

TUSCALOOSA CITY COUNCIL MEETING AGENDA

Tuesday, August 2, 2022

1. CALL TO ORDER: 6:00 p.m.

Council Prayer: Dear God, bless our proceedings today. Give us wisdom to know what is just and the strength to do what is right. Amen.

Pledge of Allegiance: I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

2. APPROVAL OF MINUTES

Council President Pro Tem: As the Council has received a synopsis of the previous meeting, I move that we dispense with the reading of the minutes of the same unless there are any deletions, additions, or corrections.

3. PROCLAMATIONS AND STATEMENTS BY MAYOR AND COUNCIL

Mayor Announcements

Department Announcements

4. AGENDA ITEM COMMENTS BY CITIZENS

Citizens are encouraged to sign in with the City Clerk in order to assure that their comments related to a specific agenda item are received prior to consideration by the City Council. Speakers are limited to five (5) minutes each.

5. UNFINISHED BUSINESS

Council Committee Reports

Clerk's Report of Mayor's Veto

6. CONSENT AGENDA: (items "a through f") All matters listed on the Consent Agenda are considered to be routine by the City Council and will be enacted by one motion and vote. There will be no separate debate, amendment, or substitution of these items. If the same is desired by the Mayor and/or any member of the Council, upon request made on the record, that item will be removed from the Consent Agenda and considered separately under the regular Order of Business.

- a. Declaring property surplus and authorizing its disposal. **P5**
- b. Authorizing payment to Spire in settlement of a claim (22-0188). **P6**
- c. Authorizing payment to Justin Moon in settlement of a claim (22-0139). **P7**
- d. Authorizing payment to William Blakeney Building Company, Inc. in settlement of a claim (22-0013). **P8**
- e. Authorizing change order no. 1 Lift Stations 10 and 11 Upgrades (A21-0935/2018.025.001). **PP9-10**

- f. Authorizing change order no. 1 for Resurfacing Local Streets 2021 (A21-1328/2021.007.001). **PP11-12**

7. PUBLIC HEARINGS

Consenting to the vacation of a portion of Fourth Street in the City of Tuscaloosa (A22-0085). **PP13-17**

8. RESOLUTIONS AND ORDINANCES NOT OF A GENERAL NATURE OR PERMANENT OPERATION

Authorizing a resolution in support of proceeding with the Design Phase Services for both the Saban Center and the Tuscaloosa Event Center (A21-1603). **P18**

Authorizing the City of Tuscaloosa to join the State of Alabama and other local governments as participants in the McKesson Settlement (A21-0292). **PP19-20**

Authorizing the City of Tuscaloosa to join the State of Alabama and other local governments as participants in the Janssen settlement (A21-0292). **PP21-22**

Authorizing Amendment 11 the Fiscal Year 2022 General Fund Reserve for Future Improvements Fund Budget (A98-0470). **P23**

Authorizing Amendment 9 to the Fiscal Year 2022 Water and Sewer Reserve for Future Improvements Fund Budget (A07-0203/A98-0431). **P24**

Authorizing the Mayor to execute a letter rejecting INFA Grant (A22-0768). **P25**

Authorizing the rejection of bids received for 2022 Meter Change-Out Project, Phase One and authorizing rebid (A22-0639). **P26**

Authorizing personnel to conduct financial transactions on behalf of the City (A22-0775). **P27**

Authorizing signors to various City accounts (A22-0777). **P28**

Authorizing the Chief Financial Officer to draw drafts for the McWrights Ferry Road Improvements Project right of way acquisitions; total amount: \$1,429,850.00 (A18-0165) **P29**

Declaring an emergency and authorizing an emergency public works contract with John Plott Company, Inc. for the Jack Warner Parkway Slope Stabilization Project; total: not to exceed \$1,427,215.00 (A22-0718). **P30**

Authorizing a minor public works contract with Triple J Tree Service, LLC; total: not to exceed \$4,150.00 (A22-0759). **P31**

Authorizing a contract with Chambless King Architects for architectural and related services for the facility upgrades and improvements to the Boys and Girls Club; total: not to exceed \$134,805.35 (A22-0720). **P32**

Authorizing a disbursement from District 4 Improvements Funds for the downtown branch of the YMCA; total: \$5,000.00 (A22-0773). **P33**

Authorizing the Mayor to make application to the Bureau of Justice Assistance for the Fiscal Year 2022 Edward Byrne Memorial Justice Assistance Grant (A22-0778). **P34**

Authorizing Amendment 12 to the Fiscal Year 2022 General Fund Reserve for Future Improvements Fund Budget (A98-0470). **P35**

Authorizing the Tuscaloosa Police Department to sign a memorandum of understanding with the Tuscaloosa VA Medical Center (A22-0695). **P36**

If necessary, Council rules of procedure will be suspended at this time.

9. ORDINANCES AND RESOLUTIONS OF A GENERAL NATURE OR PERMANENT OPERATION

FOR INTRODUCTION

Introducing Zoning Amendment No. 1481 to rezone approximately 1.33 acres located at 2015 McFarland Boulevard East from I to BN; University of Alabama (A22-0749/Z-16-22). **PP37-38**

Authorizing Amendment 4 to the Fiscal Year 2022 Water and Sewer Fund Budget (A19-1132) **(may be adopted by unanimous consent following introduction)**. **P39**

Authorizing Amendment 13 to the Fiscal Year 2022 General Fund Budget (A21-1268) **(may be adopted by unanimous consent following introduction)**. **P40**

Amending various sections of the Code of Tuscaloosa pertaining to Fire Code Violations and Fines (A21-1660) **(may be adopted by unanimous consent following introduction)**. **PP41-44**

Amending various sections of the Code of Tuscaloosa pertaining to False Alarm Notifications (A22-0496) **(may be adopted by unanimous consent following introduction)**. **PP45-46**

FOR ADOPTION

Setting September 6th as the date for a hearing to consider adoption of Zoning Amendment No. 1481 (A22-0749/Z-16-22). **P47**

10. AUDITING ACCOUNTS

Authorizing the payment of bills; total: \$6,725.07 **P48**

11. CITIZEN'S COMMENTS AND OTHER COMMUNICATIONS

12. EXECUTIVE SESSION

13. POLICY IMPLEMENTATION

Mayor: Subject to the exercise of mayoral veto on ordinances of a general nature or permanent operation, all applicable departments are hereby ordered to otherwise implement council policy this date enacted.

14. ADJOURN

07/29/2022

Brandy P. Johnson
City Clerk



Following each item of business is the page number of the item as it appears in the full agenda presented to council members. Should you have questions about a particular item, you may contact the Office of the City Clerk at (205) 248-5010 or by email to cityclerk@tuscaloosa.com. Please refer to the page number of the item in question so it can be more quickly accessed.

RESOLUTION

RESOLUTION DECLARING PROPERTY
SURPLUS AND AUTHORIZING ITS DISPOSAL

WHEREAS, the Purchasing Agent has reported to the City Council that certain equipment from various departments is surplus and no longer needed for municipal purposes, and he has requested permission to dispose of the same in the manner stated.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA, ALABAMA, as follows:

That the following item(s) from the listed department(s) be declared surplus and no longer needed for municipal purposes and the Purchasing Agent is authorized to dispose of the same in the manner stated.

AUCTION

POLICE	
ITEM(S)	CITY ID NO.
2008 Ford F-150	2204
2006 Chevrolet Trailblazer	2080
2009 International 4300	2213
2004 Ford F-150	1936
2004 Dodge Mobile Crime Lab	1972

Requested: Accounting & Finance
Prepared: Accounting & Finance
Agenda: 08/02/2022

APPROVED AS TO FORM


Office of the City Attorney

Prepared By: CWE
Requested: OCA Date: 8-2-22
Council Presentation: 8-2-2022
Suspension of Rules: No

RESOLUTION

RESOLUTION AUTHORIZING PAYMENT TO
SPIRE IN SETTLEMENT OF CLAIM
(22-0188)

BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA as follows:

That the Chief Financial Officer be, and he is hereby, authorized to draw a draft on the Water and Sewer Fund, and the Mayor and City Clerk are hereby authorized to execute the same, in the amount of \$523.55, payable to Spire, when on or about April 26, 2022, due to damage to a gas service by the City while doing a water line renewal at 2902 26th Street.

Special Handling Check Request – Please return check to the Office of the City Attorney for additional processing.

FUNDING REQUIRED: Yes No

60104081-3060

By: 
Chief Financial Officer

COUNCIL ACTION

Resolution _____
Ordinance _____
Introduced _____
Passed _____
2nd Reading _____
Unanimous _____
Failed _____
Tabled _____
Amended _____
Comments: _____

APPROVED AS TO FORM


Office of the City Attorney

Prepared By: CWE

Requested by: OCA Date: 8/2/22

Council Presentation: 8/2/22

Suspension of Rules: No

RESOLUTION

RESOLUTION AUTHORIZING PAYMENT TO
JUSTIN MOON IN SETTLEMENT OF CLAIM
(22-0139)

BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA as follows:

That the Chief Financial Officer be, and he is hereby, authorized to draw a draft on the General Fund, and the Mayor and City Clerk are hereby authorized to execute the same, in the amount of \$1,539.50, payable to Justin Moon, when on or about May 12, 2022, due to a personal vehicle from a City mower.

