

TUSCALOOSA CITY COUNCIL MEETING AGENDA

Tuesday, July 11, 2023

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

Ordering demolition of the structure at 932-934 39th Avenue East **(tabled on 5-9-23). PP5-6**

Approving the ABC application of Snak Group, LLC for an alcohol license at Sunshine Food Mart 1 in Tuscaloosa; 4822 Skyland Boulevard East, Tuscaloosa, Alabama, AL, 35405: **(tabled on 6-27-23)**

- **23-050 (a)** retail beer (off premises) **P7**
- **23-050(b)** retail table wine (off premises) **P8**

Council Committee Reports

Clerk's Report of Mayor's Veto

6. CONSENT AGENDA: (items "a through d") 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. **PP9-10**
- b. Authorizing the filing of a lien pursuant to §13-69(B), Code of Tuscaloosa and §11-47-140, Code of Alabama, 1975; total: \$164.50 (1453 Southern Gardens Drive; Robert Barry Mullins; 17-0297). **P11**
- c. Authorizing request for streetlighting system modifications. **P12**
- d. Setting July 25th as the date for a hearing to set the cost of demolishing the building at 1702 TY Rogers Jr. Avenue. **P13**

7. PUBLIC HEARINGS

Authorizing the Mayor to execute a development agreement with Sher-Wil, Inc. to provide economic development assistance for the construction of a new Guthrie's Restaurant at 819 Skyland Boulevard in furtherance of the Invest Tuscaloosa Program (OCA-23-0838). **PP14-19**

Consenting to the vacation of Schooner Place NE in the City of Tuscaloosa (OCA-23-0396). **PP20-24**

Setting the cost for demolition of the structure at 2833 22nd Street and authorizing the filing of a lien. **P25**

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

Confirming the appointment of Kyle South as a voting member of the Tuscaloosa County Road Improvements Commission (A22-0971). **P26**

Authorizing a contract with Escal Institute of Advanced Technologies, Inc. dba SANS Institute and declaring a bid law exemption pursuant to ALA. Code §41-16-51 (a)(15); total: \$19,375.00 (OCA-23-0862). **P27**

Authorizing a contract with Morrow Repair Services, LLC and declaring a bid law exemption pursuant to ALA. Code §41-16-51 (b)(7); total: \$27,685.00 (OCA-23-0835). **P28**

Authorizing a contract with Andritz Separation, Inc. and declaring a bid law exemption pursuant to ALA. Code §41-16-51 (b)(7); total: \$26,416.60 (OCA-23-0775). **P29**

Authorizing a contract with Sheppard Services and declaring a bid law exemption pursuant to ALA. Code §41-16-51 (b)(7); total: \$23,547.14 (OCA-23-0771). **P30**

Authorizing a contract renewal with TeamDynamix Solutions, LLC for software purchase and implementation; total: not to exceed \$18,316.71 (Year 1), \$19,135.86 (Year 2), \$19,995.86 (Year 3) (OCA-23-0758). **P31**

Authorizing a professional services contract with Jones Media Productions; total not to exceed: \$30,000.00 (OCA-23-0716). **P32**

Authorizing the Mayor to execute an amendment to the Municipal Agency Funding Contract with Tuscaloosa County Economic Development Authority; total: an additional \$22,000.00 (A22-1131). **P33**

Authorizing reimbursement pursuant to United States treasury regulation §1.150-2 (OCA-23-0879). **PP34-36**

Authorizing certain actions with respect to general obligation warrants of the City of Tuscaloosa (OCA-23-0879). **PP37-40**

Authorizing Amendment No. 1 to the 2022 A Warrant Series Budget (A22-0696). **P41**

Authorizing Amendment No. 2 to the 2022 B Warrant Series Budget (A22-0697). **PP42-43**

Authorizing Amendment No. 4 to the 2023 ELEVATE Tuscaloosa Fund Budget (A22-1038). **PP44-45**

Authorizing Amendment No. 5 to the Fiscal Year 2023 Water and Sewer Reserve for Future Improvements Fund Budget (A07-0203/A98-0431). **PP46-47**

Authorizing Amendment No. 11 to the Fiscal Year 2023 General Fund Reserve for Future Improvements Fund Budget (A98-0470). **PP48-49**

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

Annexing 0.62 acres located at 11955 Grandview Drive to the corporate limits of the City of Tuscaloosa (Annexation No. 707; Mark and Regina Simpson: AN-08-23/OCA-23-0865) **(may be adopted by unanimous consent following introduction). PP50-52**

Amending §22-99 and §22-100 of the Code of Tuscaloosa (OCA-23-0863) **(may be adopted by unanimous consent following introduction). PP53-54**

Amending §2-25 of the Code of Tuscaloosa (OCA-23-0425) **(may be adopted by unanimous consent following introduction). PP55-57**

Authorizing Amendment No. 16 to the Fiscal Year 2023 General Fund Budget (A22-1037) **(may be adopted by unanimous consent following introduction). P58**

FOR ADOPTION

10. AUDITING ACCOUNTS

Authorizing the payment of bills; total: \$4,382.07. **P59**

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

7/7/2023

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 ORDERING DEMOLITION OF
THE STRUCTURE(S) AT 932-934 39th AVENUE EAST

WHEREAS, pursuant to Ala. Code Section 11-53B-1 et seq. (1975), the appropriate municipal official of the City of Tuscaloosa has found that the building, structure, part of the building or structure, party wall, or foundation, situated in the City of Tuscaloosa at 932-934 39th Avenue East is unsafe to the extent that it is a public nuisance; and,

WHEREAS, all appropriate notifications and time periods, as stated in said statute, have been complied with by the appropriate municipal official in the person of the Chief Building Official with the Urban Development-Building Inspections Department for the City of Tuscaloosa; and,

WHEREAS, on the 30th day of August, 2022, the City Council of Tuscaloosa held a public hearing, at which time the Chief Building Official of the Urban Development-Building Inspections Department for the City of Tuscaloosa appeared and set forth reasons for his findings.

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

1. That the City Council of Tuscaloosa finds the building, structure, part of the building or structure, party wall, or foundation, situated in the City of Tuscaloosa 932-934 39th Avenue East unsafe to the extent that it is a public nuisance; and,
2. That the aforementioned building, structure, part of the building or structure, party wall, or foundation, is hereby ordered demolished, pursuant to the terms and conditions of Ala. Code Section 11-53B-1 et seq. (1975), such action being an exercise of the City's police and/or regulatory powers.

Tabled for 60 days
on 5-9-23
(Ty/C-y); Item
will be heard on
7-11-23

[Signature]
City Clerk

Tabled for 30
days on 4-4-23; Item
will be heard on 5-9-23
(Ty/C-y)

[Signature]
City Clerk

Prepared: Assistant City Clerk
Requested: Urban Development-Building Inspections
Agenda: 8-30-2022

RESOLUTION

RESOLUTION ORDERING DEMOLITION OF
THE STRUCTURE(S) AT 932-934 39th AVENUE EAST

WHEREAS, pursuant to Ala. Code Section 11-53B-1 et seq. (1975), the appropriate municipal official of the City of Tuscaloosa has found that the building, structure, part of the building or structure, party wall, or foundation, situated in the City of Tuscaloosa at 932-934 39th Avenue East is unsafe to the extent that it is a public nuisance; and,

WHEREAS, all appropriate notifications and time periods, as stated in said statute, have been complied with by the appropriate municipal official in the person of the Chief Building Official with the Urban Development-Building Inspections Department for the City of Tuscaloosa; and,


WHEREAS, on the 30th day of August, 2022, the City Council of Tuscaloosa held a public hearing, at which time the Chief Building Official of the Urban Development-Building Inspections Department for the City of Tuscaloosa appeared and set forth reasons for his findings.

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

1. That the City Council of Tuscaloosa finds the building, structure, part of the building or structure, party wall, or foundation, situated in the City of Tuscaloosa 932-934 39th Avenue East unsafe to the extent that it is a public nuisance; and,
2. That the aforementioned building, structure, part of the building or structure, party wall, or foundation, is hereby ordered demolished, pursuant to the terms and conditions of Ala. Code Section 11-53B-1 et seq. (1975), such action being an exercise of the City's police and/or regulatory powers.

Tabled for 90 days on 11-1-22
(Ty/C-y) (1-31-23)


City Clerk

Tabled for 60
days on 1/31/23
(Ty/H-y)

City Clerk
(4/4/23)

Tabled for 60 days
on 8/30/22 (11/1/22)
(Ty/C-y)


City Clerk

Prepared: Assistant City Clerk
Requested: Urban Development-Building Inspections
Agenda: 8-30-2022

RESOLUTION

RESOLUTION APPROVING APPLICATION OF
SNAK GROUP LLC
DBA SUNSHINE FOOD MART 1
FOR ABC LICENSE

Whereas, the Tuscaloosa City Council has approved the application Snak Group LLC dba Sunshine Food Mart 1 for a Retail Beer (Off Premises) to be granted from the Alcoholic Beverage Control Board at the following address, to-wit:

Snak Group LLC
dba Sunshine Food Mart 1
4822 Skyland Blvd E
Tuscaloosa, AL 35405

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

That the Mayor and the City Clerk be, and they are hereby, authorized to certify this action of approval by the City Council on the application for approval of said license to be submitted to the State of Alabama Alcoholic Beverage Control Board.

23-050 (a)

Tabled for 2 weeks
on 6/27/23 (7/11/23)
(Ty/H-Y)
BPT
City Clerk

RESOLUTION

RESOLUTION APPROVING APPLICATION OF
SNAK GROUP LLC
DBA SUNSHINE FOOD MART 1
FOR ABC LICENSE

Whereas, the Tuscaloosa City Council has approved the application of Snak Group LLC dba Sunshine Food Mart 1 for a Retail Table Wine (Off Premises) to be granted from the Alcoholic Beverage Control Board at the following address, to-wit:

Snak Group LLC
dba Sunshine Food Mart 1
4822 Skyland Blvd E
Tuscaloosa, AL 35405

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

That the Mayor and the City Clerk be, and they are hereby, authorized to certify this action of approval by the City Council on the application for approval of said license to be submitted to the State of Alabama Alcoholic Beverage Control Board.

