and foreign-trade zones.

This framework was co-created with members of the Birmingham business community, as well as non-profits and community developers, symbolized by the 28 leaders who have signed letters of support appended to this proposal. Although reasons for these constituents' support may vary, they share the belief that Birmingham's economy is ripe with the investment activity that Opportunity



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8 5 2018 Route Fifty, Senior Reporter, Bill Lucia: **Figuring Out If 'Opportunity Zones' Can Revitalize Struggling Neighborhoods**

Josh Carpenter, economic development director for Birmingham Mayor Randall Woodfin, recalled how, shortly after the Opportunity Zones program became law, the mayor's office sought to identify areas that are both ripe for investment and **struggling economically.**

<https://www.route-fifty.com/management/2018/08/alabama-opportunity-zones-birmingham-huntsville/150291/>

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8 5 2018 Route Fifty, Senior Reporter, Bill Lucia: Figuring Out If 'Opportunity Zones' Can Revitalize Struggling Neighborhoods

"Carpenter, (head of economic development for the city of Birmingham) in an email this week, blamed a **"clerical error"** for the commercial tract getting left out."

"He said the city asked for the Ensley Commercial Business District to be included as an Opportunity Zone in the original proposal it sent to the governor, and made the same request in a follow up letter to **Ivey's office** after the state had sent in its submission to the **feds.**"



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1st sign of Obstruction of Commerce

ADECA State Representative **disagree** with Carpenter, the City of Birmingham Economic Director “clerical error” statement 8-5-2018 In Route 50 Article “figuring out if Opportunity Zones can revitalize struggling neighborhoods”



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BIRMINGHAM BUSINESS JOURNAL

Opportunity Zone Announced Projects

Prepared by Brian K. Rice www.briankrice.com

Opportunity Zone investments routed away from distressed areas to most affluent Birmingham Census Tracts. It is time to route resources designed for our distressed underserved communities to our communities.

NEWS NOV 21, 2019, 2:18PM CST

Opportunity Zones project to revitalize historic Woodlawn Theatre

music lessons. The project is a \$500k transaction, which has a 1/6k sf involved in other Birmingham and Opportunity Zone projects. REV Birmingham and Opportunity Alabama also supported efforts...



NEWS SEP 4, 2019, 10:01AM CDT

Local group completes \$1.7M renovation of Fourth Avenue office project

before that Burr & Forman. In addition to the \$1.7M renovation, the project qualified for \$1.7M rehab incentives, the project qualified for \$1.7M rehab tax credits for 2022, but those funds may be allocated sooner as...



NEWS DEC 23, 2019, 3:22PM CST

Land Title Building downtown sells for \$3.3M

received greater impetus when the \$3.3M buy / may use OZ qualified as an Opportunity Zone.



NEWS JAN 15, 2020, 12:21PM CST

Local developer details plans for Southside mixed-use project

affiliated acquired the property in November, according to public records. Turner said the team may utilize Opportunity Zone funding



OZ funding so good they sent \$1.5m back to City of Birmingham, 38k sf

NEWS NOV 6, 2019, 2:48PM CST

Lakeview Green developer secures Opportunity Zones funding

Tuesday regarding the Lakeview Green project, which aims to bring green space, 30 condos for sale, 73 apartments for rent and roughly 36,000 square feet of retail space to the former Davis School property.



The market is so good these 2 developments turned down OZ Funds

NEWS NOV 11, 2020, 2:45PM CST

Third building for 20 Midtown moving forward as developers recapitalize, secure financing

, once complete, will come to between \$170 and \$180 million with the additional interest carried. Schmalz said they looked into using the Opportunity Zone program but decided not to go that...



NEWS SEP 4, 2020, 3:20PM CDT

Orchestra Partners details plans for new Urban Supply development in Parkside

utilizing the Opportunity Zone funds have shown we are reviewing the project with them, or...



June 11 2021, Last Announced Project, 1 block away from Southern Research where the creator of the OZ maps and former city economic development director is now the president of in the most developed census tract in the entire city

New student housing development planned for Parkside

Opportunity Zone fund. The company also has a \$55m / The Marshall Servis1st Bank



Dobbins Group developing new \$16.5M luxury multifamily community in Avondale

CB&S Bank in Russellville, Alabama. Located in \$16.5m / 96 units



NEWS MAR 4, 2020, 2:58PM CST

Utah multifamily investor acquires Birmingham Opportunity Zone assets

A multifamily investor out of Utah is investing in the Birmingham market with a couple property buys. Morfar \$14 units Utah



Sticks 'N' Stuff developer acquires more property on Third Avenue North

Third Ave. is a vacant corner lot intersecting \$3m htc



NEWS JUL 31, 2019, 2:47PM CDT

Third Avenue North building to be redeveloped for residential, retail space

firm Reconomy. The group is scheduled to receive \$1.6m htc



NEWS JAN 8, 2020, 3:02PM CST

Historic building near Pepper Place to be redeveloped for office space

historic renovation tax credits. Located in the \$609k buy / 6k sf



NEWS APR 21, 2021, 10:34AM CDT

Opportunity Alabama launches \$13M OZ fund to spur local impact development

An Alabama organization synonymous with champion \$13m



NEWS JAN 17, 2020, 2:55PM CST

Local investors buy historic downtown building for \$1.9M

Birmingham's Historical Preservation Authority in 2001. \$1.9m buy / \$3m upgrades



How coronavirus helped Bayer Properties move forward on \$20M project

interesting, and we just got it the very first time we walked through the building." The project will be funded by a combination of Opportunity Zone funds, historic tax credits \$20m



NEWS JUN 16, 2021, 11:31AM CDT

Graham & Co. poised to begin \$15M Crossroads Commerce Center industrial project

builder, Designform is the project architect, and South \$15m



NEWS MAY 13, 2021, 2:33PM CDT

Metropolitan secures financing, breaks ground on 2323 condo project in Southside

Opportunity Zone program, "I am excited to see \$3.2m / 11 units



NEWS JUL 9, 2019, 2:58PM CDT

Local investor buys downtown property for \$2.58M for new company HQ

historic properties into attractive office \$2.58m buy / may use OZ



NEWS MAR 10, 2020, 3:01PM CDT

Mixed-use development in works for historic downtown building

Alabama Historical Commission. Reebals said the project was put on hold until the tax incentives were approved. He said they are also working on an Opportunity Zone fund. Reebals said the \$1.894m htc



NEWS FEB 19, 2020, 1:42PM CST

Opportunity Alabama receives grant and big award

\$3.3m OZ grant



Developer launches \$40M rehab of Building Trades Tower in Five Points South

Opportunity Zone fund equity, Harwell said. Iberia Bank \$40m / \$5moz



PNC closes on first Opportunity Zone deal in Birmingham

Building when completed in late 2020. "The opportunity zone program) is the first federal program released in 2017. \$23.4m \$11m OZ



Work begins this week on New Ideal Lofts

property represents one of many in Birmingham that are \$13.5m



NEWS AUG 27, 2020, 2:08PM CDT

Developer sheds more light on plans for American Red Cross building

Cross buildings. The project's capital stack includes \$28.8m



Prominent property on Rotary Trail sold for \$1.365M

-foot warehouse. It is currently zoned M-1, light manufacturing district, and, like most of downtown Birmingham, it is located within an Opportunity Zone. Morton previously told the \$1.36m buy



Ideal Building Lofts downtown changes hands in \$4.5M deal

19th Street. "Birmingham continues to be an attractive market for investors and developers due to our large Opportunity Zone coverage, low taxes and potential upside for growth." Howard \$4.5 buy



m= million, oz = Opportunity Zone, htc = state & federal historic tax credit, when price is unknown it is key to note that htc is 45% or less of total project cost. When buy is listed it means the article didn't show rehab cost

Birmingham City Councilman Hilliard said: "I just don't know how we got left out" he said." The explanation the councilman heard from the mayor's office was that the neighborhood was excluded due to an error.