Special Handling Check Request – Please return check to the Office of the City Attorney for additional processing.

FUNDING REQUIRED: Yes No

10104081-3060

By: 
Chief Financial Officer

COUNCIL ACTION

Resolution _____
Ordinance _____
Introduced _____
Passed _____
2nd Reading _____
Unanimous _____
Failed _____
Tabled _____
Amended _____
Comments: _____

APPROVED AS TO FORM



Office of the City Attorney

Prepared By: JPW

Requested by: OCA Date: 8/2/22

Council Presentation: 8/2/22

Suspension of Rules: No

RESOLUTION

RESOLUTION AUTHORIZING PAYMENT TO
WILLIAM BLAKENEY BUILDING COMPANY, INC.
IN SETTLEMENT OF CLAIM
(22-0013)

BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA as follows:

That the Chief Financial Officer be, and she is hereby, authorized to draw a draft on the General Fund, and the Mayor and City Clerk are hereby authorized to execute the same, in the amount of \$44,330.04, payable to the contractor who made the repairs, William Blakeney Building Company, Inc. The claim is due to a city storm drain causing damage under a driveway at 700 Indian Hills Drive belonging to James Bradford.

Special Handling Check Request – Please return check to the Office of the City Attorney for additional processing.

FUNDING REQUIRED: Yes No


10104081-3060

By: Carly Handley
Chief Financial Officer

COUNCIL ACTION

Resolution _____
Ordinance _____
Introduced _____
Passed _____
2nd Reading _____
Unanimous _____
Failed _____
Tabled _____
Amended _____
Comments: _____

APPROVED AS TO FORM


Office of the City Attorney

Prepared By: CWE
Requested: Projects Date: 07/26/2022
Council Presentation: 08/02/2022
Suspension of Rules: NO

RESOLUTION

RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 FOR
LIFT STATIONS 10 AND 11 UPGRADES
(A21-0935/ 2018.025.001)

WHEREAS, heretofore, as a result of competitive bidding or as otherwise authorized by the Alabama Competitive Bid Law, Ala. Code §41-16-50, et seq. (1975) and/or Ala. Code §39-2-1, et seq. (1975), the City of Tuscaloosa awarded a contract for the above-referenced project to Double Diamond Construction Company, Inc., (Contractor's Name); and,

WHEREAS, it has been determined that a change order to the above-referenced contract is necessary for the following reasons:

Adjust unit prices for Material Costs Increase.

as set forth in the C.O. and accompanying documents); and,

WHEREAS, the Architect, the Engineer for the project, or the City's representative, as the case may be, have/has certified to the Council as per the attached change order request, that said change order is: (Mark applicable category)

- a. Minor change of a total monetary value less than required for competitive bidding.
- b. Changes for matters relatively minor and incidental to the original contract necessitated by unforeseeable circumstances arising during the course of work.
- c. Emergency arising during the course of work.
- d. Change or alternates provided for in the original bidding where there is no difference in price of the Change Order from the original best bid on the Alternate.
- e. Change of relatively minor terms not contemplated when the plans and specifications were prepared and the project was bid, and which are in the public interest and do not exceed ten (10) percent of the Contract Price.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA as follows:

1. That the Mayor be, and he is hereby, authorized to execute that certain change order now before the Council for the above stated project being an increase amount of \$142,494.39 (Change Order Cost), with 0 (Calendar day extension of time), and for the reasons so stated, by and as an act for and on behalf of the City of Tuscaloosa, and the City Clerk is authorized to attest the same.

2. That the Architect or Engineer or Owner's representative, as the case may be, shall implement this change order and properly document the same pursuant to all applicable contract documents.

FUNDING REQUIRED: Yes No
61209030-18025

By:

Carly Hande J
Chief Financial Officer

COUNCIL ACTION

Resolution _____
Ordinance _____
Introduced _____
Passed _____
2nd Reading _____
Unanimous _____
Failed _____
Tabled _____
Amended _____
Comments: _____

APPROVED AS TO FORM


Office of the City Attorney

Prepared By: CWE
Requested by: Projects Date: 7/26/22
Council Presentation: 8/2/22
Suspension of Rules: _____

RESOLUTION

RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 FOR
RESURFACING LOCAL STREETS 2021
(A21-1328 / 2021.007.001)

WHEREAS, heretofore, as a result of competitive bidding or as otherwise authorized by the Alabama Competitive Bid Law, Ala. Code §41-16-50, et seq. (1975) and/or Ala. Code §39-2-1, et seq. (1975), the City of Tuscaloosa awarded a contract for the above-referenced project to S.T. Bunn Construction Company, Inc.; and,

WHEREAS, it has been determined that a change order to the above-referenced contract is necessary for the following reasons:

Resurface additional roads in the current Local Streets Project.

as set forth in the C.O. and accompanying documents); and,

WHEREAS, the Architect, the Engineer for the project, or the City's representative, as the case may be, have/has certified to the Council as per the attached change order request, that said change order is: (Mark applicable category)

- a. Minor change of a total monetary value less than required for competitive bidding.
- b. Changes for matters relatively minor and incidental to the original contract necessitated by unforeseeable circumstances arising during the course of work.
- c. Emergency arising during the course of work.
- d. Change or alternates provided for in the original bidding where there is no difference in price of the Change Order from the original best bid on the Alternate.
- e. Change of relatively minor terms not contemplated when the plans and specifications were prepared and the project was bid, and which are in the public interest and do not exceed ten (10) percent of the Contract Price.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA as follows:

1. That the Mayor be, and he is hereby, authorized to execute that certain change order now before the Council for the above stated project in the amount of \$412,830.36 (Change Order Cost), time 0 (Calendar day extension of time), and for the reasons so stated, by and as an act for and on behalf of the City of Tuscaloosa, and the City Clerk is authorized to attest the same.

2. That the Architect or Engineer or Owner's representative, as the case may be, shall implement this change order and properly document the same pursuant to all applicable contract documents.

FUNDING REQUIRED: Yes No

Elevate 10802060-20031


By: Carly Standing
Chief Financial Officer

COUNCIL ACTION

Resolution _____
Ordinance _____
Introduced _____
Passed _____
2nd Reading _____
Unanimous _____
Failed _____
Tabled _____
Amended _____
Comments: _____

This Instrument Prepared By
Thomas D. Bobitt, II Deputy City Attorney
Office of The City Attorney
City of Tuscaloosa
2201 University Blvd.
Tuscaloosa, Alabama 35401

DEED BOOK: 2019 PAGE: 16868

APPROVED AS TO FORM

Office of the City Attorney

Prepared By: TDB
Requested: Legal/UD Date: 5/24/22
Presentation on: 8/2/22
Suspension of Rules: No

RESOLUTION

RESOLUTION CONSENTING TO THE VACATION OF A PORTION OF FOURTH STREET IN THE CITY OF TUSCALOOSA

(A22-0085)

WHEREAS, YORK STREET INVESTMENTS, LLC hereinafter called the Owners, duly filed a Declaration of Vacation of a Street with the City on the 25th day of January, 2022 alleging that they own all of the land abutting a certain public street in the City of Tuscaloosa hereinafter described; and,

WHEREAS, said street lies within the Corporate Limits of the City of Tuscaloosa, Alabama, and the assent of the City Council of Tuscaloosa, Alabama, the governing body of the said Municipality, to the vacation of said public street has been requested and is desired by the Owner; and,

WHEREAS, pursuant to Ala. Code Sections 23-4-2 and 11-49-6 (1975), notice of a date for hearing was duly published in the Tuscaloosa News and abutting property owners and utility entities were notified by mail, all as required by law; and,

WHEREAS, on the date and time duly noticed and specified, a public hearing to determine the assent to the vacation and to discern the fair market value of the land added to that of the abutting landowners was held on August 2, 2022, and the abutting landowners either being present or having jointly consented to the same in the Declaration of Vacation or having waived their objection by their absence;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA as follows:

It appears to the City Council of Tuscaloosa that the vacation of said public streets is in the interest of the public that such streets or portions thereof, be vacated and that said vacation as herein described will not deprive other property owners of their right, as they may have, to convenient and reasonable means of ingress to and from their property, nor will it adversely affect the interest of the public in any way and that the assent of said City Council be, and the same is hereby, given to the vacation of the following described public alley in the City of Tuscaloosa, County of Tuscaloosa, Alabama, to-wit:

A parcel of land being a part of the Street Right-of-Way for Fourth Street, lying adjacent to Lot 82, Original Survey of the City of Tuscaloosa, and Lot 1, The Crescent, as recorded in Plat Book 2019 at Page 136 in the Probate Office in Tuscaloosa County, Alabama and being part of the Northeast Quarter, Section 22, Township 21 South, Range 10 West, Tuscaloosa County, Alabama, said parcel being more particularly described as follows:

A parcel of land being a part of the Street Right-of-Way for Fourth Street, lying adjacent to Lot 1 Resurvey of Lots 96 & 97, Original Survey of the City of Tuscaloosa, as recorded in Plat Book 22 at Page 105 in the Probate Office in Tuscaloosa, Alabama, and Lot 1, The Crescent, as recorded in Plat Book 2019 at Page 136 in the Probate Office in Tuscaloosa County, Alabama and being part of the Northeast Quarter, Section 22, Township 21 South, Range 10 West, Tuscaloosa County, Alabama, said parcel being more particularly described as follows: As a POINT OF COMMENCEMENT, Start at the northeast corner of said Lot 1, The Crescent, as recorded in Plat Book 2019 at Page 136 in the Probate Office of Tuscaloosa County, Alabama, thence run in an southeasterly direction along the east boundary line of said Lot 1 for a distance of 49.63 feet to the POINT OF BEGINNING of the parcel herein described; thence continue in a southeasterly direction and along the preceding course for a distance of 49.50 feet to a point lying on the present south boundary of 4th Street, originally a 99 foot Right-of-Way; thence with an interior angle right of 90 degrees 01 minutes 43 seconds, run in a northeasterly direction and along said south right-of-way boundary of 4th Street, originally a 99' Right-of-Way, for a distance of 107.44 feet to a point; thence with an interior angle right of 90 degrees 15 minutes 38 seconds, departing the south boundary of 4th Street, originally a 99' Right-of-Way, run in a northwesterly direction for a distance of 49.51 feet to a point; thence with an interior angle right of 89 degrees.44 minutes 13 seconds, run in a southwesterly direction for a distance of 107.69 feet to the POINT OF BEGINNING, said parcel containing approximately 0.12 acre, more or less.