23-050 (b)

Tabled for 2 weeks
on 6/27/23 (Ty/H-Y)


City Clerk

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.
John Deere Gator	5007
2000 Chevrolet 2500	2983
Clean Laser CL1000	N/A

WATER & SEWER	
ITEM(S)	CITY ID NO.
2005 Ford F450	2002
Honda GX620/V-Twin Concrete Saw	2276
2005 Target Saw	3711

PUBLIC WORKS	
ITEM(S)	CITY ID NO.
2014 Ford F150	2504

URBAN DEVELOPMENT	
ITEM(S)	CITY ID NO.
2008 Ford F150	2179

Requested: Accounting & Finance
Prepared: Accounting & Finance
Agenda: 07/11/2023

AUCTION

AIRPORT	
ITEM(S)	CITY ID NO.
2004 Dodge 1500 SLT Truck	1883

CONSTRUCTION, FACILITIES, & GROUNDS	
ITEM(S)	CITY ID NO.
2011 Echo PB610 Backpack Blower	4506

PARTS

PUBLIC WORKS	
ITEM(S)	CITY ID NO.
2012 Kut Kwik Slope Mower	2384

DONATION

FIRE	
ITEM(S)	CITY ID NO.
2012 Cardiac Science Powerheart G3 AED	N/A
2016 LifePak CR Plus AED (2)	N/A

Requested: Accounting & Finance
Prepared: Accounting & Finance
Agenda: 07/11/2023

APPROVED AS TO FORM



Office of the City Attorney

Prepared By: JPW/cmh

Requested by: OCA Date: 7/11/23

Council Presentation: 7/11/23

Suspension of Rules: No

RESOLUTION

RESOLUTION AUTHORIZING THE FILING OF A LIEN PURSUANT
TO SECTION 13-69(B), CODE OF TUSCALOOSA AND
SECTION 11-47-140, CODE OF ALABAMA, 1975
(File No. 17-0297)

WHEREAS, the person last assessed for the property taxes at the address of 1453 Southern Gardens Drive, Tuscaloosa, Alabama, is Robert Barry Mullins, as recorded in Deed Book 2012, Page 11489, more particularly described as:

Lot 2 Southern Gardens Section One, Phase One a map or plat of which is recorded in Plat Book 19 at Page 201, in the Probate Office of Tuscaloosa County, Alabama, reference to which is hereby made in aid of and as a part of this description.

WHEREAS, the City of Tuscaloosa Department of Transportation, pursuant to Section 13-69, Code of Tuscaloosa, provided clean-up and/or weed and grass cutting at the above property on the 13th day of March, 2022, at a cost fixed by the Tuscaloosa Department of Transportation in the amount of \$150.00 plus court cost in the amount of \$14.50, for a total cost of \$164.50; and,

WHEREAS, Section 13-69, Code of Tuscaloosa and Section 11-47-140, Code of Alabama, 1975, authorized the City to do such work at the expense of the owner and the same to be a lien on the property to be collected as any other debts are collected or liens enforced.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA that the cost of the clean-up and/or weed and grass cutting services rendered by the Tuscaloosa Department of Transportation on the 13th day of March, 2022, for property located at 1453 Southern Gardens Drive, Tuscaloosa, Alabama, as recorded at Deed Book 2012, Page 11489 be, and is hereby, fixed at \$164.50.

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA that the City Clerk is authorized to file a certified copy of this resolution in the Office of the Probate Judge of Tuscaloosa County and shall constitute a lien in the amount of \$164.50 against the property at Deed Book 2012, Page 11489.

FUNDING REQUIRED: Yes No

By: _____
Finance Director

COUNCIL ACTION

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

RESOLUTION

RESOLUTION AUTHORIZING REQUEST FOR
STREET LIGHTING SYSTEM MODIFICATIONS

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

That the City Clerk be, and is hereby, authorized to request Alabama Power Company to make the following modification to the street lighting system within the corporate limits of the City:

LED Decorative (Colonial)
4,001-5,500 INITIAL LUMENS INSTALL
Nineteen (19) at the Heatherwood Gardens Subdivision

RESOLUTION

RESOLUTION SETTING A DATE FOR A HEARING TO SET THE COST OF DEMOLISHING THE BUILDING AT 1702 TY ROGERS JR. AVENUE

WHEREAS, the building located in the City of Tuscaloosa at 1702 TY Rogers Jr. Avenue, owned by Betty Halbert, et. al and as recorded in Deed Book 354 page No. 589, was declared unsafe to the extent of being a public nuisance by the City Council on the 10th day of January 2023, and was ordered to be demolished by city forces pursuant to Ala. Code Section 11-53B-1 et seq. (1975); and,

WHEREAS, Section 11-53B-1 et seq. requires the appropriate city official to report to the City Council of Tuscaloosa the cost of demolition and to hold a hearing on the setting of said cost, which shall include the cost of demolition and court costs; and,

WHEREAS, the City Clerk hereby reports to the City Council that the cost to demolish said building was \$5,379.22;

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

1. That a hearing will be held on the 25th day of July 2023, at 6:00 p.m. to set the cost of demolishing the building located at 1702 TY Rogers Jr. Avenue in the amount of \$5,379.22 plus court costs.
2. That the City Clerk shall give notice by first-class mail to all entities having an interest in said property.

Prepared: City Clerk
Requested: PUBLIC WORKS
Hearing date: 07/25/2023
Agenda: 07/11/2023

APPROVED AS TO FORM


Office of the City Attorney

Prepared By: TDB
Requested: Finance 6/27/23
Presentation on: 7/11/23
Suspension of Rules: No

RESOLUTION

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A DEVELOPMENT AGREEMENT WITH SHER-WIL, INC. TO PROVIDE ECONOMIC DEVELOPMENT ASSISTANCE FOR THE CONSTRUCTION OF A NEW GUTHRIES RESTAURANT AT 819 SKYLAND BOULEVARD IN FURTHERANCE OF THE INVEST TUSCALOOSA PROGRAM (OCA-23-0838)

WHEREAS, notice was hereby given under 94.01 of the Constitution of the State of Alabama of 1901(also known as the Amendment 772 to the Alabama Constitution of 1901), as amended, by publication in the Tuscaloosa News in its issue of June 30, 2023 that the City Council of Tuscaloosa would meet in the Council Chamber of City Hall, 2201 University Boulevard, Tuscaloosa, Alabama, at 6 o'clock, P.M., on Tuesday, July 11, 2023, to consider the adoption of a resolution to approve a development agreement between the City of Tuscaloosa, Alabama, and Sher-Wil, Inc., for economic development incentive payments from the City of Tuscaloosa to Sher-Wil, Inc.;

WHEREAS, Sec. 20-45 (b) of the Code of Tuscaloosa, the Tuscaloosa Invest Program, was adopted in an attempt to generate the interest and stimulation of private investment, to provide missing services to enhance the quality of life, to create and/or retaining jobs, to remove blight and to support local entrepreneurship in underserved areas of the City. In order to accomplish the objectives of the Invest Tuscaloosa Program, the City would consider entering a negotiated economic development agreements for commercial developments located in underserved areas of the City; and,

WHEREAS, the Skyland Boulevard area has not experienced the same degree of commercial investments and developments as other areas of the City and as such is commercially underserved and the proposed Development meets the criteria and intent of the Tuscaloosa Invest Program.

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

That the Mayor is hereby authorized to execute on behalf of the City of Tuscaloosa the development agreement presently before the City Council with Sher-Wil, Inc. containing the following general terms and conditions:

1. **Developer agrees at its sole cost and expense to construct a new Guthries restaurant on the Lot 2 of the Skymac Subdivision a map or plat of which is recorded in Plat Book 19 Page 178 and located at 819 Skyland Boulevard.**
2. **The City's economic development assistance shall consist of a revenue sharing agreement to provide certain funding in the form of (i) tax revenue sharing consisting of sales tax dollars generated by the Project; (ii) rebate of the building permit fee less and excepting the portion of the fee that is levied and collected on behalf of the State of Alabama (iii) rebate water-sewer service fees (iv) rebate of initial business license and (v) rebate of City non-educational ad valorem taxes, all to assist with the costs of development of the Project in order to induce Developer to develop and construct the Project; and,**

3. **Limit on City's Obligation:**

a. **The financial obligation of the City to Developer under this Agreement shall be the aggregate sum of One Million and No/100 Dollars (\$1,000,000.00).**

b. **Under no circumstances shall the City's obligation under this Agreement exceed the amount of One Million and No/100 Dollars (\$1,000,000.00) in payments based on total taxes collected (sales taxes, building permit fees, service fees, business license fees and municipal non-educational ad valorem taxes).**

Funding Source of Assistance: The funding source of the City's economic development assistance to the Developer shall be from new tax dollars generated from the Development itself by rebating a portion of municipal sales taxes, collected from the operation and ownership of the Development by the Developer, rebating building permit fee less and excepting the portion of the fee that is levied and collected on behalf of the State of Alabama, water-sewer service fees, initial business license fees and municipal non-educational ad valorem taxes.

The City's Obligation to Make Payments: The payment of any particular payment is conditioned upon the City having first been paid the tax amount upon which the particular payment is based. If the City is not paid the full amount of any such tax, then the City shall not be obligated to make the payment based upon or related to that tax. The City's limited obligation hereunder is also subject to any law-imposed requirement that, if necessary, there must first be paid from the collected tax dollars from the Development for the necessary and legitimate governmental expenses of operating the City. Developer shall execute and forward to the City of Tuscaloosa Chief Financial Officer a W -9 form (Request for Tax Payer Identification Number and Certification) in order for the City to disburse the rebates of a portion of municipal sales taxes collected and assessed from the operation and ownership of the Development by the Developer. The City will not forward any tax rebates to the Developer until the executed W-9 form is received and approved by the Chief Financial Officer of the City.

Payment Period and Cessation of Payments: The maximum term of such payments is (i) rebate of sales taxes for a period of twenty (20) years from the date the first such payment is due (ii) a rebate of the building permit fee, less and excepting the portion of

the fee that is levied and collected on behalf of the State of Alabama, paid upon receiving a building permit, (iii) rebate and upon payment of the water-sewer service fees (iv) rebate of initial business license fee upon payment (v) rebate of municipal non-educational ad valorem taxes paid for period of twenty (20) years.

Each time the City makes a payment to the Developer as provided herein, the amount of the payment shall be credited toward the total cap of One Million and No/100 Dollars (1,000,000.00), which shall apply at all times and under any circumstances.