Carpenter, in an email this week, blamed a "clerical error" for the commercial tract getting left out.

8 5 2018 Route Fifty, Senior Reporter, Bill Lucia: Figuring Out If 'Opportunity Zones' Can Revitalize Struggling Neighborhoods

Councilor John Hilliard:
Economic Development
Committee Chair

City Council – Dec 2018 – 2021
Who have seen all the Opportunity
Zone developments

City Council – 2018 at time of
Opportunity Zone designation

8 6 2020 Councilman Darrell O’Quinn. I think the geography is really important,” “There’s been a lot of conversation around the federal Opportunity Zones – tax shelter basically – and there are places that we visit daily where you would not think would need any incentive for investment but yet they’re included in the Opportunity Zone.” (picture from Birmingham AL City Council about us page) (quote from

6 2020 Birmingham Business Journal Birmingham to consider capital improvement cooperative district)

**Birmingham City Councilman
Darrell O’Quinn**

(Image: Birmingham Watch)



CITY OF BIRMINGHAM

The Opportunity Zone Guide

- 1 Downtown:** With \$1.6 billion in construction activity since 2015, hundreds of net new businesses created, the lowest median age in all of Birmingham and key anchors like Railroad Park, UAB, and Innovation Depot, Downtown Birmingham is the engine driving growth in Birmingham.
- 2 Downtown East:** Home to Birmingham's brewery cluster, these Opportunity Zones incorporate some of the trendier spots in Birmingham and young people are flocking to the new live-work-play environment that has been created here over the last five years.
- 3 Downtown West:** A primarily residential area with substantial housing stock in need of renovation, Downtown West is a short walk or bike ride away downtown locales like the Innovation District, Parkside, and UAB - and from DC Blox's recent announcement of a flagship data center to the Blazer Home initiative, Downtown West is poised for rapid growth in the next decade.
- 4 North Birmingham:** This neighborhood is an advanced manufacturing powerhouse with one of the largest concentration of employees anywhere outside of downtown and is internationally recognized for its role in the civil rights and environmental justice movements.
- 5 Eastlake:** This primarily residential Opportunity Zone boasts its own central business district and hundreds of acres of potentially developable land controlled by the Birmingham Airport Authority - with patient capital, there is tremendous potential for long-term business and



BIRMINGHAM, AL

Fountain Heights - North Birmingham Redevelopment

We're one of America's most livable cities, with a live-work-play downtown that has seen over **\$2 billion** in private investment over the last three years.

- 8 Woodlawn / Crestwood:** Thanks to the Woodlawn Foundation, REV Birmingham's SocialVenture, and the hard work of local residents, historic Woodlawn's beautiful, historic neighborhood commercial district is coming back to life - and with new residents pouring into Crestwood (where one of Birmingham's largest shopping malls sits vacant), commercial redevelopment opportunities abound.

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Birmingham to consider capital improvement cooperative district



- **With Birmingham projects currently in the pipeline valued at over \$1 billion — \$865 million of which does not involve UAB** — Carpenter said the potential cooperative district could even further create momentum going into fall 2021 for projects and small businesses that need capital.
- “I think the geography is really important,” said Councilor Darrell O’Quinn. “There’s been a lot of conversation around the federal Opportunity Zones — tax shelter basically — and **there are places that we visit daily where you would not think would need any incentive for investment but yet they’re included in the Opportunity Zone.**”
- O’Quinn said he believes this initiative is an advantageous solution for securing New Market Tax Credits, which are intended to create new opportunities, but the new board would have to be vigilant that incentives are **distributed equitably.**
- **“Historically, there have been parts of the city of Birmingham that haven’t gotten the same level of investment,”** he said. **“We want to make sure that we don’t go down that same path again.”**

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CRE pros bullish on Southside's construction pipeline

Opportunity Zone incentives, the interest rates are attractive to



- **“Parkside district is about built out,** so look for the area from the Red Mountain Expressway to 20th Street to really take off,” Shannon said.
- **About \$4.5 million in property transactions have closed in Southside over the past few weeks, paving the way for several projects.**
- There was New Jersey-based Aptitude Development **scooping up** half a block on Third Avenue South for more than **\$3 million** as it makes headway on its new student housing development, “The Marshall.”
- **The south side** is offering two **extremely stable real estate drivers** in medical and additional housing that is under construction or proposed,”
- Coupled with tax credits and **Opportunity Zone** incentives, the interest rates are **attractive** to both developers and end users.

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Viewpoint: Historic renovation tax credit has proven its worth

Ty West – Editor-in-Chief, Birmingham Business Journal Feb 28, 2020, 12:13pm EST

- While the tax credit has been utilized by developers across the state, the tax credit also has had a significant impact on Birmingham’s trajectory – owing to both the city’s high concentration of historic buildings and the **ongoing building boom** that’s happening in the Magic City and urban cores around the nation.
- **Given the high level of outsider investor interest in Alabama and the fact that virtually all of downtown Birmingham is an Opportunity Zone, it would be **foolish** to let the credit expire again.**
- <https://www.bizjournals.com/birmingham/news/2020/02/28/viewpoint-historic-renovation-tax-credit-has.html>

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The image shows a close-up of the masthead of the New York Times newspaper. The title "New York Times" is printed in a large, black, serif font. To the right of the title, the words "BUSINESS OFFERS" are visible in a smaller font. The background consists of the dense, small text of the newspaper's content.