A depiction of said street to be vacated attached hereto as Exhibit "A"

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA as follows:

1. That pursuant to Ala. Code §11-49-6 (1975), and Tuscaloosa City Code § 21-184 the fair market value of the land added to that land owned by the following abutting landowners and publication costs are set out as follows:

Owner: York Street Investments, LLC

Fair Market Value	\$ 35,595.00
Publication Costs:	<u>\$ 2,050.40</u>
Total:	\$ 37,645.40

Failure by any land owner to tender payment of the Fair Market Value of the lands received and publication costs within 60 days of the adoption of this resolution by the City Council, shall nullify the assent of the City Council and render said street/alley vacation void. **Payment Shall Be Tendered By Certified Funds Or Money Order And Payable To The City Of Tuscaloosa.**

2. That pursuant to Ala. Code §23-4-2 (1975), the City Clerk is hereby directed to publish this resolution in the Tuscaloosa News, a newspaper of general circulation, one time within 14 days of the adoption of this resolution.

3. That the Mayor be, and he hereby is, authorized to present a copy of this resolution duly certified as correct by the City Clerk of the City of Tuscaloosa, the officer in charge of the records of said Municipality to the landowners within 15 days of the date of publication of this resolution in order that same may be filed and recorded.

4. That this vacation is final and binding provided that an appeal is not filed by any interested person within 30 days of the adoption of this resolution to any trial court of competent jurisdiction and or appellate court of this State and is adjudicated in the appellants favor pursuant to procedures as set forth in Ala. Code §23-4-5 (1975) as amended by Acts of Alabama 2004-323 which renders said vacation null and void.

5. That this resolution shall not be valid nor considered a lawful conveyance and said streets shall not be deemed to be vacated until such time as the payment of the publication costs and Fair Market Value of the lands described herein have been received by the City and all conditions of this resolution have been satisfied. Upon tender to the City of all sums due, the City is relieved from any and all responsibility and liability for the maintenance and repair of said street/alley. It is the responsibility of the owner to record the Resolution of Vacation with the Office of Probate Judge of Tuscaloosa County and the City shall not be held to be contributory negligent for the failure, mistake, neglect or omission of the owner to record the Resolution of Vacation of public record.

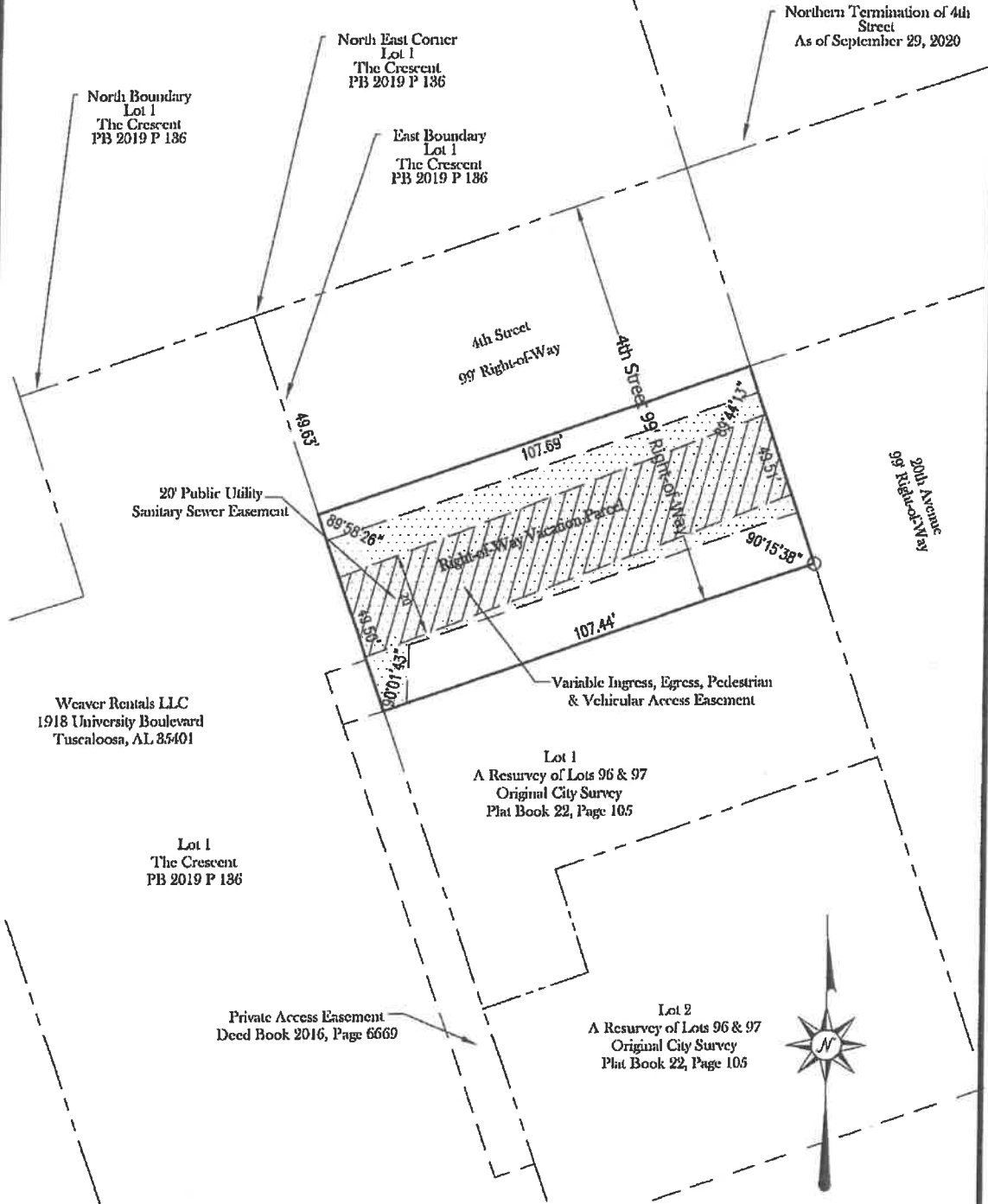
Highlands Limited Partnership
1918 University Boulevard
Tuscaloosa, AL 35401

Exhibit "A"

Highlands Limited Partnership
1918 University Boulevard
Tuscaloosa, AL 35401

Lots 81 & 82
The Original Survey of the City of Tuscaloosa

Vacated Street Right-of-Way
The Original Survey of the City of Tuscaloosa



JOB NO: 20-09-006	DATE: 09/25/2020	REV: 07/21/2020
DATE OF SURVEY: 09/08/2020	SOURCE OF TITLE: N/A	
FB/PG: dc	SCALE: 1" = 50'	SHEET: 1 OF 2
FILE NAME: 1104021/Crescent 2016.DWG	DWN/CHK BY: THS/AJC	

CABANISS ENGINEERING, INC.
PROFESSIONAL ENGINEERS AND LAND SURVEYORS
COURT HOUSE PLAZA 600 LURLEEN WALLACE BLVD. SOUTH, SUITE 140
P.O. BOX 020440 TUSCALOOSA, ALABAMA 35402 (205) 758-9032

APPROVED AS TO FORM


Office of the City Attorney

Prepared By: CLH/ch
Requested: Mayor Date: 08/02/2022
Council Presentation on: 08/02/2022
Suspension of Rules: No

RESOLUTION

RESOLUTION IN SUPPORT OF PROCEEDING WITH DESIGN PHASE SERVICES FOR BOTH THE
SABAN CENTER AND THE TUSCALOOSA EVENT CENTER
(A21-1603)

WHEREAS, the City of Tuscaloosa is partnering with the Nick and Terry Saban Family, the Nick's Kids Foundation, the Children's Hands-On Museum, and Tuscaloosa Children's Theater to create the Saban Center, which will bring STEM (science, technology, engineering, and mathematics) programs together with theater, literature, outdoor recreation, and interactive learning for children and families in Tuscaloosa, to provide a state of the art, interactive learning and discovery center for the City's next generation; and

WHEREAS, the City has previously engaged C.M. Johnson Consulting to conduct a feasibility study and to make recommendations as to whether the City has a need for and could support a large-scale convention, athletic, or event venue; and

WHEREAS, Johnson Consulting has completed its study, and recommended that the City has a demonstrated need for a large event venue of at least 20,000 square feet of net event space, and has recommended that the event venue be located in proximity to the City's downtown area; and

WHEREAS, the best location to accommodate both the Saban Center and the proposed event center is the site of the existing Tuscaloosa News building, located on Jack Warner Parkway, adjacent to the Tuscaloosa Amphitheater; and

WHEREAS, it is in the best interest of the City to design both the Saban Center and the proposed event center at the same time, in order to make the most efficient and economical use of the City's resources, and to put the City in the best position to move forward with one or both projects at the appropriate time;

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE TUSCALOOSA CITY COUNCIL, that the Council declares its support for and commitment to moving forward with the design of both the Saban Center and the proposed event center, subject to the City's ability to procure such design services within established project budgets, and subject to the Council's authority to approve all contracts of the City.