Should the aggregate One Million and No/100 Dollars (\$1,000,000.00) cap be reached prior to or at the expiration of the above described twenty (20) year period, the City's economic development financial obligation assistance to the Developer pursuant to this Agreement shall cease with the final payment and the City shall be absolved of any further obligation to the Developer under this Agreement.

In the event that the One Million and No/100 Dollars (\$1,000,000.00) cap is not reached at the expiration of such twenty year (20) period, the City's economic development financial obligation assistance to the Developer pursuant to this Agreement shall cease at the end of such twenty year (20) period regardless of the One million and No/100 Dollars (\$1,000,000.00) cap. All sums paid at the end of such twenty (20) year period by the City and collected by the Developer shall constitute full and final payment by the City and the City shall be absolved of any further obligation to the Developer under this Agreement.

Sales Tax Revenue Sharing:

(a) **Generally:** The first component of the economic development assistance shall consist of applicable sales tax revenue sharing generated by the Development. Each calendar quarter (or portion thereof) after the Development has and generated sales taxes in the preceding calendar quarter (or portion thereof), the City will pay the Developer a portion of the sales taxes collected that are generated by the Development. The sales tax revenue sharing rebates will begin at the end of the first calendar quarter (whether a full or partial quarter) after the Project has been in operation.

(b) **Quarterly Sales Tax Rebate:** At the end of each calendar quarter (i.e., March 31, June 30, September 30, and December 31) after the Project has been in operation, the City's Chief Financial officer shall determine how much sales tax was generated by the Project in the preceding calendar quarter (or portion thereof). No later than the sixtieth (60th) day following the end of each such calendar quarter, the City shall pay cash to the Developer equal to 100% of the amount of sales tax due and paid to the City in the preceding calendar quarter, generated by the Project for a period of one-ten (1-10) years (3%) and subsequently the City shall pay cash to the Developer equal to 70% of the amount of sales tax due and paid to the City in the preceding calendar quarter generated by the Project for a period of eleven-fifteen (11-15) years (2.1%) and the City shall pay cash to the Developer equal to 50% of the amount of sales tax

due and paid to the City in the preceding calendar quarter, generated by the Project for a period of sixteen-twenty (16-20) years (1.5%).

Initial Building Permit Fee Rebate:

The second component of the economic development assistance shall be the rebating the initial building permit fee less and excepting the portion of the fee that is levied and collected on behalf of the State of Alabama. For any such fee paid by Developer prior to execution of this Agreement, Developer shall submit a request for a rebate, together with such supporting documentation reasonably requested by the City and the City shall rebate such payment within forty-five (45) days thereafter.

Municipal Water and Sewer Service Fee Rebate:

a. **Generally:** The third component of the economic development assistance shall consist of rebating the water and sewer one time service connection fees (service fees) as set forth in Sec. 2-102 of the Tuscaloosa City Code and as calculated by the Office of Urban Development.

b. **Payment of Water and Sewer Service Fees:** Developer shall submit an application to the Office of Urban Development and shall pay the services fees as calculated by Urban Development.

c. **Rebate Payment of Water and Sewer Service Fees:** Developer shall present the service fee application and proof of payment of any such service fees to the Accounting and Finance Department for reimbursement of the calculated service fees. Upon receiving the service fee application and proof of payment from the Developer of the service fees, the City shall calculate the amount of the applicable service fees as paid and shall remit within Forty-Five (45) days by commercially reasonable means to the Developer the amount of the service fees.

d. **The rebate of the service fees herein shall not include the monthly water and sewer service charge usage by the Parties.**

Initial Business License Fee Rebate:

The fourth component of the economic development agreement shall be the rebating the initial business license fee. For any such fee paid by Developer, Developer shall submit a request for a rebate, together with such supporting documentation reasonably requested by the City and the City shall rebate such payment within forty-five (45) days thereafter.

Municipal Non-Educational Ad Valorem taxes:

The fifth component of the economic development assistance is the rebate of Municipal Non-Educational Ad Valorem taxes. The rebate of the municipal non-educational ad valorem taxes is included in the total One Million and No/100 Dollars (\$1,000,000.00) cap.

- a. The Developer will receive a 100% rebate of the City's portion of non-educational ad valorem taxes for a period of three (3) years, a 70% rebate of the City's portion of non-educational ad valorem taxes for a period of four-seven (4-7) years and a 50% rebate of the City's portion of sales taxes for a period of eight-twenty (8-20) years from of non-educational ad valorem taxes on the Subject Property. The maximum term of the City's economic assistance shall not exceed twenty (20) years.
 - b. Generally: Ad valorem taxes in the State of Alabama and Tuscaloosa County are paid in arrears. Taxes for the current year are due and payable on October 1st of each year and taxes for the coming year are likewise assessed on October 1st of each year. Taxes for the prior year are delinquent and subject to penalties on January 1st of each year.
 - c. Payment of Ad Valorem Taxes: Subsequent to October 1st of each year, the Developer, upon receiving a tax notice from the Tuscaloosa County Tax Assessor, and prior to December 31st of the same year, shall pay all ad valorem taxes due on the Subject Property to the Tuscaloosa County Tax Collector including the assessed non-educational municipal ad valorem taxes. Developer shall be solely responsible for the payment of all penalties imposed if the ad valorem taxes are delinquent and paid subsequent to December 31st. The City shall not reimburse the Developer for any delinquent tax penalties or any portion thereof if such ad valorem taxes are paid after December 31st.
 - d. Rebate Payment of Municipal Non-Education Ad Valorem Taxes: Developer shall be responsible for forwarding proof of payment of the ad valorem taxes to the City Revenue Department for reimbursement of the non-educational ad valorem taxes. Upon receiving proof of payment from the Developer of payment to the Tax Collector/State of Alabama of the City's portion of the non-educational ad valorem taxes assessed against the Subject Property, the City shall calculate the amount of the non-educational ad valorem taxes received for that tax year and shall remit within Forty-Five (45) days by commercially reasonable means to the Developer the amount of the non-educational ad valorem taxes received by the City for the previous tax year.
4. New Jobs Covenant: The Developer shall provide at least 20-25 new jobs (full and part time) to be generated by the Project. Not less than one year after Project Completion (or, if later, not more than thirty days after written notice therefor from the City) the Developer shall certify the number of full and part time employees then employed.

5. **Local Labor and Material Purchase Initiatives:** With due diligence the Developer agrees and endeavors to give preference to retaining and employing for Project construction local qualified labor which shall include minority qualified contractors and subcontractors in its total workforce; provided Developer requires all contractors and subcontractors to be available, bondable and competent in their applicable trade. Developer shall coordinate with and participate in the Tuscaloosa Builds Program prior to commencing construction and likewise inform its contractor of this provision. Developer shall contact the office of Community and Neighborhood Services of the City of Tuscaloosa at 205 248-5725 to participate in the program. Participation in the Tuscaloosa Builds Program is mandatory and is considered a default for failure to comply. Developer will also use its commercially reasonable efforts to purchase at least fifty per-cent (50%) of materials locally for construction of the Project within a twenty (20) mile radius of the Subject Property. The foregoing local materials purchasing requirement may be satisfied either by purchasing materials manufactured, generated or otherwise sourced locally or by construction materials for the Project purchased from contractors, subcontractors, vendors or suppliers based within such 20 mile radius. It is understood between the parties that certain materials and finishes that are unique and specific to the Development may not be available locally and will need to be purchased from vendors within or outside the State of Alabama. Not less than one year after Project Completion (or, if later, not more than thirty days after written notice therefor from the City) the Developer shall certify the percentage of minority qualified contractors and subcontractors utilized in its total workforce and the local materials purchased for the Project.
6. The expenditure of public funds as provided in the development agreement serves the valid and sufficient public purposes of promoting the economic and industrial development of the City of Tuscaloosa and Tuscaloosa County, revitalizing the City of Tuscaloosa, increasing the tax base notwithstanding any incidental benefit accruing to any private entity or entities.

FUNDING REQUIRED: Yes No

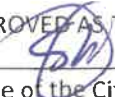
COUNCIL ACTION

Sharing of revenues generated by
the development.

By *Duffy Sabre*
Chief Financial Officer

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

APPROVED AS TO FORM

Office of the City Attorney

Prepared By: TDB
Requested: Legal/UD Date: 6/6/23
Presentation on: 7/11/23
Suspension of Rules: No

Source of Title:

Deed Book: 2023 Page: 1968

RESOLUTION

RESOLUTION CONSENTING TO THE VACATION OF SCHOONER PLACE NE IN THE CITY OF TUSCALOOSA (OCA-23-0396)

WHEREAS, GLEN AKINS hereinafter called the Owner, duly filed a Declaration of Vacation of a Street with the City on the 1st day of February, 2023 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 July 11, 2023, 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 street in the City of Tuscaloosa, County of Tuscaloosa, Alabama, to-wit:

A Right-of-Way vacation of Schooner Place NE as recorded in Plat Book 14 at Page 7 in the Probate Records of Tuscaloosa County, Alabama; being more particularly described as follows: As a STARTING POINT, start at the Southeast corner of 7714 Lakewood Avenue NE as recorded in Plat Book 14 at Page 7 in the Probate Records of Tuscaloosa County, Alabama, said point also being located on the curved right-of-way of Lakeview Avenue NE, said curved right-of-way having a radius of 125.00', a delta of 33°56'50", and being concave South; thence run in a Southwesterly direction along said right-of-way for an arc distance of 74.06' (chord distance of 72.98') to the POINT OF BEGINNING; said point also being located on the curved right-of-way of Schooner Place NE, said curved right-of-way having a radius of 24.61', a delta of 66°38'50", and being concave North; thence with a deflection angle of 15°47'52" to the right and to the chord, run in a Southwesterly direction along said curved right-of-way of Schooner Place NE for an arc distance of 28.62' (chord distance of 27.04') to a point; thence with an interior angle of 214°31'48" from the chord, run in a Northwesterly direction for a distance of 47.98' to a point, said point lying on a curved right-of-way of Schooner Place NE with a radius of 90.00', a delta of 32°26'10", and being concave Northeast; thence with an interior angle of 196°13'06" to the chord, run in a Northwesterly direction for an arc distance of 50.95' (chord distance of 50.27') to a point; thence with an interior angle of 72°29'26" from the chord and to the chord, run in a Northwesterly direction for an arc distance of 215.95' (chord distance of 83.17') to a point; said point lying on a curved right-of-way of Schooner Place NE, said curve having a radius of 100.00', a delta of 33°32'40", and being concave South; thence with an interior angle of 73°02'38" from the chord and to the chord run in a Easterly direction along said curved right-of-way for an arc distance of 58.54' (chord distance of 57.71') to a point; thence with an interior angle of 196°46'18" from the chord, run in a Southeasterly direction for a distance of 32.61' to a point; said point lying on a curved right-of-way of Schooner Place NE, said curve having a radius of 25.00', a delta of 75°06'20", and being concave Southwest; thence with an interior angle of 217°33'09" to the chord, run in a Southeasterly direction for an arc distance of 32.77' (chord distance of 30.47') to a point lying on the curved right-of-way of Lakeview Avenue NE, said curved right-of-way having a radius of 125.00', a delta of 39°04'10", and being concave Southeast; thence with an interior angle of 57°05'14" from the chord and to the chord, run in a Northeasterly direction for an arc distance of 85.24' (chord distance of 83.59') to the POINT OF BEGINNING, thereby forming an interior angle of closure of 52°18'21", said right-of-way vacation containing approximately 0.29 acres, 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: Glen Akins

Fair Market Value	\$ 1,103.00
Publication Costs:	<u>\$ 2,499.20</u>
Total:	\$3,602.20

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.