Trump Tax break that benefited the rich is being investigated

- The Treasury Department's watchdog said it was looking into the Opportunity Zone program, a multibillion-dollar tax break that is supposed to help low-income areas.
 - **A federal tax break meant to help poor communities that became a windfall for wealthy investors** is being investigated by the Treasury Department, the agency's deputy inspector general said on Wednesday.
 - The inquiry is being conducted at the request of three Democratic lawmakers, Senator Cory Booker of New Jersey, Representative Emanuel Cleaver II of Missouri and Representative Ron Kind of Wisconsin.
 - The lawmakers made their request after articles in The New York Times and ProPublica raised questions about the Opportunity Zone tax break.
 - <https://www.nytimes.com/2020/01/??/business/trump-opportunity-zone-investigation.html>
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Feds shed more light on potentially transformative program for Birmingham

Brent Godwin – Real Estate Editor, Birmingham Business Journal

Nov 7, 2018, 3:53pm EST

- The Opportunity Zones program allows individuals or corporations to roll unrealized capital gains into opportunity funds that can be used for investment in startups and small businesses, as well as real estate development, **in traditionally low-income areas.**
- The city of Birmingham said in a statement that it plans to "showcase the community and economic development assets that are ripe for investment and **growth in our neighborhoods.**"
- Josh Carpenter: "Opportunity zones are a tool to play offense on **neighborhood revitalization priorities**
- <https://www.bizjournals.com/birmingham/news/2018/11/07/feds-shed-more-light-on-potentially-transformative.html>

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Guest notebook: Opportunity Zones delivering on their promise

Oct 12, 2020 Updated Oct 14, 2020, 3:44pm CDT By Denise Cleveland-Leggett

- **The Opportunity Zone Initiative is following through on its promise to lift Americans out of poverty.**
- Last month, the Council of Economic Advisers released a report detailing the successes we're already seeing across America. The Council found that in just two years, Opportunity Zones have driven **\$75 billion** in new investments to **distressed American communities**. These new investments will lift at least 1 million Americans out of poverty, decreasing the poverty rate in Opportunity Zones by 11%.
- The 2017 Tax Cuts and Jobs Act established Opportunity Zones to **incentivize long-term investments in low-income communities** nationwide. These incentives offer capital gains tax relief for new investment in designated Opportunity Zones.

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City approves \$13M in incentives for

Carraway redevelopment <https://www.bizjournals.com/birmingham/news/2020/12/29/city-council-approves-incentives-for-carraway.html>

The \$340 million Carraway redevelopment project. The Birmingham City Council approved a request by Corporate Realty's Northside Redevelopment LLC for a \$4.1 million grant for acquisition and blight removal as well as up to \$9.1 million in incentives that would be based on future tax revenues generated by the development.

The Interview: Robert Simon casts vision for future of Carraway as Northside Park

By Hanno van der Bijl – Real Estate Reporter, Birmingham Business Journal Jan 19, 2021 Updated Jan 19, 2021, 3:16pm CST

- I've been doing this a long time — we've been part of a number of economic development deals in the Birmingham area — and **I've never seen a deal fall apart because the investment from the municipality was not there.** <https://www.bizjournals.com/birmingham/news/2021/01/19/inside-the-push-to-redevelop-carraway.html>

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Birmingham Business Alliance calls for racial inequality to be 'directly addressed'

Updated <https://www.al.com/business/2020/06/birmingham-business-alliance-calls-for-racial-inequality-to-be-directly-addressed.html>

June 17th 2020
Birmingham Business Alliance calls for racial inequality to be 'directly addressed'
Updated Jun 17, 2020, Posted Jun 17, 2020

- The executive committee of the Birmingham Business Alliance has released a statement calling on longstanding issues of racial inequality and social injustice to be “honestly and directly addressed.”
- “The Birmingham Business Alliance exists to promote growth, economic development and prosperity in our region. We believe that diversity, inclusion and economic equality are critical to our success as an organization and to the long-term success of our region and our State. We also believe that we will not achieve our goals if racial inequality and social injustice are allowed to continue.
- The BBA Executive Committee is a 14-member body consisting of Birmingham Mayor Randall Woodfin; Jefferson County Commissioner Steve Ammons; UAB President Ray Watts; Nelson Bean, Synovus Bank Division CEO; Alabama Power CEO Mark Crosswhite; Gregory Curran, Maynard Cooper & Gale chairman; Nancy Goedecke, Mayer Electric CEO; Jim Gorrie, Brasfield & Gorrie CEO; Joe Hampton, Spire president; Dawn Sharff, Bradley managing partner; Sanjay Singh, Pack Health; Mark Tarr, Encompass Health CEO; John Turner, Regions Bank CEO and Tim Vines, Blue Cross and Blue Shield of Alabama CEO.

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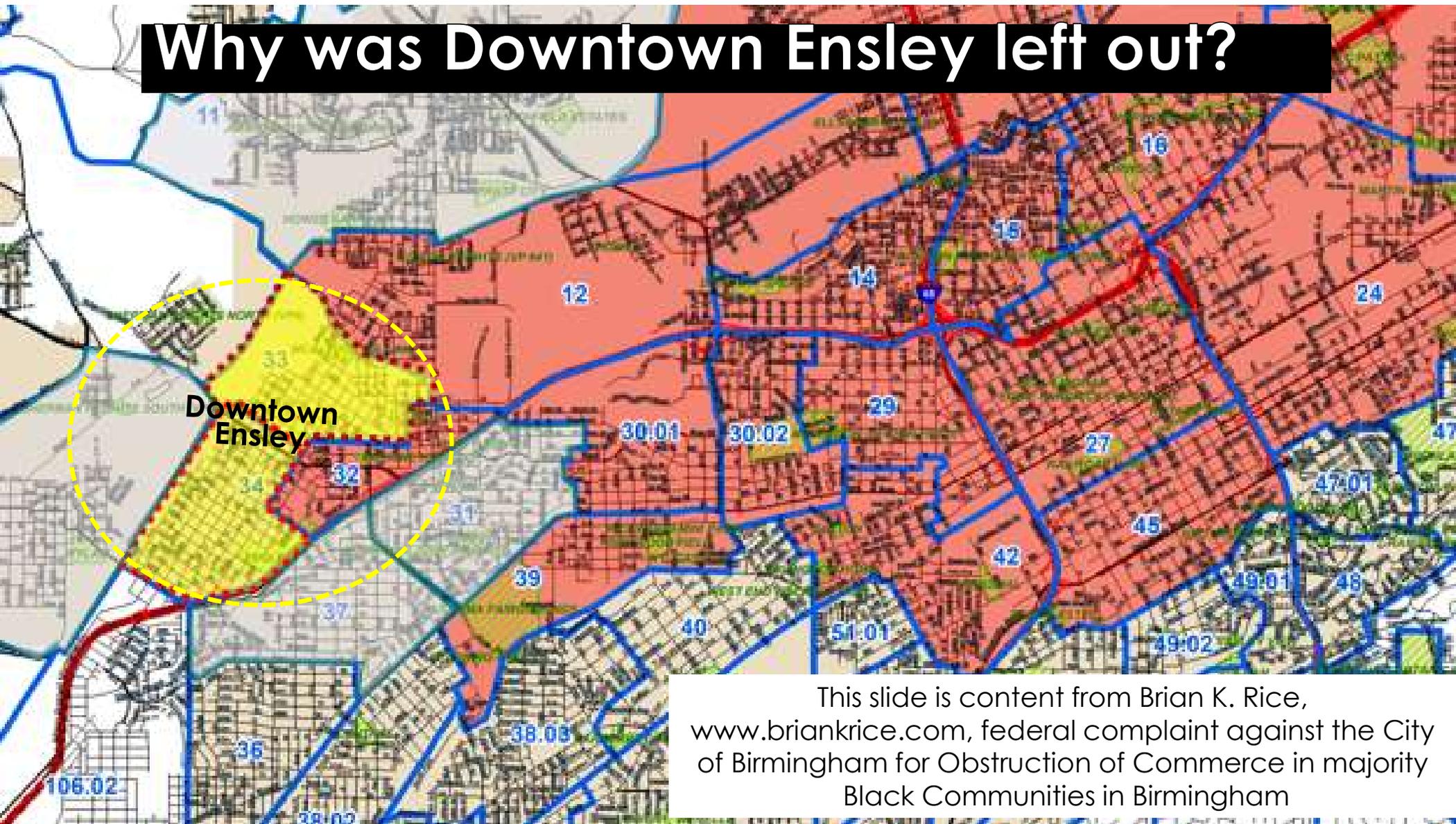
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My 8 buildings were appraised at
\$0.00 in 2019.