APPROVED AS TO FORM



Office of the City Attorney

Prepared By: CLH
Requested: OCA Date: 8/2/2022
Council Presentation: 8/2/2022
Suspension of Rules: No

RESOLUTION

A RESOLUTION AUTHORIZING THE CITY OF TUSCALOOSA TO JOIN THE STATE OF ALABAMA AND OTHER LOCAL GOVERNMENTS AS PARTICIPANTS IN THE MCKESSON SETTLEMENT (OCA File No. 21-0292)

WHEREAS, the opioid epidemic continues to impact communities in the United States, the State of Alabama, and the City of Tuscaloosa, Alabama;

WHEREAS, the City of Tuscaloosa has suffered harm and will continue to suffer harm as a result of the opioid epidemic;

WHEREAS, the State of Alabama and some Alabama local governments have filed lawsuits against opioid manufacturers, distributors, and retailers (“Opioid Litigation”);

WHEREAS, the State of Alabama has entered into a Settlement Agreement with McKesson Corporation (“McKesson”), which includes the claims for the State of Alabama’s local governments, and the City of Tuscaloosa finds the terms of the Settlement Agreement acceptable and in the best interest of the community;

WHEREAS, the State of Alabama has proposed a McKesson Settlement Sign-On Agreement to the local governments and the City of Tuscaloosa finds the terms of the Sign-On Agreement acceptable and in the best interest of the community;

WHEREAS, the Settlement Agreement and Sign-On Agreement detail the allocation of settlement funds, which the City of Tuscaloosa finds acceptable and in the best interest of the community;

NOW, THEREFORE, BE IT RESOLVED BY THE TUSCALOOSA CITY COUNCIL,

Section 1. That the City of Tuscaloosa finds that participation in the McKesson Settlement, Settlement Agreement and Sign-On Agreement is in the best interest of the City of Tuscaloosa and its citizens because such a plan would ensure an effective structure for the commitment of settlement funds to abate and seek to resolve the opioid epidemic.

Section 2. That the City of Tuscaloosa hereby expresses its support for the McKesson Settlement and allocation and use of settlement funds as generally described in the Settlement Agreement and Sign-On Agreement.

Section 3. That the City Attorney is hereby expressly authorized to execute the McKesson Settlement Sign-On Agreement and any formal agreements necessary to implement the McKesson Settlement and plan for the allocation and use of settlement funds.

Section 4. That the City Attorney is hereby expressly authorized to execute any formal agreement and related documents evidencing the City of Tuscaloosa's agreement to the settlement of claims and litigation specifically related to McKesson.

Section 5. That the City Attorney is authorized to take such other action as necessary and appropriate to effectuate the City of Tuscaloosa's participation in the McKesson Settlement.

Section 6. This Resolution is effective upon adoption, the welfare of the City of Tuscaloosa, Alabama requiring it.

FUNDING REQUIRED: Yes No

By: _____
Chief Financial Officer

COUNCIL ACTION
Resolution _____
Ordinance _____
Introduced _____
Passed _____
2nd Reading _____
Unanimous _____
Failed _____
Tabled _____
Amended _____
Comments: _____

APPROVED AS TO FORM



Office of the City Attorney

Prepared By: CLH
Requested: OCA Date: 8/2/2022
Council Presentation: 8/2/2022
Suspension of Rules: No

RESOLUTION

A RESOLUTION AUTHORIZING THE CITY OF TUSCALOOSA TO JOIN THE STATE OF ALABAMA AND OTHER LOCAL GOVERNMENTS AS PARTICIPANTS IN THE JANSSEN SETTLEMENT (OCA File No. 21-0292)

WHEREAS, the opioid epidemic continues to impact communities in the United States, the State of Alabama, and the City of Tuscaloosa, Alabama;

WHEREAS, the City of Tuscaloosa has suffered harm and will continue to suffer harm as a result of the opioid epidemic;

WHEREAS, the State of Alabama and some Alabama local governments have filed lawsuits against opioid manufacturers, distributors, and retailers (“Opioid Litigation”);

WHEREAS, the State of Alabama has entered into a Settlement Agreement with Johnson & Johnson, Janssen Pharmaceuticals, Inc., Ortho-McNeil-Janssen Pharmaceuticals, Inc., and Janssen Pharmaceutica, Inc. (collectively “Janssen”), which includes the claims for the State of Alabama’s local governments, and the City of Tuscaloosa finds the terms of the Settlement Agreement acceptable and in the best interest of the community;

WHEREAS, the State of Alabama has proposed a Janssen Settlement Sign-On Agreement to the local governments and the City of Tuscaloosa finds the terms of the Sign-On Agreement acceptable and in the best interest of the community;

WHEREAS, the Settlement Agreement and Sign-On Agreement detail the allocation of settlement funds, which the City of Tuscaloosa finds acceptable and in the best interest of the community;

NOW, THEREFORE, BE IT RESOLVED BY THE TUSCALOOSA CITY COUNCIL,

Section 1. That the City of Tuscaloosa finds that participation in the Janssen Settlement, Settlement Agreement and Sign-On Agreement is in the best interest of the City of Tuscaloosa and its citizens because such a plan would ensure an effective structure for the commitment of settlement funds to abate and seek to resolve the opioid epidemic.

Section 2. That the City of Tuscaloosa hereby expresses its support for the Janssen Settlement and allocation and use of settlement funds as generally described in the Settlement Agreement and Sign-On Agreement.

Section 3. That the City Attorney is hereby expressly authorized to execute the Janssen Settlement Sign-On Agreement and any formal agreements necessary to implement the Janssen Settlement and plan for the allocation and use of Settlement Funds.

Section 4. That the City Attorney is hereby expressly authorized to execute any formal agreement and related documents evidencing the City of Tuscaloosa's agreement to the settlement of claims and litigation specifically related to Janssen.

Section 5. That the City Attorney is authorized to take such other action as necessary and appropriate to effectuate the City of Tuscaloosa's participation in the Janssen Settlement.

Section 6. This Resolution is effective upon adoption, the welfare of the City of Tuscaloosa, Alabama requiring it.

FUNDING REQUIRED: Yes No

By: _____
Chief Financial Officer

COUNCIL ACTION
Resolution _____
Ordinance _____
Introduced _____
Passed _____
2nd Reading _____
Unanimous _____
Failed _____
Tabled _____
Amended _____
Comments: _____

APPROVED AS TO FORM



Prepared By: HE
 Requested: 07/26/22
 Presentation on: 08/02/22
 Suspension of Rules: No

RESOLUTION

AMENDING THE FISCAL YEAR 2022 GENERAL FUND RESERVE FOR FUTURE IMPROVEMENTS FUND BUDGET
 (AMENDMENT 11 - FY22 GFRFFI BUDGET)
 (A98-0470)

WHEREAS, the Council has determined to re-establish the GFRFFI for Fiscal 2022. NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA, as follows:

That the resolution previously enacted by the City Council designating a specific amount of the City of Tuscaloosa's General Fund Reserve Fund for Future Improvement (GFRFFI) as encumbered for certain designated public improvement and special projects of the General Fund Department in the stated amount for expenditures in the fiscal year, including continuing encumbrances of unexpended reserve funds in the stated amounts for those projects previously designated in prior years and confirmed therein, be further amended by the language and/or by the addition or subtraction in the amounts as indicated herein. Unless subsequently amended or repealed, any unexpended funds designated or amended herein or previously designated shall remain encumbered through Fiscal 2022.

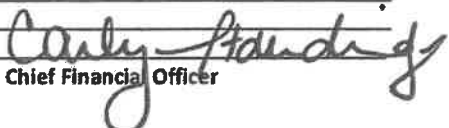
That a net total of \$33,096,756 of the City of Tuscaloosa's General Fund Reserve Fund be budgeted and encumbered for General Fund improvement and special projects or programs of the City of Tuscaloosa.