6. That this vacation is subject to any and all private easements and public utility easements and public infrastructure including but not limited to City of Tuscaloosa, A T & T, Spire (Formally Alabama Gas) Gas Corporation and Comcast Cable which may exist and be located within the said right-of-way including such public utilities which may have utilized the Municipal street right-of-way without receiving an executed and or recorded easement from the City or any relevant property owner and a minimum easement of 20 feet in width, being 10 feet on either side of

currently existing utilities, are reserved to any public utility with assets within the vacated area and the right for access to the same the right to continue to maintain, extend and enlarge its lines, equipment and facilities to the same extent as if the vacation had not occurred and specifically reserving unto Alabama Power Company APC the right to continue to maintain, extend and enlarge its lines, equipment and facilities to the same extent as if the vacation had not occurred, including an easement area of no less than fifteen (15) feet on all sides of overhead electric facilities, plus anchors, and five (5) feet on all sides of underground electric facilities, and all other rights, title and interests held by APC with respect to the area to be vacated under any statute or other law or under any other conveyance or agreement, whether recorded or unrecorded, including without limitation all the rights and privileges necessary or convenient for the full enjoyment and use of its lines, equipment and facilities now or hereafter located within or adjacent to the area to be vacated; and the right of ingress and egress to and from said lines, equipment and facilities; and the right to cut and/or trim trees or limbs which, in the sole opinion of APC, would interfere with said lines, equipment and facilities; and the right to prohibit use of the area vacated in a manner which violates the National Electric Safety Code.

STATE OF ALABAMA)
 TUSCALOOSA COUNTY)

I, Brandy Johnson, City Clerk of the City of Tuscaloosa, Alabama, hereby certify that the foregoing is a full, true and correct copy of a resolution duly adopted by the City Council of Tuscaloosa at a regular meeting of said Council held on the 11th day of July, 2023, as the same appears and remains of record in the record book in my office wherein are recorded the minutes of the proceedings of said Council.

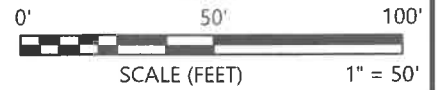
IN WITNESS WHEREOF, I have hereunto affixed my signature and the official seal of said City of Tuscaloosa, this the _____ day of _____ 2023.

 City Clerk

FUNDING REQUIRED: Yes No

 By: _____
 Chief Financial Officer

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



7714
LAKEVIEW AVENUE NE
PB #14, PG #7

3112
SCHOONER PLACE NE
PB #14, PG #7

3100
SCHOONER PLACE NE
PB #14, PG #7

STARTING POINT
SOUTHEAST CORNER OF 7714
LAKEVIEW AVENUE NE
PB #14, PG #7
TUSCALOOSA COUNTY, ALABAMA

3101
SCHOONER PLACE NE
PB #14, PG #7

**RIGHT-OF-WAY VACATION OF
SCHOONER PLACE NE
0.29 ACRES ±**

3109
SCHOONER PLACE NE
PB #14, PG #7

3117
SCHOONER PLACE NE
PB #14, PG #7

LAKEVIEW AVE. NE
(50' R.O.W.)

$\Delta = 247^{\circ}27'20''$
RAD = 50.00'
TAN = 74.89'
CHD = 83.17'
L.C. = 215.95'

$\Delta = 32^{\circ}26'10''$
RAD = 90.00'
TAN = 26.18'
CHD = 50.27'
L.C. = 50.95'

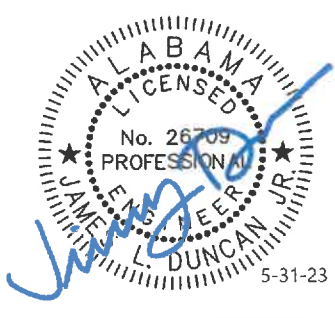
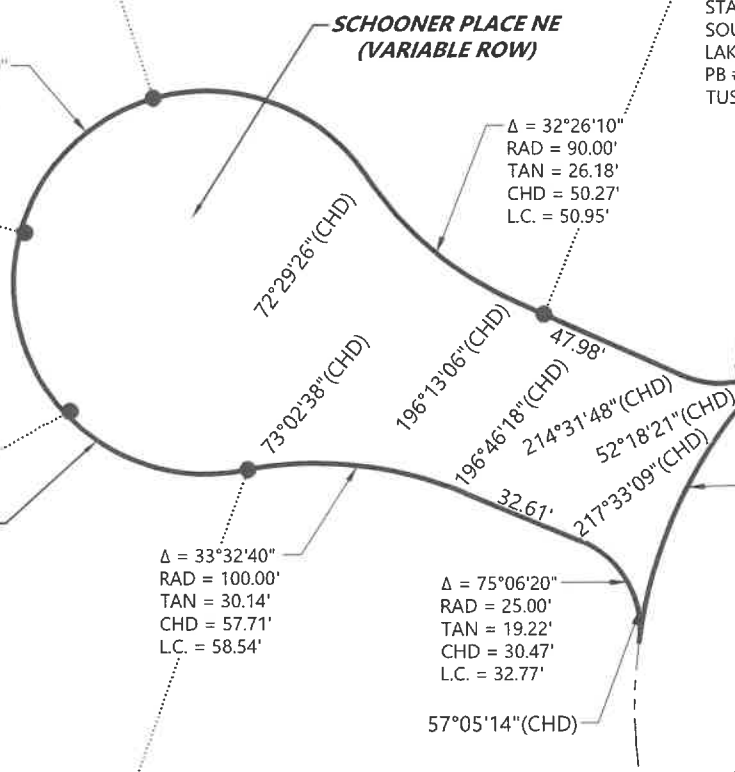
$\Delta = 66^{\circ}38'50''$
RAD = 24.61'
TAN = 16.18'
CHD = 27.04'
L.C. = 28.62'

$\Delta = 33^{\circ}56'50''$
RAD = 125.00'
TAN = 38.15'
CHD = 72.98'
L.C. = 74.06'

$\Delta = 39^{\circ}04'10''$
RAD = 125.00'
TAN = 44.35'
CHD = 83.59'
L.C. = 85.24'

$\Delta = 33^{\circ}32'40''$
RAD = 100.00'
TAN = 30.14'
CHD = 57.71'
L.C. = 58.54'

$\Delta = 75^{\circ}06'20''$
RAD = 25.00'
TAN = 19.22'
CHD = 30.47'
L.C. = 32.77'



DC
DUNCAN □ COKER
ASSOCIATES

CIVIL ENGINEERING □ SURVEYING □ PLANNING

302 MERCHANTS WALK, SUITE 250
TUSCALOOSA, AL 35406
205-561-0808
WWW.DUNCANCOKER.COM

SHEET TITLE

SCHOONER PLACE NE RIGHT-OF-WAY VACATION

NO.	DATE	DESCRIPTION

DATE: 5/31/23	CHECKED BY: JLD	DRAWN BY: WTB	Sh. No.
FILENAME: Akins-SchoonerPI-ROW Vacati	PROJECT NUMBER: 24-227.6		C1.1

RESOLUTION

SETTING THE COST FOR DEMOLITION OF THE STRUCTURE AT
2833 22nd STREET AND AUTHORIZING THE FILING OF A LIEN

WHEREAS, the person(s) last assessed for the property taxes at 2833 22nd Street is Ruby Moore as recorded in Deed Book 238, Page No. 352; more particularly described as:

Lots No. Fifty-five (55) and Fifty-six (56) of the Twenty Second Street Survey as recorded in Plat Book No. 5, Page 99, in the Probate Office of Tuscaloosa County, Alabama. These lots mentioned above are located on the south side of 22nd Street and face north. Lot No. 55 is 48 feet wide and Lot No. 56 is 46 feet wide. Both of these lots run a depth of 137.3 feet.

WHEREAS, the building located on said property in the City of Tuscaloosa was demolished by city forces pursuant to Ala. Code Section 11-53B-1 et seq. (1975); and,

WHEREAS, on the 11th day of July 2023, a hearing was held to set the cost of demolishing the building in the amount of \$4,491.28 plus court costs in the amount of \$14.50, for a total cost of \$4,505.78 and,

WHEREAS, Section 11-53B-1 et seq. states that the cost of demolition, and court costs shall constitute a lien and shall be a superior lien to all other except for taxes.

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

1. That the cost for the demolition of the building located at 2833 22nd Street and for court costs be, and it is hereby set at \$4,505.78, and the persons(s) last assessed for the property is Ruby Moore as recorded in Deed Book 238, Page No. 352.
2. That the City Clerk shall file a certified copy of this resolution in the office of the Probate Judge of Tuscaloosa County, and the cost of demolition and court costs shall constitute a lien in the amount of \$4,505.78 against the property at 2833 22nd Street, as recorded in Deed Book 238, Page No. 352.