THIS IS TAXATION WITHOUT REPRESENTATION

If the State Appraisal Board can agree to a \$0.00 appraisal then my taxes need to be \$0.00 for the structures but the County increased the taxes to around \$235,000 for the structures

Why was Downtown Ensley left out?



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Every investor, banker, real estate agent I met asked me for 2+ years is Downtown Ensley in an Opportunity Zone and then several said, we have OZ investors and they are only looking for OZ properties. **"I responded every time saying, the OZ stopped 2 blocks from my properties at the entrance of the Ensley commercial district"**. All communication stopped after they learned Ensley was not apart of opportunity zones.

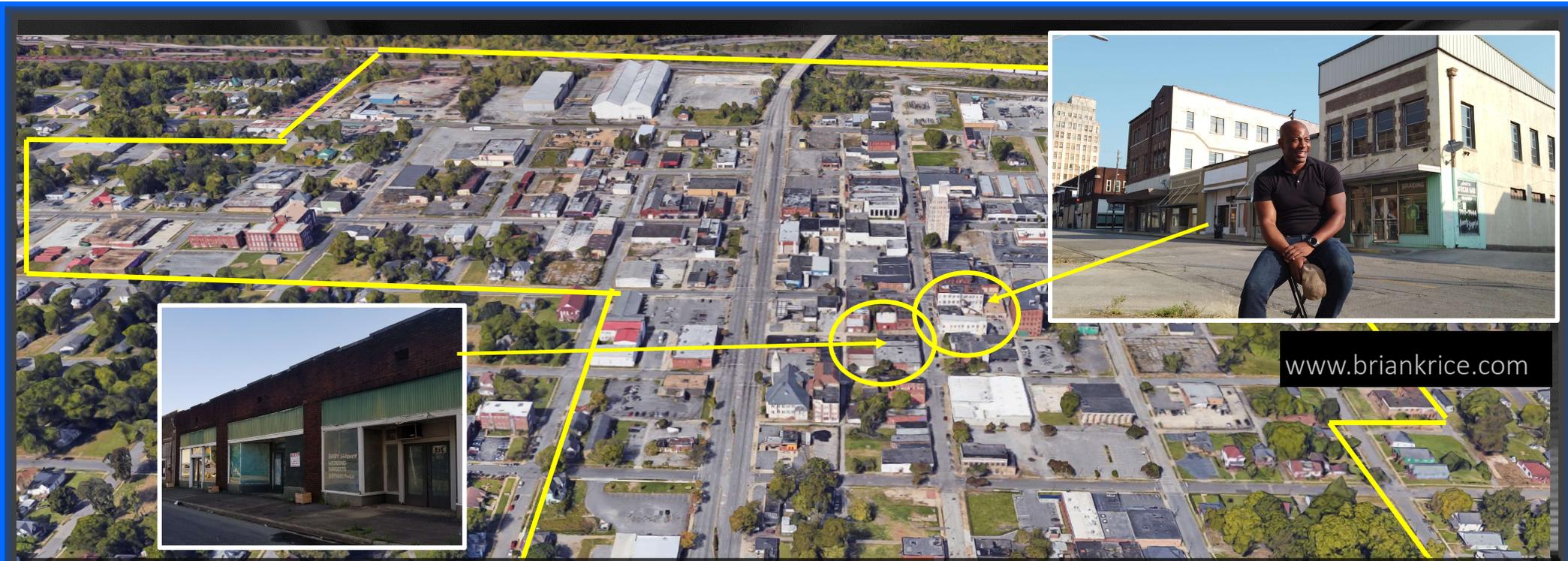
I tried to sell my properties and even my agent stated he had investors that were looking for OZ properties. I tried to get traditional lending and was faced with historic levels of redlining by receiving a \$0 appraisal on my 8 structures of 33,000sf. I spoke with a billion dollar finance group out of New York as well and the first question they asked me was about opportunity zones.



One of many text messages I received from 2018-2020 investors, bankers, realtors

3/6/19 2:31 PM

Is Ensley designated an "Opportunity Zone?"



www.briankrice.com

State and County Property Taxes should be based off of \$0 building values for 8 buildings if my redlined appraisal led by Synovus Bank and CBRE appraisers is accurate and all surrounding owners should owe \$0 taxes or almost \$0



2nd sign of Obstruction of Commerce

My 8 buildings were appraised at **\$0.00** in 2019. A single U.S. Penny can't be worth more than my buildings. So the appraisal and banking world is telling me someone can buy **800 buildings** in an inner city community for **\$1.00 or less**

600 +/-17,500sf 604 +/-1250sf 606 +/-1250sf 608 +/-1250sf 610 +/-5500sf

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My 8 inner city urban buildings were compared to the abandoned car wash and rural farm land shown below in the appraisal to unjustly devalue my assets and equity.



I will never look down on any underserved community

I will never look down on any of our communities that are blighted and have been locked out of resources after experiencing what I have experienced in Birmingham or any blighted area that is targeted with public disinvestment and redlining, I may cry but I will not look down on those areas AND DEFINITELY NOT THE PEOPLE.



600 +/-17,500sf 604 +/-1250sf 606 +/-1250sf 608 +/-1250sf 610 +/-5500sf





3rd sign of Obstruction of Commerce

The Alabama Real Estate Appraisal Board cover up the appraisal review after 13 months and would not respond to my concerns of my buildings being compared to **rural farm land** and a **abandoned car wash**

600 +/-17,500sf 604 +/-1250sf 606 +/-1250sf 608 +/-1250sf 610 +/-5500sf

“Black owned businesses account for less than 2% of all sales in a city with a population of 70%+ of African Americans” John Archibald writes in his article titled “Birmingham’s failure was not gentrification” on Mar 23rd 2016.



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www.briankrice.com

July 24th 1988

IN BLACK AND WHITE

Fourth Avenue may reclaim glory for black business

By Ingrid Kindred and Bob Blalock
News staff writers

The giant screen of the once-plush Carver Theatre on Fourth Avenue North in downtown Birmingham has been dark for years. But some people believe the decaying theater — now owned by the City of Birmingham — may hold the key to revitalizing the Fourth Avenue area, Birmingham's traditional black business district.

Plans are under way for the Carver, built in 1941 for blacks in the days of segregated movie houses, to become the temporary home of the city's long-proposed civil rights museum. Once the new museum is built, supporters hope the theater will remain as a center for black cultural arts programs, so visitors will boost walking traffic for businesses between the museum and the theater.