BE IT ORDAINED BY THE CITY COUNCIL OF TUSCALOOSA, ALABAMA, that the Fiscal Year 2022 General Fund Budget of the City of Tuscaloosa be, and the same is hereby, amended as follows:

EXPENSES			
PROJECT NAME	CURRENT BUDGET	CHANGE	REVISED BUDGET
Contingency	9,508,314	(35,883)	9,472,431
Greensboro Ave Drainage	467,221	35,883	503,104
		-	-
		-	-
		-	-

All prior resolutions designating funds for the Reserve for Future Improvement Fund and any amendments thereto be and the same are hereby repealed to the extent of any conflict with the provisions hereof. The City Council reserves the right to amend, modify and/or repeal this resolution or any provision hereof, depending upon change of circumstances, market fluctuation, unforeseen conditions or the demands upon the City's finances.

FUNDING REQUIRED: Yes X No _____
 GF RFFI _____

By: 
 Chief Financial Officer

COUNCIL ACTION

Resolution _____
 Ordinance _____
 Introduced _____
 Passed _____
 2nd Reading _____
 Unanimous _____
 Failed _____
 Tabled _____
 Amended _____
 Comments: _____

APPROVED AS TO FORM



Prepared By: HE
Requested: 07/26/2022
Presentation on: 08/02/2022
Suspension of Rules: NO

RESOLUTION

**AMENDING THE FISCAL YEAR 2022 WATER AND SEWER RESERVE FOR FUTURE IMPROVEMENTS FUND BUDGET
(AMENDMENT 9 - FY22 WSRFFI BUDGET)
(A07-0203/A98-0431)**

WHEREAS, the Council has determined to re-establish the WSRFFI for Fiscal 2022. NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA, as follows:

That the resolution previously enacted by the City Council designating a specific amount of the City of Tuscaloosa's Water and Sewer Reserve Fund for Future Improvement (WSRFFI) as encumbered for certain designated public improvement and special projects of the Water and Sewer Department in the stated amount for expenditures in the fiscal year, including continuing encumbrances of unexpended reserve funds in the stated amounts for those projects previously designated in prior years and confirmed therein, be further amended by the language and/or by the addition or subtraction in the amounts as indicated herein. Unless subsequently amended or repealed, any unexpended funds designated or amended herein or previously designated shall remain encumbered through Fiscal 2022.

That a net total of \$15,754,217 of the City of Tuscaloosa's Water and Sewer Reserve Fund be budgeted and encumbered for Water and Sewer Improvement and special projects or programs of the City of Tuscaloosa.

BE IT ORDAINED BY THE CITY COUNCIL OF TUSCALOOSA, ALABAMA, that the Fiscal Year 2022 Water and Sewer Fund Budget of the City of Tuscaloosa be, and the same is hereby, amended as follows:

REVENUES			
PROJECT NAME	CURRENT BUDGET	CHANGE	REVISED BUDGET
Transfer from Water & Sewer Fund	(26,795,540)	(70,773)	(26,866,313)
NET REVENUES		<u>(70,773)</u>	

EXPENSES			
PROJECT NAME	CURRENT BUDGET	CHANGE	REVISED BUDGET
Lift Station #10 & #11 Upgrades	530,461	70,773	601,234
NET EXPENDITURES		<u>70,773</u>	
NET CHANGE		<u>-</u>	

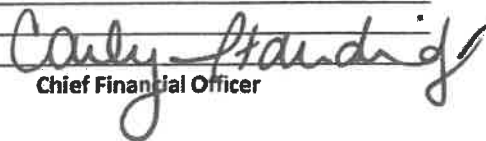
FUNDING REQUIRED: Yes No

Fund 612 (Water & Sewer RFFI)

COUNCIL ACTION

Resolution _____
Ordinance _____
Introduced _____
Passed _____
2nd Reading _____
Unanimous _____
Failed _____
Tabled _____
Amended _____
Comments: _____

By:


Chief Financial Officer

APPROVED AS TO FORM

Office of the City Attorney

Prepared By: SBH/cr

Requested: OCA Date: 7-26-22

Council Presentation: 8-2-2022

Suspension of Rules: No

RESOLUTION

RESOLUTION AUTHORIZING MAYOR TO EXECUTE A LETTER REJECTING INFA GRANT
(A22-0768)

BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA that the Mayor be, and is hereby, authorized to execute a letter rejecting INFA Grant, and the City Clerk is authorized to attest the same.


FUNDING REQUIRED: Yes No

By: _____
Chief Financial Officer

COUNCIL ACTION

Resolution _____
Ordinance _____
Introduced _____
Passed _____
2nd Reading _____
Unanimous _____
Failed _____
Tabled _____
Amended _____
Comments: _____

APPROVED AS TO FORM


Office of the City Attorney

Prepared By: SEM
Requested: Projects Date: 07/26/2022
Council Presentation: 08/02/2022
Suspension of Rules: NO

RESOLUTION

RESOLUTION AUTHORIZING REJECTION OF BIDS RECEIVED FOR
2022 METER CHANGE OUT PROJECT, PHASE ONE
AND AUTHORIZING REBID
(A22-0639)

WHEREAS, heretofore, bids were opened and read on July 13, 2022 in regard to the 2022 Meter Change-Out Project, Phase 1 and,

WHEREAS, representatives of the City have advised the City of Tuscaloosa Projects Committee that the bid received was not in the interest of the city and as such recommend: that the bid be rejected pursuant to Ala. Code § 39-2-6 and the project be re-advertised for bids.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA AS FOLLOWS:

1. That pursuant to Ala. Code § 39-2-6, the City Council finds that the bid received on July 13, 2022, in regard to the 2022 Meter Change-Out Project, Phase 1 were not in the interest of the city, and as such, the bid received is hereby rejected, by, and as an act for, and on behalf of the City of Tuscaloosa.

2. That City staff is hereby directed to re-advertise the above project and seek other competitive bids.

FUNDING REQUIRED: Yes No

By: _____
Chief Financial Officer

COUNCIL ACTION

Resolution _____
Ordinance _____
Introduced _____
Passed _____
2nd Reading _____
Unanimous _____
Failed _____
Tabled _____
Amended _____
Comments: _____

APPROVED AS TO FORM



Office of the City Attorney

Prepared By: SBH/cr
Requested: A&F Date: 7/26/22
Council Presentation: 8/2/22
Suspension of Rules: No

RESOLUTION

RESOLUTION CONCERNING AUTHORIZED PERSONNEL
TO CONDUCT FINANCIAL TRANSACTIONS ON BEHALF OF THE CITY
(A22-0775)

BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA as follows: That the list of those employees of the City of Tuscaloosa authorized to access the City of Tuscaloosa's safety deposit box be amended to add thereto Becky Scheeff and London Jenkins. By operation of this resolution only five (5) City employees, being the Senior Accountant, Cory Folds, the CFO, Carly Standridge, the Deputy CFO, Becky Scheeff, and the Associate Director of Accounting and Financial Reporting, Caroline Cockrell, and the Associate Director of Accounting and Financial Reporting, London Jenkins, are authorized to access and utilize the safety deposit box of the City.

BE IT FUTHER RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA as follows: That the Senior Accountant, Cory Folds, the CFO, Carly Standridge, the Deputy CFO, Becky Scheeff, and the Associate Director of Accounting and Financial Reporting, London Jenkins, be, and they are hereby authorized to initiate and confirm wire transfers, to administer the investment of City Funds and to execute, by and as an act for and on behalf of the City of Tuscaloosa, authorizations to transact business with any authorized financial institution, and the Mayor and/or the City Clerk are authorized to execute the same, by and as an act for and on behalf of the City of Tuscaloosa. By operation of this resolution only five (5) City employees, the Senior Accountant, Cory Folds, the CFO, Carly Standridge, the Deputy CFO, Becky Scheeff, and the Associate Director of Accounting and Financial Reporting, Caroline Cockrell, and the Associate Director of Accounting and Financial Reporting, London Jenkins, are authorized to initiate and confirm wire transfers, to administer the investment of City Funds and to execute, by and as an act for and on behalf of the City of Tuscaloosa, authorizations to transact business with any authorized financial institution, access and utilize the safety deposit box of the City.

APPROVED AS TO FORM


Office of the City Attorney

Prepared By: SBH/cr
Requested: A&F Date: 7/26/22
Council Presentation: 8/2/22
Suspension of Rules: No

RESOLUTION

RESOLUTION AUTHORIZING SIGNOR TO VARIOUS CITY ACCOUNTS
(A22-0777)

BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA as follows: That the Chief Financial Officer is authorized to take all measures necessary to add Becky Scheeff, Deputy CFO, and London Jenkins, Associate Director of Accounting and Financial Reporting to various City checking and savings accounts at the following financial institutions: Regions, Synovus, Wells Fargo, PNC, Cadence, BB&T, Bryant Bank, Smart Bank and Progress Bank.