APPROVED AS TO FORM



Office of the City Attorney

Prepared By: SBH
Requested: OCA Date: 7/11/23
Council Presentation: 7/11/23
Suspension of Rules: NO

RESOLUTION

RESOLUTION CONFIRMING THE APPOINTMENT OF KYLE SOUTH AS A VOTING MEMBER OF THE
TUSCALOOSA ROAD IMPROVEMENT COMMISSION
(A22-0971)

WHEREAS, the corporate documents establishing the Tuscaloosa County Road Improvement Commission require the City of Tuscaloosa to confirm the appointment of members of the West Alabama Chamber of Commerce to be voting members of the Tuscaloosa County Road Improvement Commission; and

WHEREAS, the Tuscaloosa County Road Improvement Commission has requested the confirmation of Kyle South as a voting member of the Commission; and

WHEREAS, the Council hereby finds that the appointment is due to be confirmed.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA that Kyle South is confirmed as a voting member of the Tuscaloosa Road Improvement Commission.

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: IT Date: 07/11/2023

Council Presentation: 07/11/2023

Suspension of Rules: NO

RESOLUTION

RESOLUTION AUTHORIZING CONTRACT WITH ESCAL INSTITUTE OF ADVANCED TECHNOLOGIES, INC.
DBA SANS INSTITUTE
AND DECLARING A BID LAW EXEMPTION
PURSUANT TO ALA. CODE § 41-16-51(a)(15)
(OCA-23-0862)

WHEREAS, the City of Tuscaloosa desires to contract with Escal Institute of Advanced Technologies, Inc. dba SANS Institute in the amount of \$19,375.00 for five (5) training vouchers for training and certifications for City of Tuscaloosa Information Technology employees; and,

WHEREAS, the City Council finds and declares this contract is exempt from competitive bidding requirements pursuant to the following authority: ALA. CODE §41-16-51(a)(15).

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

1. That the Mayor is authorized to execute a contract with Escal Institute of Advanced Technologies, Inc. dba SANS Institute in the amount of \$19,375.00 for five (5) training vouchers for training and certifications for City of Tuscaloosa Information Technology employees.
2. That the City Council finds and declares that the above contract is exempt from the competitive bidding requirements of the Alabama Bid Law pursuant to the following authority: ALA. CODE § 41-16-51(a)(15) Contractual services and purchases of products related to, or having an impact upon, security plans, procedures, assessments, measures, or systems, or the security or safety of persons, structures, facilities, or infrastructures.

FUNDING REQUIRED: Yes No
10104030-3210

By: Bukyfarhast
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: W & S Date: 07/11/2023
Council Presentation: 07/11/2023
Suspension of Rules: NO

RESOLUTION

RESOLUTION AUTHORIZING CONTRACT WITH MORROW REPAIR SERVICES, LLC
AND DECLARING A BID LAW EXEMPTION
PURSUANT TO ALA. CODE § 41-16-51(b)(7)
(OCA-23-0835)

WHEREAS, the City of Tuscaloosa desires to contract with Morrow Repair Services, LLC for the purchase of parts and services related to repair of the Effluent Pump #3 at the Fletcher Plant totaling \$27,685.00; and,

WHEREAS, the City Council finds and declares this contract is exempt from competitive bidding requirements pursuant to the following authority: CODE § 41-16-51(b)(7) as a purchase of equipment used in the normal and routine operation of any waterworks system owned by a municipality.

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

1. That the Mayor is authorized to execute a contract with Morrow Repair Services, LLC for the purchase of parts and services related to repair of the Effluent Pump #3 at the Fletcher Plant totaling \$27,685.00, and the City Clerk is authorized the attest the same.
2. That the City Council finds and declares that the above contract is exempt from the competitive bidding requirements of the Alabama Bid Law pursuant to the following authority: CODE § 41-16-51(b)(7).

FUNDING REQUIRED: Yes No
60109041-4170

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: W & S Date: 07/11/2023
Council Presentation: 07/11/2023
Suspension of Rules: NO

RESOLUTION

RESOLUTION AUTHORIZING CONTRACT WITH ANDRITZ SEPARATION, INC.
AND DECLARING A BID LAW EXEMPTION
PURSUANT TO ALA. CODE § 41-16-51(b)(7)
(OCA-23-0775)

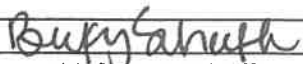
WHEREAS, the City of Tuscaloosa desires to contract with Andritz Separation, Inc. for the purchase of parts and services related to repair of the Gravity Belt Thickener #2 totaling \$26,416.60; and,

WHEREAS, the City Council finds and declares this contract is exempt from competitive bidding requirements pursuant to the following authority: CODE § 41-16-51(b)(7) as a purchase of equipment used in the normal and routine operation of any waterworks system owned by a municipality.

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

1. That the Mayor is authorized to execute a contract with Andritz Separation, Inc. for the purchase of parts and services related to repair of the Gravity Belt Thickener #2 totaling \$26,416.60, and the City Clerk is authorized the attest the same.
2. That the City Council finds and declares that the above contract is exempt from the competitive bidding requirements of the Alabama Bid Law pursuant to the following authority: CODE § 41-16-51(b)(7).

FUNDING REQUIRED: Yes No
60109041-4170

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: W & S Date: 07/11/2023

Council Presentation: 07/11/2023

Suspension of Rules: NO

RESOLUTION

RESOLUTION AUTHORIZING CONTRACT WITH SHEPPARD SERVICES
AND DECLARING A BID LAW EXEMPTION
PURSUANT TO ALA. CODE § 41-16-51(b)(7)
(OCA-23-0771)

WHEREAS, the City of Tuscaloosa desires to contract with Sheppard Services for the purchase of parts and services related to repair of Lift Station 40 Pump #2 totaling \$23,547.14; and,

WHEREAS, the City Council finds and declares this contract is exempt from competitive bidding requirements pursuant to the following authority: CODE § 41-16-51(b)(7) as a purchase of equipment used in the normal and routine operation of any waterworks system owned by a municipality.

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

1. That the Mayor is authorized to execute a contract with Sheppard Services for the purchase of parts and services related to repair of Lift Station 40 Pump #2 totaling \$23,547.14, and, and the City Clerk is authorized the attest the same.
2. That the City Council finds and declares that the above contract is exempt from the competitive bidding requirements of the Alabama Bid Law pursuant to the following authority: CODE § 41-16-51(b)(7).

FUNDING REQUIRED: Yes No
60109041-4170

By: Buffy Saruff
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/hdh
Requested: Projects Date: 06/27/2023
Council Presentation: 07/11/2023
Suspension of Rules: NO

RESOLUTION

RESOLUTION AUTHORIZING CONTRACT RENEWAL WITH TEAMDYNAMIX SOLUTIONS, LLC
FOR SOFTWARE PURCHASE AND IMPLEMENTATION
(OCA-23-0758)

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

That the Mayor is authorized to execute a Contract Renewal: COTP00001.2 with TeamDynamix Solutions, LLC for the period of three (3) years not to exceed the following amounts:

- Year 1: \$18,316.71
- Year 2: \$19,135.86
- Year 3: \$19,995.86

for IT Department’s Help Desk software, maintenance and support, 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
10104030-3156

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/hdh
Requested: Projects Date: 06/27/2023
Council Presentation: 07/11/2023
Suspension of Rules: NO

RESOLUTION

RESOLUTION AUTHORIZING PROFESSIONAL SERVICES CONTRACT WITH
JONES MEDIA PRODUCTIONS
(OCA-23-0716)

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

That the Mayor is authorized to execute a professional services contract with Jones Media Productions in an amount not to exceed \$30,000.00 per one (1) year term for streaming and recording public meetings, 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
10104040-3100

By: Bryan Sanchez
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
Requested: Finance Date: 06/27/2023
Council Presentation: 07/11/2023
Suspension of Rules: NO

RESOLUTION

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO MUNICIPAL AGENCY FUNDING CONTRACT WITH TUSCALOOSA COUNTY ECONOMIC DEVELOPMENT AUTHORITY (A22-1131)

WHEREAS, the City of Tuscaloosa and the Tuscaloosa County Economic Development Authority entered into a Municipal Agency Funding Contract on December 6, 2022; and,

WHEREAS, the City of Tuscaloosa and Tuscaloosa County Economic Development Authority desire to amend said Municipal Agency Funding Agreement to increase the funding amount by an additional \$22,000 for a total of \$440,000 to match the allocation amount of Tuscaloosa County.

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

That the Mayor be and he is hereby authorized to execute by and as an act for and on behalf of the City of Tuscaloosa an amendment to the said Municipal Agency Funding Contract to increase the funding amount by an additional \$22,000, and the City Clerk is authorized to attest the same.

FUNDING REQUIRED: Yes No

10117120-5140

By: Buffy Smith
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: FC Date: 06/27/2023

Council Presentation: 07/11/2023

Suspension of Rules: No

RESOLUTION NO _____

REIMBURSEMENT RESOLUTION PURSUANT TO
UNITED STATES TREASURY REGULATION SECTION 1.150-2
(OCA-23-0879)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUSCALOOSA, ALABAMA (the "City") as follows:

Section 1. The City has found and determined, and does hereby find and declare as follows:

(a) The United States Department of the Treasury has issued final regulations relating to the use of proceeds of tax-exempt obligations for the reimbursement of expenditures made prior to the date of issuance of tax-exempt obligations. Under the regulations, in general, if specified requirements are satisfied, then proceeds used for reimbursement are deemed to be spent on the date of reimbursement. If such requirements are not satisfied, then proceeds used for reimbursement will remain subject to rebate, arbitrage and other rules relating to tax-exemption until ultimately spent.

(b) The City has determined that it is in the best interests of the City, and its taxpayers and citizens, to provide for the acquisition, construction and installation of certain equipment and capital improvements to the City's water and sewer system (collectively, the "Utility Improvements").

(c) In order to proceed with the acquisition, construction and installation of the Utility Improvements, pending the issuance of tax-exempt obligations in a maximum principal amount of \$75,000,000, it may be necessary for the City to use its own funds to pay certain expenses in connection with the Utility Improvements and the financing thereof.

(d) If the City is required to spend its own funds on the Utility Improvements pending the issuance of such tax-exempt obligations as may be required to provide long-term financing for such improvements, it is the City's official intent to reimburse the City for such expenditures out of proceeds of such tax-exempt obligations issued in connection with the Utility Improvements by the City.

Section 2. The City hereby declares its official intent to reimburse the capital expenditures made by the City from the Water and Sewer Fund thereof for the Utility Improvements in whole or in part from the proceeds of tax-exempt obligations which may be issued hereafter by the City.