"We would not like for that idea to die," said Nathan Hicks Jr., executive director of Urban Impact Inc. The city has contracted with the non-profit group to provide support to businesses along Fourth Avenue, in what has been designated the Fourth Avenue Historical District.

City leaders hope that creating a civil rights museum will bring residents and visitors alike into the historic district, where the late Dr. Martin Luther King Jr. organized and led civil rights marches

JULY 24

The Carver, in particular, is at the center of many older blacks' fond memories of Fourth Avenue, an area they call a mecca for black businesses of yesteryear.

"It was our hub. It was our downtown," said Don Solomon, president of Sunbelt International Inc., a janitorial supply company he opened three years ago on Fourth Avenue.

"As a young boy growing up you considered yourself in hog heaven if you had 'show' money. You could come to town with a quarter, and have a ball," he remembered.

City councilman Eddie Blankenship said the area prospered until about 1960. As integration became a fact of life in Birmingham, many blacks abandoned black businesses along Fourth Avenue. That's not how it had been.

"On Fridays and Saturdays, you virtually couldn't walk the streets," he recalled. "There was something going on on every corner."

Blankenship, who grew up in Pratt City, remembers blazing-hot summer days when he and his young friends were satisfied standing in front of fans in black businesses along Fourth Avenue.

They would venture into virtually uncharted territory, across 20th Street, to stand outside Pizitz and feel the air-conditioning coming out. We went in to buy candy and we'd stay in there long enough to feel the comfort of the cool air."

What many people don't remember, Solomon says, is that many black-run businesses were actually owned by whites, or as he says — "the Man."

That trend continued as the area slipped into decline in the 1960s and into the 1970s.

By 1979, whites and absentee owners controlled about 90 percent of Fourth Avenue land, Hicks said.

Now, the reverse is true. Hicks said black ownership in the area should help ensure success for Fourth Avenue because owners will show more interest in their land and buildings.

"We felt like it would make the businesses on Fourth Avenue stronger by having them (black business owners) own, rather than lease their properties. The owners in the past just came down here and collected rent. That's the reason why the area has been so distressed," he said.

Hicks said the Fourth Avenue district is in transition, and the future looks promising.

See Fourth Avenue, Page 18

Business

From Page 18

bank, the Joint Center for Political Studies, agrees with Blankenship's assessment.

"Desegregation created a wrenching need for change in the business strategies pursued by black firms," he said.

"Black consumers went to shop at white businesses, but integration... did not compel whites to patronize black business establishments, and the location of most black firms in lower-income black neighborhoods limited their ability to attract a white clientele," he said.

"When black businesses emerge and successfully compete in mainstream markets, those firms are likely to be new ventures established by new entrepreneurs," Suggs predicted. "This is the black business sector of the future... will probably develop from scratch."

Black flight and disdain

Starting from scratch, however, may be holding Birmingham back.

Some blacks think that because Birmingham held little opportunity for black entrepreneurs, many of the best and brightest left 20 and 30 years ago.

More than 65,000 blacks — a number equal to one-third of Jefferson County's 1950 black population — moved out between 1950 and 1970, county health department figures show.

Rick Bentley, president and owner of BRIC Inc., thinks some of Birmingham's best entrepreneurs left the city when segregation barred the doors of opportunity a generation ago.

"The destruction of those seeds is showing itself in the lack of fruit, the lack of production we have in black business today," said Bentley, president of the Alabama Association of Minority Contractors.

An ambitious 22-year-old black who fled Birmingham in 1965, when social violence over integration peaked, would be 47 today, the prime

Birmingham and Mobile

The worst metro areas for black business in 1982

Black business rate*

Top five

1. Los Angeles	24.9
2. San Francisco	24.0
3. Houston	23.1
4. Washington, D.C.	22.0
5. San Diego	19.4

Bottom five

44. Shreveport	9.5
45. Newark	9.4
46. Buffalo	8.4
47. Mobile	8.0
48. Birmingham	6.9

*Number of black businesses per 1,000 blacks in the metropolitan area.
Source: American Demographics, 1987

A BIRMINGHAM NEWSCHART

of as second-rate. There has not been a tremendous amount of respect," she said.

Disdain may still stain the new class of black entrepreneurs today.

black-owned businesses to feel pride over, few

Look at our role models. There are just no really successful black businesses we can model ourselves after," Huff says.

Many Birmingham blacks, when asked about role models, point to prospering Atlanta companies, such as contractor H.J. Russell, who has the fourth-largest black-owned company in the country. Or to Reggie Lewis, chairman of the board of TLO Group Inc., which last year took over Beatrice International Foods and became No. 1 on Black Enterprise's Top 100 list.

Birmingham's chief role model, Gaston, made his millions before many black entrepreneurs had even been born.

Day-care center operator Henry P. Johnson said he has not found many successful black businessmen eager to share the secrets of their success with young entrepreneurs.

"When I came here, I couldn't get help. Black people are really selfish here," said Johnson, a former Chicago transit bus driver who moved to Birmingham 10 years ago.

"They (thriving black businesses) want to be successful, but they don't want you to be successful."

Real estate developer Jackie Davison agrees with Johnson that Birmingham has few black business mentors.

"If you can find five people in this town who said there was someone who helped them to get ahead, it would be shocking. There's no mentoring," he said.

"I don't think there's a lot of pervasive, I get more help for the things I'm doing than I do from black people out of Alabama than I do locally."

Louis Willis, chief executive officer of Booker T. Washington, disagrees. He worked for Gaston.

"Discussing problems, seeking advice, being able to consult with Dr. Gaston left me with no sense of a void or lack about the business," Willis said.

Some blacks just aren't getting the help they

accepted. I didn't find that to be true," Willis said.

Other blacks aren't so sure. Some see a positive attitude problem whites have with black businesses, they say.

Businessman Thom Gossom Jr. said role models, point to prospering Atlanta companies, such as contractor H.J. Russell, who has the fourth-largest black-owned company in the country. Or to Reggie Lewis, chairman of the board of TLO Group Inc., which last year took over Beatrice International Foods and became No. 1 on Black Enterprise's Top 100 list.

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Birmingham and Mobile

The worst metro areas for black business in 1982

Black business rate*

Top five

1. Los Angeles	24.9
2. San Francisco	24.0
3. Houston	23.1
4. Washington, D.C.	22.0
5. San Diego	19.4

Bottom five

44. Shreveport	9.5
45. Newark	9.4
46. Buffalo	8.4
47. Mobile	8.0
48. Birmingham	6.9

*Number of black businesses per 1,000 blacks in the metropolitan area
Source: American Demographics, 1987

A BIRMINGHAM NEWSCHART

We need help from the City. We can't continue to remain last. I hope this number has changed but I doubt it because when you go to an area like 5 Pts West for example where the city has the largest traffic count of African Americans but there is a shortage of black owned buildings and businesses. Everyone is foreign or white with the exception of a few businesses amongst the masses.