FUNDING REQUIRED: Yes No

By: _____
Chief Financial Officer

COUNCIL ACTION

Resolution _____
Ordinance _____
Introduced _____
Passed _____
2nd Reading _____
Unanimous _____
Failed _____
Tabled _____
Amended _____
Comments: _____

APPROVED AS TO FORM

Office of the City Attorney

Prepared By: TDB
Requested: Legal: Date 8/2/22
Presentation on: 8/2/22
Suspension of Rules: No

RESOLUTION

RESOLUTION AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DRAW DRAFTS FOR THE
MCWRIGHTS FERRY ROAD IMPROVEMENTS PROJECT RIGHT OF WAY ACQUISITIONS
(A18-0165)

BE IT RESOLVED BY THE TUSCALOOSA CITY COUNCIL that the Chief Financial Officer be,
and is hereby, authorized to draw drafts to the following for the stated amounts for payment of
property acquisitions:

McWrights Ferry Road Improvements Project Right of Way Acquisition Account Number
23509030-16099

<u>Tracts</u>	<u>Payee</u>	<u>Amount</u>
8 & 9	Rosen Harwood P. A. (Closing attorneys for Dwayne Brown)	\$1,350,000.00
27	Bruce Taylor and Deborah Taylor	\$79,850.00

FUNDING REQUIRED: Yes No

23509030-16099

By:
Chief Financial Officer

On behalf of Carly Standridge

COUNCIL ACTION

Resolution _____
Ordinance _____
Introduced _____
Passed _____
2nd Reading _____
Unanimous _____
Failed _____
Tabled _____
Amended _____
Comments: _____

APPROVED AS TO FORM

Office of the City Attorney

Prepared By: SEM

Requested: IPS Date: 08/02/2022

Council Presentation: 08/02/2022

Suspension of Rules: NO

RESOLUTION

RESOLUTION DECLARING EMERGENCY
AND AUTHORIZING EMERGENCY PUBLIC WORKS CONTRACT WITH
JOHN PLOTT COMPANY INC. FOR
JACK WARNER PARKWAY SLOPE STABILIZATION
(A22-0718)

BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA AS FOLLOWS:

That pursuant to Ala. Code §39-2-2(e) (1975) an emergency exists affecting the public health, safety and/or convenience in regard to repair and stabilization of a slope on Jack Warner Parkway and upon recommendation of the Infrastructure and Public Services Department, the City Council determines that any delay in the immediate repair and stabilization of the slope could substantially affect public health, safety, and/or convenience.

It is therefore declared that an emergency exists in accordance with State law for the letting of a public works contract without public advertisement for the abovementioned work.

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA AS FOLLOWS:

That the Mayor is hereby authorized to execute an emergency public works contract with John Plott Company, Inc. in an amount not to exceed \$1,427,215.00 for the abovementioned work, and the City Clerk is authorized to attest the same, all by and as an act for and on behalf of the City of Tuscaloosa. Any execution of the afore-mentioned contract is ratified as an action of the City.

FUNDING REQUIRED: Yes No

20309030-22024

By: Carly Handberg
Chief Financial Officer

COUNCIL ACTION

Resolution _____
Ordinance _____
Introduced _____
Passed _____
2nd Reading _____
Unanimous _____
Failed _____
Tabled _____
Amended _____
Comments: _____

APPROVED AS TO FORM


Office of the City Attorney

Prepared By: SEM
Requested: Projects Date: 08/02/2022
Council Presentation: 08/02/2022
Suspension of Rules: NO

RESOLUTION

RESOLUTION AUTHORIZING MINOR PUBLIC WORKS CONTRACT WITH
TRIPLE J TREE SERVICE, LLC
(A22-0759)

BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA AS FOLLOWS:

That the Mayor is authorized to execute a minor public works contract in an amount not to exceed \$4,150.00 with Triple J Tree Service for the tree removal, stump grinding and tree trimming services at: The right of way located at 1601 Alaca Place and 530 Meador Drive by, and as an act for, and on behalf of the City of Tuscaloosa, and the City Clerk is authorized to attest the same.

FUNDING REQUIRED: Yes No
10109074-3100

By: 
Chief Financial Officer

COUNCIL ACTION

Resolution _____
Ordinance _____
Introduced _____
Passed _____
2nd Reading _____
Unanimous _____
Failed _____
Tabled _____
Amended _____
Comments: _____

APPROVED AS TO FORM


Office of the City Attorney

Prepared By: OT/LH

Requested: Projects Date: 8-2-2022

Council Presentation: 8-2-2022

Suspension of Rules: No

RESOLUTION

RESOLUTION AUTHORIZING CONTRACT WITH CHAMBLESS KING ARCHITECTS FOR ARCHITECTURAL AND RELATED SERVICES FOR FACILITY UPGRADES AND IMPROVEMENTS TO THE BOYS AND GIRLS CLUB (A22-0720)

BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA AS FOLLOWS:

That the Mayor is authorized to execute a contract with Chambless King Architect in the amount not to exceed \$134,805.35 whereby consultant will provide professional architectural and related services for facility improvements and upgrades to the Boys and Girls Club by, and as an act for, and on behalf of the City of Tuscaloosa, and the City Clerk is authorized to attest the same.

FUNDING REQUIRED: Yes No

CDBG Fund 202

By: 
Chief Financial Officer

COUNCIL ACTION

Resolution _____
Ordinance _____
Introduced _____
Passed _____
2nd Reading _____
Unanimous _____
Failed _____
Tabled _____
Amended _____
Comments: _____

APPROVED AS TO FORM


Office of the City Attorney

Prepared By: SBH/cr
Requested: Finance Date: 7/26/22
Council Presentation: 8/2/22
Suspension of Rules: No

RESOLUTION

RESOLUTION AUTHORIZING DISBURSEMENT FROM DISTRICT 4 IMPROVEMENT FUNDS FOR THE
DOWNTOWN BRANCH OF THE YMCA
(A22-0773)

BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA AS FOLLOWS:

That the Councilmember for Tuscaloosa City Council District 4 has requested that the amount of \$5,000.00 be designated for the construction of a playground located on city property leased by the Downtown Branch of the YMCA, from the District 4 Improvement Fund, by, and as an act form, and on behalf of the City of Tuscaloosa.

FUNDING REQUIRED: Yes No
10104050-99904

By: 
Chief Financial Officer

COUNCIL ACTION

Resolution _____
Ordinance _____
Introduced _____
Passed _____
2nd Reading _____
Unanimous _____
Failed _____
Tabled _____
Amended _____
Comments: _____

APPROVED AS TO FORM



Office of the City Attorney

Prepared By: SBH
Requested: Finance Comm Date: 7/26/22
Presentation on: 8/3/2021
Suspension of Rules: No

RESOLUTION

RESOLUTION AUTHORIZING THE MAYOR TO MAKE APPLICATION TO THE BUREAU OF JUSTICE ASSISTANCE FOR FISCAL YEAR 2022 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (A22-0778)

WHEREAS, the United States Department of Justice through the Bureau of Justice Assistance has offered a grant to provide funds to units of local government to underwrite projects to support crisis intervention and to purchase mobile data units for vehicles; and

WHEREAS, the City of Tuscaloosa and Tuscaloosa County desires to jointly participate in this program to support crisis intervention and to purchase mobile data units for vehicles.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA that the Mayor is authorized to make application on behalf of the City of Tuscaloosa and Tuscaloosa County to the Bureau of Justice Assistance for the Edward Byrne Memorial Justice Grant for fiscal year 2022, the grant funds will support crisis intervention and purchase mobile data units for vehicles, as an act for, and on behalf of the City of Tuscaloosa.

BE IT FURTHER RESOLVED should aforementioned grant application be successful and awarded by the United States Department of Justice, that the Mayor is authorized to execute the grant acceptance, as well as an agreement with Tuscaloosa County, regarding the distribution of the grant funds for the 2022 Edward Byrne Memorial Justice Assistance Grant.

FUNDING REQUIRED: Yes No

By: _____

Chief Financial Officer

COUNCIL ACTION

Resolution _____
Ordinance _____
Introduced _____
Passed _____
2nd Reading _____
Unanimous _____
Failed _____
Tabled _____
Amended _____
Comments: _____

Prepared By: HE
 Requested: 08/02/22
 Presentation on: 08/02/22
 Suspension of Rules: No

RESOLUTION

**AMENDING THE FISCAL YEAR 2022 GENERAL FUND RESERVE FOR FUTURE IMPROVEMENTS FUND BUDGET
 (AMENDMENT 12 - FY22 GFRFFI BUDGET)
 (A98-0470)**

WHEREAS, the Council has determined to re-establish the GFRFFI for Fiscal 2022. NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA, as follows:

That the resolution previously enacted by the City Council designating a specific amount of the City of Tuscaloosa's General Fund Reserve Fund for Future Improvement (GFRFFI) as encumbered for certain designated public improvement and special projects of the General Fund Department in the stated amount for expenditures in the fiscal year, including continuing encumbrances of unexpended reserve funds in the stated amounts for those projects previously designated in prior years and confirmed therein, be further amended by the language and/or by the addition or subtraction in the amounts as indicated herein. Unless subsequently amended or repealed, any unexpended funds designated or amended herein or previously designated shall remain encumbered through Fiscal 2022.

That a net total of \$33,096,756 of the City of Tuscaloosa's General Fund Reserve Fund be budgeted and encumbered for General Fund Improvement and special projects or programs of the City of Tuscaloosa.