Section 3. The maximum amount for which the City could reimburse to the City's Water and Sewer Fund from the proceeds of such obligations will not exceed \$40,000,000.

Section 4. The City expects any reimbursement to the City to be made on or before the later of the date eighteen months after the expenditure is paid or after the property is placed in service. Any expenditure to be reimbursed shall be either for engineering expenses or other preliminary expenses as recognized in Section 1.150-2(f) or shall be a capital expenditure properly chargeable to capital account (or would be so chargeable with a proper election such as an election under Section 266) under general federal income tax principles.

Section 5. This Resolution shall not compel the City to issue the tax-exempt obligations referenced herein. The issuance and sale of such obligations shall be subject to the final approval and authorization thereof by the governing body of the City, including, without limitation, the approval of the purposes, use of proceeds, principal amounts, terms of maturity and payment dates, interest rates, offering prices and redemption prices and terms, and costs of issuance.

Section 6. All ordinances, resolutions, orders, or parts of any thereof, of the City in conflict, or inconsistent, with any provision of this resolution hereby are, to the extent of such conflict or inconsistency, repealed.

Section 7. This resolution shall take effect immediately.

The above Resolution is duly adopted this 11th day of July, 2023.

President of the City Council

SEAL

Attest: _____
City Clerk

Transmitted to and approved by the Mayor this _____ day of July, 2023.

Mayor

FUNDING REQUIRED: Yes No
2024 Water & Sewer Debt Issuance

By: Duffy Smith
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: FC Date: 06/27/2023
Council Presentation: 07/11/2023
Suspension of Rules: No

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING CERTAIN ACTIONS WITH RESPECT TO
GENERAL OBLIGATION WARRANTS
OF THE CITY OF TUSCALOOSA
(OCA-23-0879)

BE IT RESOLVED BY THE CITY COUNCIL (the "Council") OF THE CITY OF TUSCALOOSA, ALABAMA (the "City"), as follows:

Section 1. The Council has found and determined, and does hereby find, determine and declare, as follows:

(a) it is in the best interest for the City to finance certain capital improvements to the City's water and sewer system;

(b) it is necessary and desirable for the City to authorize the structure and offering to the public market of its general obligation warrants (the "Warrants"), on a tax-exempt basis for the foregoing purpose; and

(c) it is anticipated that the Warrants will be issued in 2024, and will be designated the "Series 2024-B Warrants"; provided, however, the City shall designate the series of the Warrants in accordance with the appropriate year and serial designation at the time of issuance.

Section 2. Subject to Section 4 hereof, the Council does hereby approve, adopt, authorize, direct, ratify and confirm:

(a) the terms, and distribution by The Frazer Lanier Company, Incorporated (the "Underwriter") of, a preliminary official statement with respect to the Warrants, on behalf of the City and as approved by the Mayor, the City Attorney and the Chief Financial Officer of the City; and

(b) the terms and provisions of a warrant purchase agreement with respect to the Warrants (the "Warrant Purchase Agreement"), by and between the City and the Underwriter.

Section 3. Subject to Section 4 hereof, the Mayor and the Chief Financial Officer of the City are each hereby authorized and directed to execute and deliver the Warrant Purchase Agreement with respect to the Warrants.

Section 4. The issuance and sale of the Warrants by the City shall be subject to:

(a) the final approval and authorization thereof by the Council, including without limitation the purposes, use of proceeds, principal amounts, terms of maturity and payment dates, interest rates, offering prices and redemption prices and terms, and costs of issuance and credit enhancement; and

(b) the approving legal opinion of Maynard Nexsen PC, as bond counsel.

Section 5. All actions heretofore taken, and all agreements, documents, instruments and notices heretofore executed, delivered or made, by any of the officers of the City with respect to any matters referenced herein are hereby ratified and confirmed.

Section 6. All resolutions, or parts thereof, of the Council in conflict or inconsistent with any provision of this resolution hereby are, to the extent of such conflict or inconsistency, repealed.

Section 7. This resolution shall take effect immediately.

The above Resolution is duly adopted this 11th day of July, 2023.

Mayor

SEAL

Attest: _____
City Clerk

FUNDING REQUIRED: Yes No
2024 Water & Sewer Debt Issuance

By: *Duffy Smith*
Chief Financial Officer

COUNCIL ACTION

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

STATE OF ALABAMA)

TUSCALOOSA COUNTY)

CERTIFICATE OF CITY CLERK

The undersigned duly appointed City Clerk of the City of Tuscaloosa, Alabama, does hereby certify that the above and foregoing pages constitute a complete, verbatim and compared copy of a resolution duly introduced and adopted by the City at a regular meeting thereof on July 11, 2023, and said resolution has not been repealed, amended, or changed and is in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand as Secretary of the City and have affixed the official seal of the City, this ____ day of July, 2023.

City Clerk of the City of Tuscaloosa, Alabama

SEAL

APPROVED AS TO FORM


Office of the City Attorney

Prepared By: HE

Requested: FC 06/27/23

Presentation on: 07/11/23

Suspension of Rules: NO

RESOLUTION

**AMENDMENT NO. 1 TO THE RESOLUTION TO ESTABLISH BUDGET
FOR 2022 A WARRANT SERIES
(A22-0696)**

WHEREAS, the City of Tuscaloosa anticipates the issuance of approximately \$40,501,540.32 of bonds through the 2022 A Warrant Series and wishes to establish a budget for said issuance.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA that, upon the issuance of the 2022 A Warrant Series, the budget for said series shall be as follows:

PROJECT	AMOUNT
University Blvd Corridor	\$9,000,000
Snow Hinton Park	\$9,300,000
Benjamin Barnes Branch YMCA	\$11,500,000
Tuscaloosa Tennis Center	\$10,700,000
Contingency – 2022A ETF	\$1,540
TOTAL	\$40,501,540

FUNDING REQUIRED: Yes No

2022-A Bond

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 06/27/2023

Presentation on: 07/11/2023

Suspension of Rules: No

RESOLUTION

**AMENDMENT NO. 2 TO THE RESOLUTION TO ESTABLISH BUDGET
FOR 2022 B WARRANT SERIES
(A22-0697)**

WHEREAS, the City of Tuscaloosa anticipates the issuance of approximately \$37,920,419 of bonds through the 2022-B Warrant Series and wishes to establish a budget for said issuance.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA that, upon the issuance of the 2022-B Warrant Series, the budget for said series shall be as follows:

FUNDING SOURCES	AMOUNT
Warrant Proceeds – 2022-B Series	\$37,920,419
TOTAL FUNDING	\$37,920,419

PROJECT	AMOUNT
Fees – Debt Issues	\$267,016
SS Manhole #6978 Repair	\$6,500,000
Water Meter Upgrades/AMI	\$5,500,000
Digester Mixing Upgrades	\$700,000
Brooksdale Drive SS Improvements	\$750,000
Lift Station 22	\$500,000
Ed Love Plant Raw Water	\$7,499,197
Lift Stations 15 & 42	\$400,000
Garner Road CIPP Line	\$4,300,000
LS 21 EQ Tank & Pump Station Improvements	\$67,962
WRRF Secondary Aeration Diffuser Replacement	\$3,410,000
WRRF Switch Gear & Generator Repair	\$3,603,293
Outfall Line Repair (Moody Swamp)	\$1,000,000
WRRF Sinkhole Outfall Line Repair	\$750,000
Northwest Sewer Line Expansion	\$150,000
Contingency - 2022-B (WS)	2,522,951
TOTAL	\$37,920,419

FUNDING REQUIRED: Yes No

2022-B Warrant Series _____

By: Buffy Saneff
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 06/27/23
Presentation on: 07/11/23
Suspension of Rules: NO

ORDINANCE NO. _____

AMENDING THE 2023 ELEVATE TUSCALOOSA FUND BUDGET
AMENDMENT 4
(A22-1038)

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

REVENUES		
Category	Current Life Budget	Amended Life Budget
Sales Tax	\$(85,378,851)	\$(85,860,263)
Use Tax	\$(10,011,588)	\$(10,067,243)
SCF - Capital Campaign	\$(1,250,000)	\$(3,000,500)
Federal Grants	\$(32,149,167)	\$(15,000,000)
Trans From Public Works	\$0	\$(61,174)
Net Revenues		\$14,801,426

EXPENDITURES		
Category	Current Life Budget	Amended Life Budget
Connectivity	\$34,379,800	\$19,230,633
ETF Operations & Maintenance	\$4,946,022	\$3,526,582
Cultural Arts & Tourism	\$16,946,138	\$14,930,873
Parks & Recreation	\$12,058,455	\$12,814,775
Restart Tuscaloosa	\$8,781,133	\$8,213,253
Debt Service	\$12,500,672	\$12,541,241
Trans to River District Fund	\$0	\$1,500,000
Trans to GF – ETF PS Pay Plan	\$7,088,408	\$7,195,822
Contingency	\$51,145	\$1,997,168
Net Expenditures		\$(14,801,426)
Net Change		\$0

FUNDING REQUIRED: Yes No
Elevate Tuscaloosa Fund

By: *Burt Farwell*
Chief Financial Officer

COUNCIL ACTION

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



RESOLUTION

**AMENDING THE FISCAL YEAR 2023 WATER AND SEWER RESERVE FOR FUTURE IMPROVEMENTS FUND BUDGET
 (AMENDMENT 5 - FY23 WSRFFI BUDGET)
 (A07-0203/A98-0431)**

WHEREAS, the Council has determined to re-establish the WSRFFI for Fiscal 2023. 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 2023.