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*Black businesses have generally been thought Part of that may be because there are few — part of the black that he or she will not be seen as



The Question that bothered me

I kept asking myself **why** would the mayor and his staff get **offended** after I ask for help regarding appraisal injustice. This eventually caused me to research and question everything.



Department of Justice case law with similar Obstruction of Commerce in Black Communities or with similar fraud across the U.S. under different U.S. Attorney Generals

"To shun an entire community because of its racial makeup, is just as wrong as to reject an applicant because they are African American," said Attorney General Janet Reno. "Some neighborhood banks may turn away blacks because of their race, but other neighborhoods may not even have banks to which blacks can turn."

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Department of Justice case law with similar Obstruction of Commerce in Black Communities or with similar fraud across the U.S. under different U.S. Attorney Generals

Jan 14th 2021: The Department of Justice obtained more than \$2.2 billion in settlements and judgments from civil cases involving fraud and false claims against the government in the fiscal year ending Sept. 30, 2020, Acting Assistant Attorney General Jeffrey Bossert Clark

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City Scoring Chart sent to the Governor shows that Ensley has "0" City Assets and "1" Brownfield Site

Table 1: Community & Economic Development Assets Located in Birmingham by Zip Code and Prioritization of Zip Codes*

Zip Codes	Brownfield Sites	City Assets	Co-Working Spaces	Commercial District	Education Institution	Foreign Trade Zones	Incubator/Accelerator	Transit Nodes	Overall Ranking
35233	21		2	2	1	1			88
35203	11		2	2			3	1	68
35222	10			1			3	1	51
35204	4	6							30
35212	2	1	2	1		2			25
35205	2	1		2			1		22
35217	2	3				1			16
35234	5								15
35215	1	2			1				15
35218	1	0		1			1		12
35211	1	1			1				12
35206	2			1					10
35214	2	1				1			10
35209	3								9
35254					1				6
35229					1				6
35210	2								6
35208				1				1	6
35207	2								6
35064					1				6
35020							1		5
35224		1							3
35294									NO ELIGIBLE TRACTS
35244									NO ELIGIBLE TRACTS
35242									NO ELIGIBLE TRACTS
35223									NO ELIGIBLE TRACTS

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FORMULA: BROWNFIELD SITES*3+CITY ASSETS*3+CO-WORKING SPACES*5+COMMERCIAL DISTRICTS*4+EDUCATION INSTITUTIONS*6+FOREIGN TRADE ZONES*1+INCUBATORS & ACCELERATORS*5+TRANSIT NODES*2

The City Scoring Chart **omitted** 5 City Assets in Downtown Ensley which “would have been reasonably known by the city” an increased Ensley zip code score alone by ?? points and **increasing its ranking from #10 to being ranked #5**

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**Entrance to
Downtown Ensley**

End of Opportunity Zone

**Many of these buildings
and lots developed in the
late 1800s and early 1900s
classify as brownfield sites**

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Google

Attached is the census tract high priority order Mayor Woodfin sent to Governor Ivey

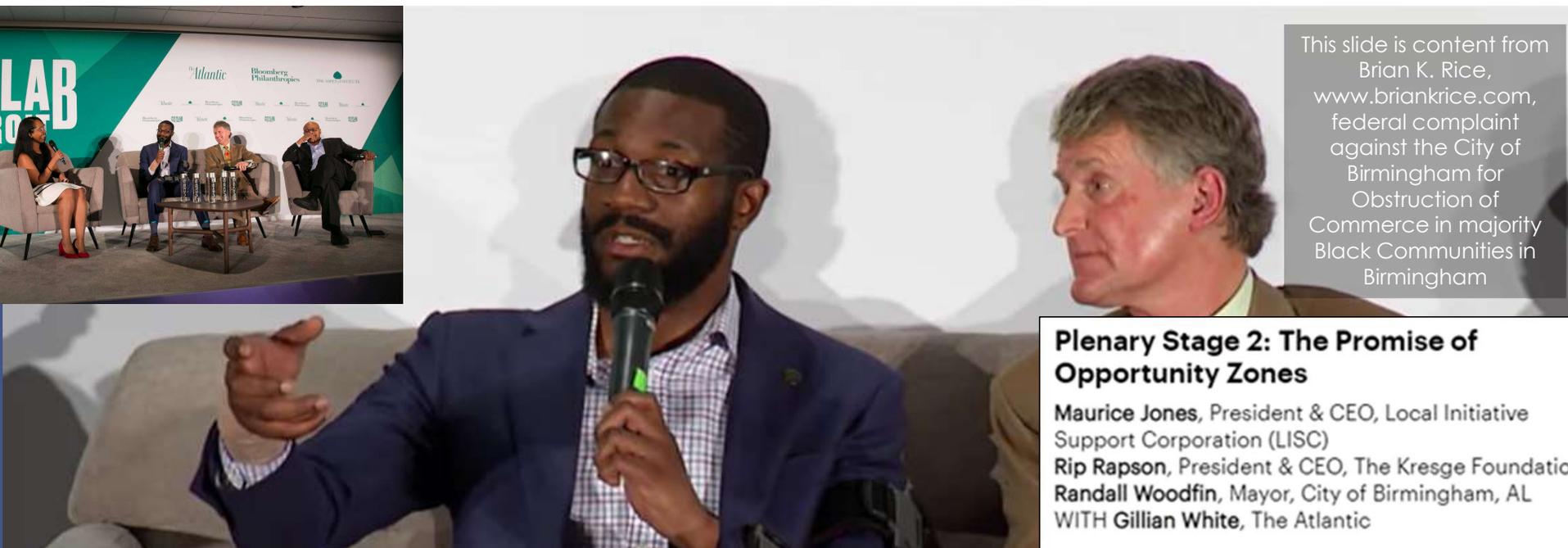
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	census tract	prioritization	poverty score	location
1	1073000100	high priority	41.8	East Lake and Back of Airport
2	1073000300	high priority	39.2	Woodlawn / Rev Birmingham / Willowood
3	1073000400	high priority	33.7	Airport and Inglenook
4	1073000500	high priority	44.8	Airport to Stockam, patton park, greenwood park
5	1073000700	high priority	65	Collegeville, Hudsonk8, 35th Ave Superfund site
6	1073000800	high priority	30	Hooper City, Flying J, Acipco, to edge of Carraway
7	1073001200	high priority	23.4	Finley Blvd, DOT, Thomas, Tuxedo Heights - Pratt NorthEast of
8	1073001400	high priority	25.9	East Thomas, Enon Ridge, Tuggle
9	1073001500	high priority	43.5	Fountain Heights, Evergreen Bottom, Druid Hills
10	1073001600	high priority	43.8	Druid Hills, Norwood, Carraway
11	1073001902	high priority	33.9	Airport, Wahouma, 20 59 Dead Mans Curve
12	1073002200	high priority	31.3	South of Airport to Ruffner Mtn, South of East Lake
13	1073002303	high priority	54.9	Century Plaza, Gate City
14	1073002400	high priority	49	Avondale
15	1073002700	high priority	38.1	Railroad Park, 2nd Ave S to All of Downtown CBD between 20/
16	1073002900	high priority	38.4	smithfield, legion field
17	1073003001	high priority	19	all of Birmingham Southern to 3rd Ave W, cut off Bush Hills ma
18	1073003002	high priority	48.9	College Hills, Legion Field, Elyton Village
19	1073003100	high priority	35.6	Bush Hills and Fairview
20	1073003200	high priority	50.9	Ensley HS, Ave I, First Baptist Church Ensley, to Holy Family
21	1073003900	high priority	49.1	Fairgrounds, Crossplex, 5 Pts West Shopping Center, Rickwood
22	1073004200	high priority	32.6	Memorial Park, Trinity Site, Titusville, Elyton School, Arlington o
23	1073004500	high priority	70.9	all of UAB 2nd ave s at Railroad Park to 65 to 11th ave s to 31/
24	1073011209	high priority	28.3	Jeff State
25	1073012602	high priority	22	Ruffner Mtn, Irondale, Racetrack, Gun Club Rd
26	1073013100	high priority	35.2	Lawson State, Wenonah
27	1073004902	high priority	31.3	Ramsay High School, Southside North of Vulcan
28	1073002000	high priority	45.8	Ruffner Mountain, East of Oporto Madrid to 1st ave N South o
29	1073002100	high priority	32.7	Ruffner Mountain, East of 81st to 1st ave N South of East Lake
30	1073003300	high priority	27.4	Downtown Ensley East
31	1073003400	high priority	46.8	Downtown Ensley West
32	1073003700	high priority	31.4	Ensley Highlands, Belview