BE IT ORDAINED BY THE CITY COUNCIL OF TUSCALOOSA, ALABAMA, that the Fiscal Year 2022 General Fund Budget of the City of Tuscaloosa be, and the same is hereby, amended as follows:

EXPENSES			
PROJECT NAME	CURRENT BUDGET	CHANGE	REVISED BUDGET
Contingency	9,472,431	(1,427,215)	8,045,216
JWP Slope Stabilization	84,000	1,427,215	1,511,215
	NET EXPENDITURES	-	-
	NET CHANGE	-	-

All prior resolutions designating funds for the Reserve for Future Improvement Fund and any amendments thereto be and the same are hereby repealed to the extent of any conflict with the provisions hereof. The City Council reserves the right to amend, modify and/or repeal this resolution or any provision hereof, depending upon change of circumstances, market fluctuation, unforeseen conditions or the demands upon the City's finances.

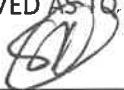
FUNDING REQUIRED: Yes X No _____
 GF RFFI _____

COUNCIL ACTION

- Resolution _____
- Ordinance _____
- Introduced _____
- Passed _____
- 2nd Reading _____
- Unanimous _____
- Failed _____
- Tabled _____
- Amended _____
- Comments: _____

By:
 Chief Financial Officer

APPROVED AS TO FORM



Office of the City Attorney

Prepared By: KBK/rd
Requested: Public Safety Date: 07/26/2022
Council Presentation: 08/02/2022
Suspension of Rules: No

RESOLUTION

RESOLUTION AUTHORIZING THE TUSCALOOSA POLICE DEPARTMENT
TO SIGN A MEMORANDUM OF UNDERSTANDING WITH THE
TUSCALOOSA VA MEDICAL CENTER
(A22-0695)

BE IT RESOLVED that the Tuscaloosa Police Department is authorized to execute on behalf of the City a Memorandum of Understanding between the United States Department of Veterans Affairs, Tuscaloosa VA Medical Center, and Tuscaloosa Police Department for interagency cooperation and coordinate concerning law enforcement, emergency response, and requests for assistance

FUNDING REQUIRED: Yes No

By: _____
Chief Financial Officer

COUNCIL ACTION

Resolution _____
Ordinance _____
Introduced _____
Passed _____
2nd Reading _____
Unanimous _____
Failed _____
Tabled _____
Amended _____
Comments: _____

APPROVED AS TO FORM



Office of the City Attorney

Prepared By: JPW III/rd

Requested: Planning Com/UD Date: 07/18/2022

Council Presentation on: 08/02/2022

Suspension of Rules: No

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF TUSCALOOSA
AMENDMENT NO. 1481

(Approx. 1.33 acres located at 2015 McFarland Boulevard
East—University of Alabama)
(A22-0749/Z-16-22)
(I to BN)

BE IT ORDAINED BY THE CITY COUNCIL OF TUSCALOOSA, as follows:

That the Zoning Map of Tuscaloosa, adopted as a part of the Zoning Ordinance of Tuscaloosa be, and the same is hereby, amended and the following zoning classification is changed and established as follows:

A parcel of land located in the Southwest Quarter of the Northwest Quarter of Section 30, Township 21 South, Range 9 West in Tuscaloosa County, Alabama and being more particularly described as follows:

As a starting point, start at the Northwest corner of said Section 30; thence run in an Easterly direction and along the North boundary of said Section 30 for a distance of 382.54 feet to a point; thence with a deflection angle of 91 degrees 06 minutes to the right run in a Southerly direction for a distance of 1,942.05 feet to the POINT OF BEGINNING of the property herein described; thence continue in a Southerly direction for a distance of 165.04 feet to a point; thence with an interior angle of 89 degrees 58 minute run in a Westerly direction for a distance of 346.33 feet to a point on the East boundary of U.S. Highway 82 right-of-way; thence with an interior angle of 89 degrees 58 minutes run in a Northerly direction and along the East boundary of U.S. Highway 82 right-of-way for a distance of 165.00 feet to a point; thence with an interior angle of 90 degrees 02 minute run in an Easterly direction for a distance of 346.16 feet to the POINT OF BEGINNING, at which point the interior angle being 90 degrees 01 minutes. Said parcel containing 1.31 acres.

The above referenced property is presently zoned Institutional District (I) to be zoned Neighborhood Commercial District (BN).

DESCRIPTION APPROVED BY:

Jack Ponds

OFFICE OF URBAN DEVELOPMENT

FUNDING REQUIRED: Yes No


By: _____

Chief Financial Officer

COUNCIL ACTION

Resolution _____
Ordinance _____
Introduced _____
Passed _____
2nd Reading _____
Unanimous _____
Failed _____
Tabled _____
Amended _____
Comments: _____

APPROVED AS TO FORM


Office of the City Attorney

Prepared By: HE
Requested: FC 07/26/22
Presentation on: 08/02/22
Suspension of Rules: No

ORDINANCE NO. _____

AMENDING THE FISCAL YEAR 2022 WATER AND SEWER FUND BUDGET
(AMENDMENT 4 – FY22 WS BUDGET)
(A19-1132)

BE IT ORDAINED BY THE CITY COUNCIL OF TUSCALOOSA, ALABAMA, that the Fiscal Year 2022 Water and Sewer Fund Budget of the City of Tuscaloosa be, and the same is hereby, amended as follows:

EXPENDITURE			
Department	Account	Current Budget	Amended Budget
IPS – Plott	Wages	\$12,480	\$0
IPS – Plott	Repairs & Supplies	\$92,997	\$78,000
IPS – Plott	Equipment – WS Process	\$21,500	\$13,500
IPS – Plott	Capital Repairs/Improvements	\$167,873	\$142,873
IPS – Ed Love	Capital Repairs/Improvements	\$164,672	\$154,376
Other Operating	Transfer to WS RFFI	\$2,210,054	\$2,280,827
	Net Expenditures		\$0

FUNDING REQUIRED: Yes No

Water and Sewer Fund
Fund 601

By: 
Chief Financial Officer

COUNCIL ACTION

Resolution _____
Ordinance _____
Introduced _____
Passed _____
2nd Reading _____
Unanimous _____
Failed _____
Tabled _____
Amended _____
Comments: _____

APPROVED AS TO FORM


Office of the City Attorney

Prepared By: HE

Requested: 08/02/22

Presentation on: 08/02/22

Suspension of Rules: NO

ORDINANCE NO. _____

AMENDING THE FISCAL YEAR 2022 GENERAL FUND BUDGET
(AMENDMENT 13 – FY22 GF BUDGET)
(A21-1268)

BE IT ORDAINED BY THE CITY COUNCIL OF TUSCALOOSA, ALABAMA, that the Fiscal Year 2022 General Fund Budget of the City of Tuscaloosa be, and the same is hereby, amended as follows:

EXPENDITURE			
Department	Account	Current Budget	Amended Budget
INFR ADMIN	Telephone	\$118,940	\$83,940
IPS AMP	Telephone	\$30,000	\$20,670
LGL CLAIMS	Damage Claims	\$75,000	\$119,330
Net Expenditures			\$0.00

FUNDING REQUIRED: Yes No
FY22 General Fund _____

By: 
Chief Financial Officer

COUNCIL ACTION
Resolution _____
Ordinance _____
Introduced _____
Passed _____
2nd Reading _____
Unanimous _____
Failed _____
Tabled _____
Amended _____
Comments: _____

APPROVED AS TO FORM

Office of the City Attorney

Prepared By: KBK/rd
Requested: Projects Date: 07/26/2022
Council Presentation on: 08/02/2022
Suspension of Rules: No

ORDINANCE NO. _____

AN ORDINANCE AMENDING VARIOUS SECTIONS
OF THE CODE OF TUSCALOOSA PERTAINING TO
FIRE CODE VIOLATIONS & FINES
(A21-1660)

BE IT ORDAINED BY THE CITY COUNCIL OF TUSCALOOSA as follows:

SECTION ONE. That Section 10-13(a)(5) of the Code of Tuscaloosa be amended to read as follows:

“Sec. 10-13. – Settlement of minor ordinance violations without trial.

- (a) *Schedule of fines.* In the event a defendant in municipal court is charged with one of the offenses listed below and elects to plead guilty before a magistrate or pay a parking ticket without contesting it, the following schedule of fines shall apply:
 - (5) *Fire code violations:*
 - Failure to comply with notice to eliminate dangerous conditions....125.00
 - Failure to comply with permit 125.00
 - Obstruction of exits:
 - (a) Assembly..... 200.00
 - (b) Business 125.00
 - (c) Educational 200.00
 - Overcrowding 500.00
 - Obstructed aisles 50.00
 - Encumbered fire escape 150.00
 - Obstructed exit doors 200.00
 - No exit signs 125.00
 - Unilluminated exit signs 50.00
 - Tampering with fire protection equipment 250.00
 - Lack of access to building by fire apparatus 150.00
 - Failure to install and/or maintain fire protection systems and appliances 250.00
 - Flammable or combustible liquid violation 50.00
 - Smoking where prohibited (fire code only) 50.00
 - Failure to prohibit smoking when required (fire code only) 50.00

Failure to post adequate no smoking signs (fire code only)50.00
 Open burning w/o permit (small pile... 50.00) (slash pile >5x5x5...250.00)
 Use of torches where prohibited 25.00
 Failure to use approved materials, apparatus, equipment or methods ... 125.00
 Obstructing fire hydrant 25.00
 Locked exit doors 500.00
 Deliberate or negligent burning 150.00
 Erecting a temporary structure w/o permit 100.00
 Improper storage of LPG 100.00
 Unlawful change of use or occupancy 250.00
 Obstructing operations 150.00
 Building or structure occupied before approval 250.00
 Rendering equipment inoperable 500.00
 Prohibited waste accumulation 50.00
 Unlawful use of open-flame cooking devices 150.00
 Improper use of gas-fired heating appliances 50.00
 Unauthorized tampering 250.00
 Failure to comply with stop work order 500.00
 Prohibited use of fireworks 150.00
 Failure to notify systems out of service 150.00”

SECTION TWO. That Section 11-3, items (f), (g) and (h) of the Code of Tuscaloosa be amended to read as follows:

“Sec. 11-3. – False fire alarm.