BE IT ORDAINED BY THE CITY COUNCIL OF TUSCALOOSA, ALABAMA, that the Fiscal Year 2023 Water and Sewer Reserve For Future Improvements 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	(31,232,304)	(2,826,227)	(34,058,531)
NET REVENUES		(2,826,227)	

EXPENSES			
PROJECT NAME	CURRENT BUDGET	CHANGE	REVISED BUDGET
McfarlnD Widening/13th St	818,829	(0.30)	818,829
Greensboro Ave. 200 Block Repa	442,000	(23,963.49)	418,037
LS #35 Capacity Upgrades	7,500	(40.00)	7,460
North River Raw W Repair	675,465	1,291.01	676,756
Westervelt SS Rw Line Repair	666,568	1,123.39	667,691
Primary Solids Handling Pump	35,850	(2,800.00)	33,050
FY 20 Vehicles & Equip (IPS)	551,474	570.32	552,045
FY21 Vehicles & Equip (IPS)	490,000	(45,149.65)	444,850
IPS Equip- Lease Balloon Resv	330,524	555,154.74	885,679
IPS-Admin-Lease Prnt Interest	97,440	(20,228.35)	77,211
IPS Equip- Lease Balloon Resv	548,491	(534,926.39)	13,564
LS#42 Odor Control	62,300	(12,460.00)	49,840
Water Treatmt Plnt Cap Impr Pr	265,991	12,460.00	278,451
ALDOT Grants	(7,616,649)	33,308.74	(7,583,340)
Cypress Crk Ave E- Sidewlk II	72,133	(33,308.74)	38,824
Fletcher Process Master Plan	-	475,000.00	475,000
Bowers Tank System Modifications	-	100,000.00	100,000
Tank Maintenance Master Plan	-	75,000.00	75,000
Ed Love Basin Sealing	-	75,000.00	75,000
Ed Love Sodium Hypochlorite Tanks	-	100,000.00	100,000
WRRF Pre-Aeration & Splitter Box	-	300,000.00	300,000
Old Montgomery Hwy Waterline Impv	-	141,000.00	141,000
601 Greensboro Ave Underground Vault Rep	-	386,000.00	386,000

EXPENSES CONTINUED			
PROJECT NAME	CURRENT BUDGET	CHANGE	REVISED BUDGET
WRRF Lagoon Repairs Ph1	-	1,174,227.00	1,174,227
Contingency	12,904	68,968.72	81,873
		<u>2,826,227</u>	
		<u>-</u>	

FUNDING REQUIRED: Yes X No _____
Fund 612 (Water & Sewer RFFI)

By: Buffy Saneff
Chief Financial Officer

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



RESOLUTION

**AMENDING THE FISCAL YEAR 2023 GENERAL FUND RESERVE FOR FUTURE IMPROVEMENTS FUND BUDGET
 (AMENDMENT 11 - FY23 GFRFFI BUDGET)
 (A98-0470)**

WHEREAS, the Council has determined to re-establish the GFRFFI for Fiscal 2023. 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 2023.

BE IT ORDAINED BY THE CITY COUNCIL OF TUSCALOOSA, ALABAMA, that the Fiscal Year 2023 General Fund Reserve For Future Improvements Fund Budget of the City of Tuscaloosa be, and the same is hereby, amended as follows:

REVENUES			
PROJECT NAME	CURRENT BUDGET	CHANGE	REVISED BUDGET
PY Balance GF-RFFI	(1,100,000)	(8,553,829)	(9,653,829)
Transfer From General Fund	(37,088,243)	(6,408,727)	(43,496,970)
Transfer From NASCAR Fund	(3,000,000)	(1,350,100)	(4,350,100)
NET REVENUES		(16,312,656)	

EXPENSES			
PROJECT NAME	CURRENT BUDGET	CHANGE	REVISED BUDGET
Fire Station #6	414,782	2,000,000.00	2,414,782
Resurfacing of Local Streets	-	3,500,000.00	3,500,000
FY23 Citywide Fiber Project	-	700,000.00	700,000
University Blvd At Brookhills	-	250,000.00	250,000
PAL Basketball Court Renovation	35,000	100,000.00	135,000
Patton Lake Drainage	1,000,000	1,000,000.00	2,000,000
Trans To Facility Renewal	21,827	1,750,000.00	1,771,827
Veteran's Memorial Ped Bridge Demo	-	750,000.00	750,000
2024 Citywide Resurfacing	-	3,449,105.13	3,449,105
Juanita Drive Ph 2	-	1,300,000.00	1,300,000
White Oaks Access Road	-	60,000.00	60,000
Alberta Bridge Lighting	-	135,493.00	135,493
Northridge Rd Stabilization	85,218	1,000,000.00	1,085,218
JWP Slope Stabilization	1,511,215	437,304.36	1,948,519
2017 Citywide Resurfacing	1,622,256	0.18	1,622,256
University Manor	350,000	(43,398.77)	306,601
Greensboro Ave Drainage	503,104	(20,772.95)	482,331
Lurleen Wallace Blvd Impv	1,274,764	(50,000.00)	1,224,764
2019 Citywide Resurfacing	907,576	(2,400.00)	905,176
Oak Bend Turnaround	20,000	(20,000.00)	-
Short 16th St Camera Install	12,000	(6,210.45)	5,790
Historic Civil Rgts Acq & Repa	150,000	(1,930.46)	148,070
State Grants	(16,968,631)	1,876,079.24	(15,092,552)
Cypress Crk Ave E - Swlk Sec C	594,109	33,308.74	627,418
Brose Industrial Access	743,214	(705,928.98)	37,285

EXPENSES CONTINUED			
PROJECT NAME	CURRENT BUDGET	CHANGE	REVISED BUDGET
Riverwalk Ph5-Cap Prk To W End	748,801	(400,000.00)	348,801
Federal Grants	(159,155)	(132,682.85)	(291,838)
Infr Community Safe Room	928,459	(748,991.03)	179,468
Contingency	30,256	103,680.84	133,937
	NET EXPENDITURES	16,312,656.00	
	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 No

Fund 203 - General Fund RFFI

By: *Ducky Struett*
 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: UD/Planning Com. Date: 06/21/2023
Council Presentation on: 07/11/2023
Suspension of Rules: No

ORDINANCE NO. _____

**AN ORDINANCE ANNEXING PROPERTY TO THE
CORPORATE LIMITS OF THE CITY OF TUSCALOOSA
ANNEXATION NO. 707**

**(Approximately 0.62 acres located of 11955 Grandview Drive—
Mark and Regina Simpson)
(AN-08-23/OCA-23-0865)**

WHEREAS, pursuant to Ala. Code §11-42-21, et seq. (1975), the sole and only owner(s) of the property hereinafter described did sign and file with the City Clerk a written Petition, containing an accurate description of the property or territory proposed to be annexed, together with a map of said territory showing its relationship to the Corporate Limits of the City and requesting the governing body adopt an Ordinance assenting to the annexation thereof, and,

WHEREAS, said territory is contiguous to the Corporate Limits of the City of Tuscaloosa, located in Tuscaloosa County, and does not lie within the Corporate Limits of any other municipality nor does such property lie in an area of overlapping Police Jurisdiction which is more than equidistant from the respective Corporate Limits of each municipality.

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

1. That, pursuant to Ala. Code §11-42-21, et seq. (1975), the following property, to-wit:

Lot No. 15 of Grandview Drive Subdivision, a map or plat of which is recorded in Plat Book 11, at Pages 125 and 126 and refiled in Plat book 11, at Pages 135 and 136.

together with Exhibit "A", being a map or plat showing the property to be annexed, the request for the annexation of the same to the Corporate Limits of the City of Tuscaloosa, be, and it is hereby, assented to by the governing body of the City of Tuscaloosa, and the Corporate Limits of the City of Tuscaloosa shall be extended and rearranged so as to embrace and include such property, and such property or territory shall become a part of the corporate area of the City of Tuscaloosa after publication and on the effective date of this ordinance.

2. That the City Clerk be, and he is hereby, directed to forthwith cause a copy of this ordinance to be published in a newspaper of general circulation in the City and County of Tuscaloosa.

3. That the City Attorney be, and he is hereby, directed to forthwith, on behalf of the governing body of the City, file a description of the property or territory herein annexed upon publication in the Office of the Judge of Probate of Tuscaloosa County, Alabama, by submitting a copy of this ordinance with exhibits to the Probate Judge for recordation.

4. That the Council has determined it to be in the best interest of the public health, safety and welfare and for the public good of the citizens of Tuscaloosa to assent to the annexation of the property herein described, provided however, that the owners understand that the City shall not provide garbage service to the property.

Approved:



Office of Urban Development

FUNDING REQUIRED: Yes No

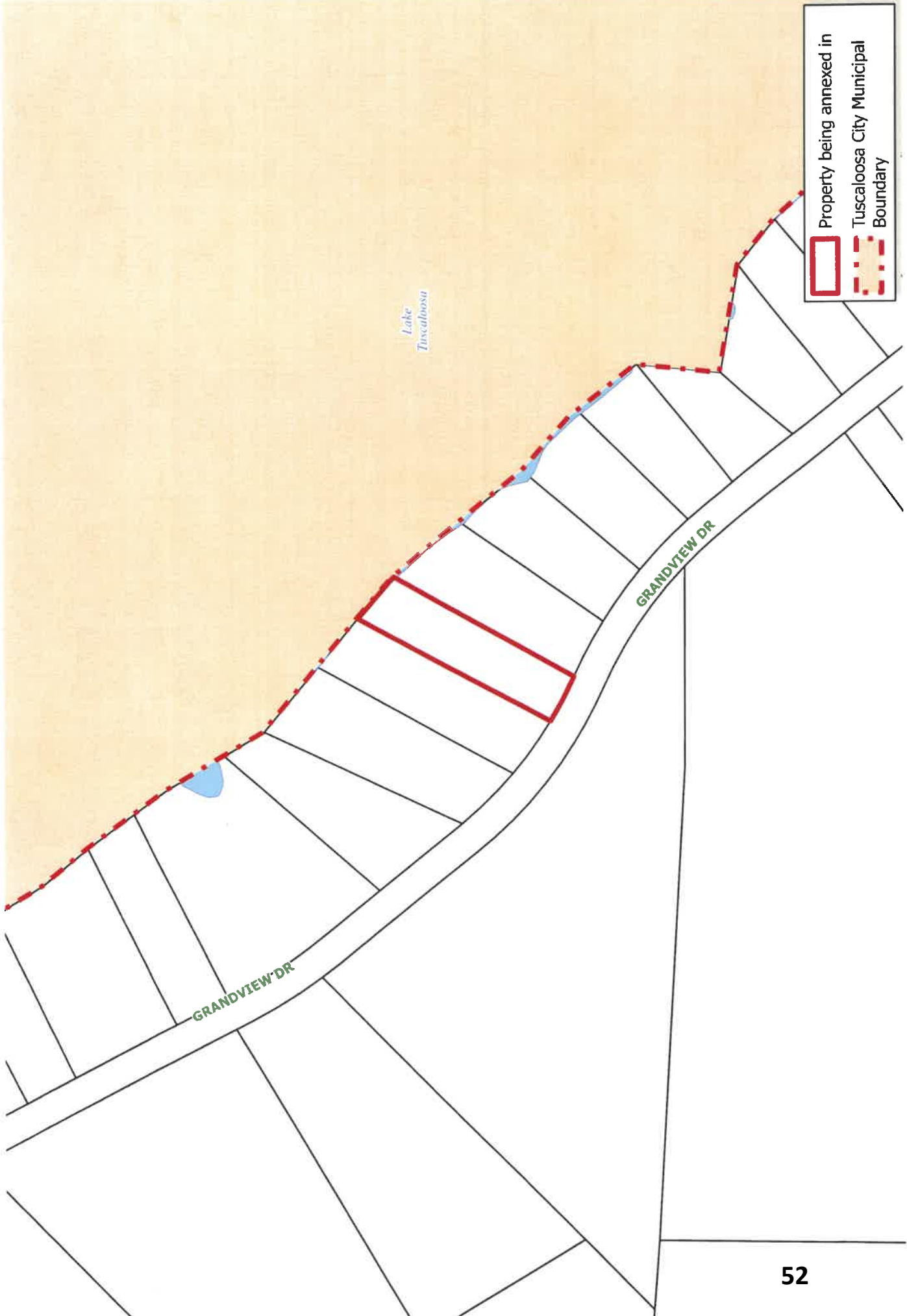
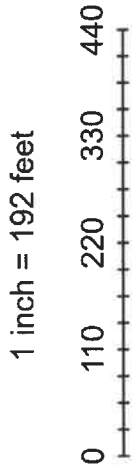
By: _____
Chief Financial Officer