There are other areas with obvious low rankings like Pratt City, Wylam, Central Park, West End, Belview Heights that were also scored incorrectly. It amazed me that the city of Birmingham also prioritized areas within their city below surrounding cities.

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30	1073003300	high priority	27.4	Downtown Ensley East
31	1073003400	high priority	46.8	Downtown Ensley West
32	1073003700	high priority	31.4	Ensley Highlands, Belview
33	1073005000	high priority	22.7	Glen Iris, Georgeward park
34	1073005101	high priority	58.8	Titusville, Loveman Village
35	1073005302	high priority	9.4	Roebuck Springs
36	1003005701	high priority	17.5	Wiggins Park, Powderly
37	1073005800	high priority	31.2	Valley Ave south of Vulcan
38	1073005903	high priority	23.9	St Vincent East, Huffman
39	1073005905	high priority	23.9	Huffman High school
40	1073005908	high priority	25.4	Spring Lake
41	1073010900	high priority	36.1	Tarrant
42	1073011207	high priority	18.2	Centerpoint
43	1073011210	high priority	31.9	Pinson and Apple Valley
44	1073011802	high priority	30.9	Centerpoint
45	1073011803	high priority	25	Centerpoint
46	1073011804	medium priority	22.8	Centerpoint
47	1073011901	medium priority	36	Black Creek, Fultondale
48	1073012002	medium priority	18.7	I 22 and I 65, North Smithfield Manor, Brookside, Fultondale
49	1073001100	medium priority	18.5	Pratt City
50	1073003500	medium priority	27.2	Wylam
51	1073003600	medium priority	17.9	Belview Heights
52	1073003802	medium priority	26.6	Central Park
53	1073004000	medium priority	38.2	West End
54	1073005200	medium priority	21.4	Elmwood and West End
55	1073005500	medium priority	45.9	Harriman Park
56	1073005600	medium priority	15.7	Montclair Rd
57	1073005702	medium priority	25.5	Cooper Green Park / Henry Crumpton
58	1073010002	medium priority	13.4	North of US Pipe / Hueytown
59	1073010100	medium priority	36.2	Bessemer / Abrams School near Lowes



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Plenary Stage 2: The Promise of Opportunity Zones

Maurice Jones, President & CEO, Local Initiative Support Corporation (LISC)

Rip Rapson, President & CEO, The Kresge Foundation

Randall Woodfin, Mayor, City of Birmingham, AL

WITH **Gillian White**, The Atlantic

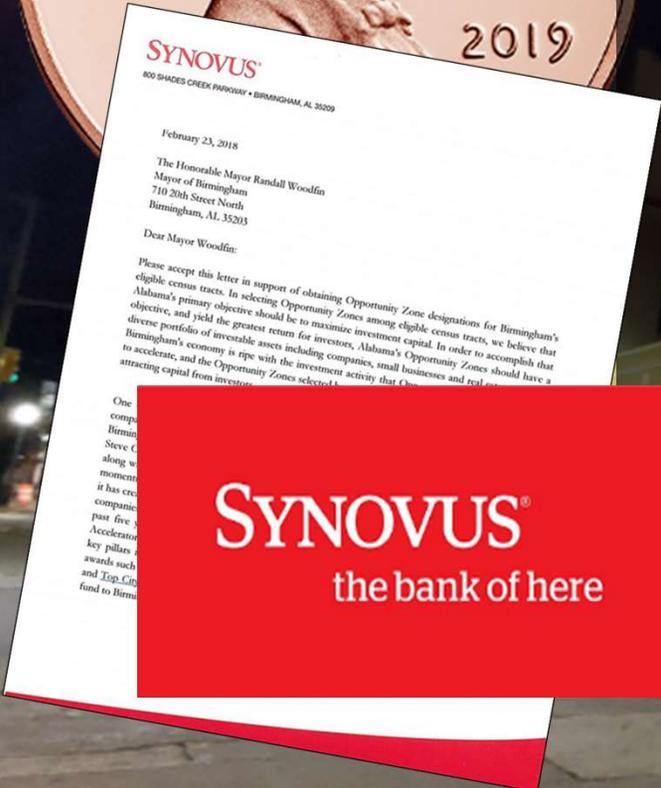
Monday Oct 29th 2018 Citylab Conference

Mayor Woodfin: “In Birmingham, we did it, the mayor’s office did it. In Birmingham we chose the census tracts we wanted to send to the Governor” for Opportunity Zones. “That alone let’s us know we are in the drivers seat.”



Obstruction of Commerce

Unknown to me in 2018 and 2 months before I approach Synovus Bank for a loan, Nelson Bean, CEO sent letter of support to Josh Carpenter head of Economic Development that excluded Ensley from Opportunity Zones