- (f) *False alarm notifications (FAN).*
- (1) The Tuscaloosa Fire & Rescue alarm officer shall cause a false alarm notification (FAN) to be sent to the owner following each false alarm.
 - (2) The FAN shall contain the date, time and location of the alarm and an explanation as to why the alarm notification was determined to be a false alarm. The FAN may be written or oral by phone or in person.
 - (3) An alarm owner may be subject to warnings, fines and loss of alarm response privilege (for non-code required fire alarm systems) depending on the number of FANs emitted from an alarm system within a twelve-month period based upon the following schedule:
 - a. First, second, or third FAN, warning only.
 - b. Fourth or subsequent false alarm in a twelve-month period at the same residence or business,

citation or summons and complaint and/or system performance review and/or service requirement for entire alarm system and retraining of employees and/or restitution for the cost of response and/or loss of alarm response privilege from the fire and rescue service (for non-code required fire alarm systems). The period of time for the loss of alarm response privilege will be determined by the alarm officer and shall not exceed one year.

- d. The alarm officer's decision is appealable to the fire chief by making a request in writing to the chief within five (5) business days of receipt of the alarm officer's decision.

(g) *Restitution.*

- (1) The city may collect from the owner of a fire alarm, restitution for the cost of the response by the city fire and rescue service to a false fire alarm with, in the opinion of the alarm officer or his designee, the cause of the false alarm is due to an intentional act by the owner or an unintentional act that the owner could have prevented through due diligence or due to negligence of the owner or due to a malfunction in the alarm that the owner has failed to repair. The cost of the response by the fire and rescue service shall be determined by the deputy fire chief or his representative and the restitution shall be made payable to the city within fourteen (14) days of being notified in writing by the deputy fire chief or his representative of the amount of restitution due and payable to the city.
- (2) The owner may appeal the alarm officer's decision ordering restitution, in writing within fourteen (14) days to the fire chief, who shall conduct a hearing within a reasonable time. Within thirty (30) days of the hearing, and after consideration of the evidence, the fire chief will render a decision in writing. The fire chief shall then notify the owner of the decision and advise the owner of the right to appeal to the city council.
- (3) In the event the owner desires to appeal the fire chief's decision to the city council, notice must be given in writing to the city clerk within fourteen (14) days of the fire chief's decision. The city clerk will place the matter before the

council and notify the owner of the date and time of the council meeting when the appeal will be heard. The council will render its decision by resolution spread on the minutes of the council meeting. All the decisions of the council shall be final. In the event the owner fails to appear at the hearing before the council, they will be deemed to have waived their right to appeal and no other recourse will be available to the owner.

(h) *False alarm.*

- (1) It shall be unlawful for any person to create or cause to be created a false alarm.
- (2) It shall be unlawful for an owner to create or cause to be created a third or subsequent false alarm in a twelve-month period when the cause of the false alarm could have been prevented through due diligence, or is due to negligence of the owner or due to a malfunction in the alarm that the owner has failed to repair.”

FUNDING REQUIRED: Yes No

By: _____
Chief Financial Officer

COUNCIL ACTION

Resolution _____
Ordinance _____
Introduced _____
Passed _____
2nd Reading _____
Unanimous _____
Failed _____
Tabled _____
Amended _____
Comments: _____

APPROVED AS TO FORM

Office of the City Attorney

Prepared By: KBK/rd

Requested: Projects/TPD Date: 07/26/2022

Council Presentation on: 08/02/2022

Suspension of Rules: No

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 17-136
OF THE CODE OF TUSCALOOSA PERTAINING TO
FALSE ALARM NOTIFICATIONS
(A22-0496)

BE IT ORDAINED BY THE CITY COUNCIL OF TUSCALOOSA as follows:

SECTION ONE. That Section 17-136 of the Code of Tuscaloosa be amended to read as follows:

"Sec. 17-136. – False alarm notifications (FAN).

- (a) The Tuscaloosa Police Department alarm officer shall cause a false alarm notification (FAN) to be sent to the owner following each false alarm.
 - (1) The FAN shall contain the date, time and location of the alarm and an explanation as to why the alarm notification was determined to be a false alarm. The FAN may be written or oral by phone or in person.

- (b) An alarm owner may be subject to warnings, fines and loss of alarm response privilege depending on the number of FANs emitted from an alarm system within a twelve-month period based upon the following schedule:
 - (1) First, second, or third FAN, warning only.

 - (2) Fourth or subsequent false alarm in a twelve-month period at the same residence or business, citation or summons and complaint and/or system performance review and/or service requirement for entire alarm system and retraining of employees and/or loss of alarm response privilege from the police department. The period of time for the loss of alarm response privilege will be determined by the alarm officer and shall not exceed one year.

- (c) The alarm officer's decision is appealable to the chief of police by making a request in writing to the chief within five (5) business days of receipt of the alarm officer's decision."


FUNDING REQUIRED: Yes No

By: _____
Chief Financial Officer

COUNCIL ACTION

Resolution _____
Ordinance _____
Introduced _____
Passed _____
2nd Reading _____
Unanimous _____
Failed _____
Tabled _____
Amended _____
Comments: _____

APPROVED AS TO FORM


Office of the City Attorney

Prepared By: JPW III/rd
Requested: Planning Com/UD Date: 07-18-2022
Council Presentation on: 08/02/2022
Suspension of Rules: No

RESOLUTION

RESOLUTION FIXING DAY FOR PUBLIC HEARING TO CONSIDER ADOPTION OF
AMENDMENT TO THE ZONING ORDINANCE OF TUSCALOOSA
AMENDMENT NO. 1481

(Approx. 1.33 acres located at 2015 McFarland Boulevard East—University of Alabama)
(A22-0749/Z-16-22)
(I to BN)

WHEREAS, a certain amendment to the Zoning Ordinance of Tuscaloosa, being an amendment to the Zoning Map and a change in zoning classification, has been prepared in ordinance form, and this day introduced before the City Council; and,

WHEREAS, it is desired to hold a public hearing to consider the adoption of said amendment.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA, as follows:

1. That a public hearing to consider the adoption of said proposed amendment to the Zoning Ordinance of the City of Tuscaloosa be held in the Council Chamber of the City Hall, at 6 o'clock, p.m., on Tuesday, September 6, 2022 and at such time and place all persons who desire shall have an opportunity of being heard in opposition to, or in favor of, the adoption of said amendment.

2. That prior to adoption, the City Clerk shall cause to be published the proposed ordinance, further amending the Zoning Ordinance of the City of Tuscaloosa, Alabama, which was this day introduced before the City Council of Tuscaloosa, being Zoning Amendment No.1481 in full for one insertion and an additional insertion of a synopsis of the proposed ordinance, one week after the first insertion, which synopsis shall refer to the date and name of the newspaper in which the proposed ordinance was first published together with a notice stating the time and place where the public hearing will be held. Both such insertions shall be at least 15 days in advance of its passage and in a newspaper of general circulation published within the municipality, or if no such newspaper then in four conspicuous places within the municipality, together with a notice stating the time and place that the ordinance is to be considered by the city council and stating further that at such time and place all persons who desire shall have an opportunity of being heard in opposition to or in favor of such ordinance.

FUNDING REQUIRED: Yes No

By: _____

Chief Financial Officer

COUNCIL ACTION

Resolution _____
Ordinance _____
Introduced _____
Passed _____
2nd Reading _____
Unanimous _____
Failed _____
Tabled _____
Amended _____
Comments: _____

RESOLUTION

RESOLUTION AUTHORIZING PAYMENT OF BILLS

BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA, ALABAMA, as follows:

That the Chief Financial Officer be, and he is hereby, authorized to draw vouchers on municipal funds in the amounts shown, payable to the identified individuals/organizations for the purposes stated, and the Mayor and City Clerk are authorized to sign said vouchers:

Tuscaloosa County Parking & Transit Authority	\$2,886.04
<i>50% and 20% Operating Expenses for the Intermodal Facility: May 2022</i>	

Tuscaloosa County Parking & Transit Authority	\$3,419.07
<i>50% and 20% Operating Expenses for the Intermodal Facility: June 2022</i>	

Travel and Training Settlements

Wayne Boman (CNS)	
<i>Monitoring Training with TDA Consulting – San Antonio, TX Transportation Expenses</i>	\$419.96

TOTAL: \$6,725.07
Prepared: City Clerk
Requested: Accounting & Finance
Agenda: 08/02/2022

Copies of bill documentation are on file in the Office of the
City Clerk and are available for review upon request.