COUNCIL ACTION

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

Exhibit "A" 11955 Grandview Drive

Census Block & Tract: 2014010203



APPROVED AS TO FORM



Office of the City Attorney

Prepared By: SBH

Requested: Operations Date: 7/11/2023

Council Presentation: 07/11/2023

Suspension of Rules: NO

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTIONS 22-99 AND 22-100 OF THE CODE OF TUSCALOOSA
(OCA-23-0863)

WHEREAS, the City of Tuscaloosa acknowledges the importance of maintaining the orderly flow of vehicle and pedestrian traffic, including bus and taxicab/rideshare stands, to ensure efficient transportation and enhance public safety; and

WHEREAS, the presence of unattended vehicles parked in designated bus and taxicab/rideshare stands is a public nuisance and disrupts the operations of these transportation services, causing congestion, delays, and jeopardizes public safety; and

WHEREAS, unattended vehicles in bus and taxicab/rideshare stands hinder access to reliable transportation options, thereby negatively impacting overall mobility and accessibility within the City; and

WHEREAS, it is crucial for the City of Tuscaloosa to promptly address this issue by establishing measures to abate the nuisance caused by unattended vehicles in designated bus and taxicab/rideshare stands; and

WHEREAS, towing unattended vehicles parked in these stands at the owner's expense serves as the most efficient method to mitigate the negative public safety effects, ensure the efficient operation of transportation services, and abate the public nuisance caused by said unattended vehicles;

NOW, THEREFORE, BE IT ORDAINED by the Tuscaloosa City Council that:

SECTION ONE. Unattended vehicles parked in designated bus and taxicab/rideshare stands within the City of Tuscaloosa are hereby declared a nuisance due to their adverse impact on public safety and the efficient operation of transportation services.

SECTION TWO. The City of Tuscaloosa hereby authorizes the abatement of unattended vehicles parked in bus and taxicab/rideshare stands by towing them at the owner's expense.

SECTION THREE. That Sec. 22-99 of the Code of Tuscaloosa is hereby amended to read as follows:

“Sec. 22-99. Director of transportation to designate public carrier stops and stands.

The director of transportation shall establish bus stops, bus stands, taxicab/**rideshare** stands and stands for other passenger common-carrier motor vehicles on such public streets in such places and in such number as he shall determine to be of the greatest benefit and convenience to the public. Every bus stop, bus stand, taxicab/**rideshare** stand or other stand shall be designated by appropriate signs.”

SECTION FOUR. That Sec. 22-100 of the Code of Tuscaloosa is hereby amended to read as follows:

“Sec. 22-100. Restricted use of bus and taxicab/rideshare** stands.**

It shall be unlawful for any person to stop, stand, park, **or leave unattended** a vehicle other than a bus in a bus stop, or other than a taxicab, **rideshare vehicle**, or other vehicle regulated by Chapter 23, in a taxicab/**rideshare** stand, when any stop or stand has been officially designated as such; except that temporary stops may be made for the actual loading or unloading of passengers, when such stops do not interfere with a bus or taxicab, **or rideshare vehicle**. **All unattended vehicles in taxicab/**rideshare** stands are hereby declared a public nuisance and may be abated by towing at the owner’s expense.”**

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
Requested: FC Date: 06/27/2023
Council Presentation: 07/11/2023
Suspension of Rules: NO

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 2-25 OF THE CODE OF TUSCALOOSA
(OCA-23-0425)

BE IT ORDAINED BY THE CITY COUNCIL OF TUSCALOOSA:

That Section 2-25 of the Code of Tuscaloosa be amended to read as follows:

“Sec. 2-25 – Generally.

- (a) *Adoption of general fund and water and sewer fund budget.* Each fiscal year the city council of the City of Tuscaloosa shall adopt a general fund budget and a water and sewer fund budget, to appropriate the sums necessary for the expenditures of the several departments, its agencies, related lawful matters it deems appropriate and for the interest and/or principal on its bonded or other indebtedness.
- (b) *Summary form.* In recognition of the fact that it is not practical to state all the subordinate items of a budget in such meticulous detail as to deprive the several departments of city government of all elasticity or flexibility, every item of expenditure need not be and will not be stated, but rather the general fund budget and water and sewer budget shall be in summary form, but supported by other documents if necessary. The following sections of the City Code in this article establish the procedure by which such budgets will be adopted and administered.
- (c) *Article not to supersede or contravene obligations or commitments.* Provided, however, nothing contained in this article shall supersede or contravene an obligation or commitment of the city in regard to the terms and conditions of a trust agreement or warrant indenture or similar document, and in the event of a conflict between any provision of this article and the laws of the State of Alabama, the latter shall control the former. (Sections 11-44B-6(h), 11-43-56 and 11-43-57, Code of Alabama, 1975 and section 94, Amendment 112, Constitution of Alabama, 1901). Provided, further, that nothing herein contained shall operate to invalidate an otherwise valid expenditure pursuant to state law.
- (d) *Reserve account line item.* Beginning with fiscal year 1994 and continuing thereafter each general fund budget for the city shall include a contingency account line item.
- (e) *General fund—Undesignated fund balance.* There shall be maintained within the general fund of the city an undesignated fund balance which, as of September 30

of each fiscal year, must be a minimum of twenty (20) percent of the final prior year general fund operating budget. The prior year operating budget is defined as the operating budget for the year before the last completed audit and shall exclude debt service, transfers out and capital outlay. The fund balance requirement shall not be encumbered, budgeted or otherwise designated unless there is an ordinance duly adopted by the city council declaring that the expenditure of all or a portion of said fund balance is necessary and required by extraordinary circumstances to preserve and protect the health, safety and welfare of the citizens of the city or to make debt service payments that the city cannot otherwise finance

- (f) *Water and sewer operating fund—Undesignated balance.* There shall be maintained within the water and sewer reserve fund of the city an undesignated fund balance, which as of September 30 of each fiscal year must be a minimum of **twenty (20)** per cent of the **audited current** year water and sewer operating expenses. Provided; however, any transfer to the water and sewer reserve fund undesignated fund balance may be delayed, deferred, reduced or cancelled for any fiscal year in which the city council finds and determines by ordinance duly enacted that the city has insufficient funds to finance such transfer to said fund. The water and sewer reserve fund undesignated fund balance requirement shall not be encumbered, budgeted or otherwise designated, unless there is an ordinance duly adopted by the city council declaring that the expenditure of all or a portion of said fund balance is necessary and required by extraordinary circumstances to preserve and protect the health, safety and welfare of the citizens of the city or to make debt service payments that the city cannot otherwise finance.
- (g) *Water and sewer reserve fund for future improvement (WSRFFI)-Undesignated balance.* There shall be maintained within the water and sewer reserve fund for future improvement (WSRFFI) of the city, an undesignated fund balance consisting of any funds in excess of the minimum required for the water and sewer reserve fund undesignated balance requirement in subsection (g). Said funds that are in excess of the minimum required for the water and sewer reserve fund undesignated balance shall be transferred annually to the WSRFFI. Provided; however, such transfer to the WSRFFI—Undesignated fund balance may be delayed, deferred, reduced or cancelled for any fiscal year in which the city council finds and determines by ordinance duly enacted that the city has insufficient funds to finance such transfer to said fund.

The WSRFFI undesignated fund balance shall not be encumbered, budgeted or otherwise designated, unless there is an ordinance duly adopted by the city council declaring that the expense of all or a portion of said balance is necessary and required by extraordinary circumstances to preserve and protect the health, safety and welfare of the citizens of Tuscaloosa in regard to the maintenance and/or operation of the city's water and sewer facilities or to make debt service payments that the city cannot otherwise finance.”

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 06/27/23

Presentation on: 07/11/23

Suspension of Rules: NO

ORDINANCE NO. _____

AMENDING THE FISCAL YEAR 2023 GENERAL FUND BUDGET
(AMENDMENT 16 – FY23 GF BUDGET)
(A22-1037)

BE IT ORDAINED BY THE CITY COUNCIL OF TUSCALOOSA, ALABAMA, that the Fiscal Year 2023 General Fund Budget of the City of Tuscaloosa be, and the same is hereby, amended as follows:

EXPENDITURE			
Department	Account	Current Budget	Amended Budget
Agency	Cash to Board – IDA	\$407,250	\$418,250
Contingency	Contingency	\$622,843	\$611,843
Net Expenditures			\$0

FUNDING REQUIRED: Yes No
FY23 General Fund

By:
Deputy 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	\$4,332.06
<i>50% and 20% Operating Expenses for the Intermodal Facility: June 2023</i>	

TRAVEL AND TRAINING

Chip Cates (CNS)	\$50.01
<i>Travel expense; Knoxville, TN – Lead PM Meeting</i>	

TOTAL: \$4,382.07
Prepared: Assistant City Clerk
Requested: Accounting & Finance
Agenda: 07-11-2023