606 +/-1250sf
608 +/-1250sf
610 +/-5500sf

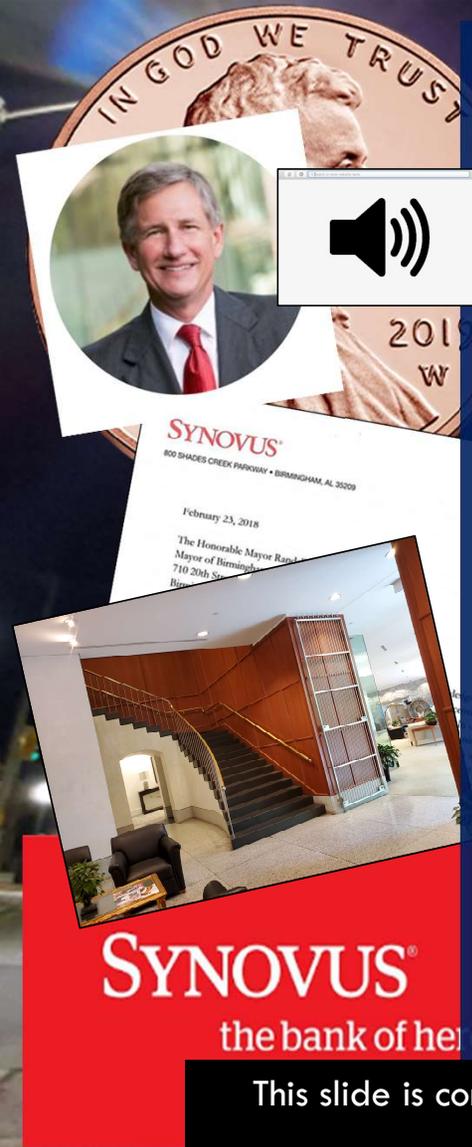
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On June 28th 2019 Brian K. Rice meet with the Nelson Bean, Synovus Bank CEO, Birmingham Division:

Audio Clip: Nelson Bean: “So first let me apologize for this time delay.” **I’m sorry for the delay**, **“I know you are at your wits in with us and I’m sorry, I should have had Bill (Inabinet) “OUT OF THE WAY”.”**

“Bill FAILED.” “Bill is retail.” (Bill is a retail banker and not a commercial banker. Nelson then introduce me to Michael Crane who is Rev Birmingham Commercial Banker. It took Synovus 8+ months to introduce me to a commercial banker which is clear sign they were doing all they could to make sure I didn’t get the commercial loan I needed. In this audio clip Nelson talk about his relationship with Rev Birmingham and David Atticus and then he states that Josh Carpenter is involved over here as well. It was a 2 hour conversation so we talked about a lot more) **audio clip inside full press release video around 27-30 min mark**

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Department of Justice case law with similar Obstruction of Commerce in Black Communities or with similar fraud across the U.S. under different U.S. Attorney Generals

June 7 2017: “When the federal government settles a case against a corporate wrongdoer, any settlement funds should go first to the victims and then to the American people— not to bankroll third-party special interest groups or the political friends of whoever is in power,” said Attorney General Jeff Sessions.

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**Department of Justice case law with similar
Obstruction of Commerce in Black Communities**
or with similar fraud across the U.S. under different
U.S. Attorney Generals

**August 13th 1997: ALBANK TO MAKE \$55 MILLION IN
DISCOUNTED LOANS FOR ALLEGEDLY ENGAGING IN
REDLINING, UNDER JUSTICE DEPARTMENT SETTLEMENT**

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**Department of Justice case law with similar
Obstruction of Commerce in Black Communities**
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U.S. Attorney Generals

**August 22nd 1994: JUSTICE DEPARTMENT OBTAINS
UNPRECEDENTED SETTLEMENT FROM D.C AREA BANK
FOR ALLEGEDLY **FAILING TO SERVICE PREDOMINANTLY
BLACK AREAS:** Attorney General Janet Reno**

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**Department of Justice case law with similar
Obstruction of Commerce in Black Communities
or with similar fraud across the U.S. under different
U.S. Attorney Generals**

**1994: "You can't be refused service, if there
is no service being offered," said Assistant
Attorney General for Civil Rights Deval L.
Patrick.**

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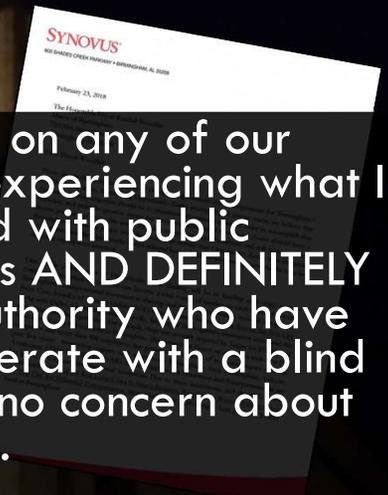
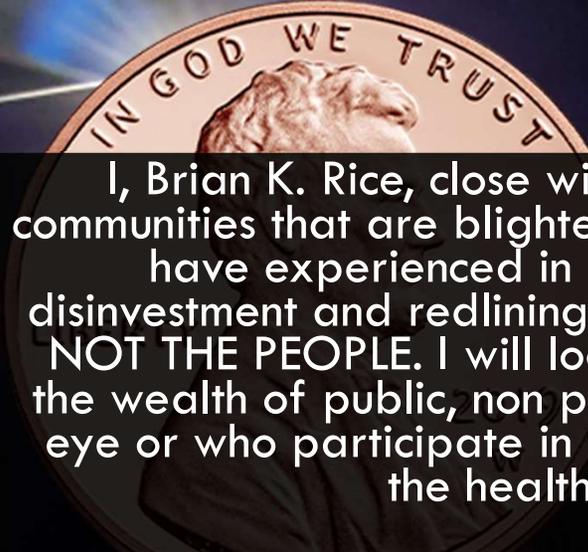
February 23, 2018

The Honorable Mayor
Birmingham, AL 35203

Dear Mayor:

Remedy to Obstruction of Commerce

Resources need to be allocated to victims at a minimum of treble damages and punitive damages where the courts see fit. I loss 3 years of equity. I loss the ability to restore my buildings to increase my equity and business income with the same 100% tax right offs through opportunity zones. I loss the ability to purchase and repeat with more real property. My neighbors loss the same. We need help getting access to resources we have been locked out from. We can work together and help create healthy and balanced communities. Help us stop the hurt. Brian K. Rice, www.briankrice.com



I, Brian K. Rice, close with the following statement: I will never look down on any of our communities that are blighted and have been locked out of resources after experiencing what I have experienced in Birmingham or any blighted area that is targeted with public disinvestment and redlining, I may cry but I will not look down on those areas AND DEFINITELY NOT THE PEOPLE. I will look directly into the eyes of those in position of authority who have the wealth of public, non profit and corporate resources who continue to operate with a blind eye or who participate in the exploitation of public resources as if there is no concern about the healthy and balanced development of our communities.

We prevent crime that stemmed from the seed and root of lack of opportunity and lack of resources and lost hope by creating hope and opportunity through strategically placed resources thereby creating a whole new set of perceived options before the option of homicide pops in the mind and finished with the pulling of the trigger.

We must create environments where African American small businesses get a fair chance to grow. If we never grow, then the #1 group that will likely hire the most unemployed and underemployed group of men and women in this city and in this country never develop and our society will unfortunately continue to see the unfortunate symptoms of a large segment of people that are systematically locked out.



We need the help of the Department of Justice in Birmingham, AL.
 Brian K. Rice, www.briankrice.com 8-18 -2021



www.briankrice.com



We can build up our
community

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An aerial photograph of a city, likely Memphis, Tennessee, featuring a prominent skyscraper (the AT&T Building) in the center. The city is surrounded by green trees and other buildings. A semi-transparent dark blue box is overlaid on the image, containing white text.

**“Give us a fair shot and we can improve our communities.” Brian K. Rice
www.briankrice.com**

Google