



BIRMINGHAM
CITY COUNCIL

**SPECIAL CALLED PUBLIC SAFETY COMMITTEE MEETING
TUESDAY, MARCH 8, 2022
1 P.M. – CITY COUNCIL CHAMBERS
COUNCILOR LATONYA A. TATE CHAIRMAN**

AGENDA

- A. CALL TO ORDER
- B. APPROVAL OF MINUTES – February 22, 2022
- C. LIQUOR LICENSES
 - 1. Mickeys Place – **New Application**
 - 2. The Goose – **New Application**
- D. SPECIAL EVENT LICENSES
 - 3. A Novel Taste – **New Application**
 - 4. Wellhouse Style Event – **New Application**
- E. TOWING/IMMOBILIZATION
 - 5. 5 Way Towing – **New Application**
- F. AGREEMENTS
 - 6. An Ordinance authorizing the Mayor and/or the Chief of Police to execute an Interlocal Cooperation Agreement, for a period not to exceed three years, with the Alabama Law Enforcement Agency (ALEA).
 - 7. An Ordinance authorizing the Mayor and/or the Chief of Police to apply for and accept grant disbursements from the Law Enforcement Support Office (LESO) of the Alabama Department of Economic and Community Affairs (ADECA).
- G. OLD BUSINESS – Update
 - 8. Alpha Charlie Grill
- H. ADJOURNMENT

Liquor Licenses

1. Mickey's Place 1720 Avenue D Ensley Mickey Bailey	Lounge Retail Liquor Class I Division I Dance Permit (customer) Pool Table Permit NEW APPLICATION	<input type="checkbox"/> Approved Consent Agenda <input type="checkbox"/> Approved pending NA _____ ZONING _____ <input type="checkbox"/> No Recommendation <input type="checkbox"/> DO NOT RECOMMEND <input type="checkbox"/> Date: _____ <input type="checkbox"/> Delayed: _____
2. The Goose 4100 4 th Avenue South John Conner	Restaurant Retail Liquor NEW APPLICATION	<input type="checkbox"/> Approved Consent Agenda <input type="checkbox"/> Approved pending NA _____ ZONING _____ <input type="checkbox"/> No Recommendation <input type="checkbox"/> DO NOT RECOMMEND <input type="checkbox"/> Date: _____ <input type="checkbox"/> Delayed: _____

Special Event License

3. The Novel Taste 2100 Park Place Friends Foundation of the Birmingham Public Library Catherine Frey	Special Event License (7 days) NEW APPLICATION	<input type="checkbox"/> Approved Consent Agenda <input type="checkbox"/> Approved pending NA _____ ZONING _____ <input type="checkbox"/> No Recommendation <input type="checkbox"/> DO NOT RECOMMEND <input type="checkbox"/> Date: _____ <input type="checkbox"/> Delayed: _____
4. Wellhouse Style Event 1218 2 nd Avenue North TLT Interiors, LLC Terri Tatton	Special Event License (7 days) NEW APPLICATION	<input type="checkbox"/> Approved Consent Agenda <input type="checkbox"/> Approved pending NA _____ ZONING _____ <input type="checkbox"/> No Recommendation <input type="checkbox"/> DO NOT RECOMMEND <input type="checkbox"/> Date: _____ <input type="checkbox"/> Delayed: _____

Itinerant Junk Dealer

5. 5 Way Towing 4800 8 th Ave Wylam Haier Ali Yehia	Towing (Consensual) NEW APPLICATION	<input type="checkbox"/> Approved Consent Agenda <input type="checkbox"/> Approved pending NA _____ ZONING _____ <input type="checkbox"/> No Recommendation <input type="checkbox"/> DO NOT RECOMMEND <input type="checkbox"/> Date: _____ <input type="checkbox"/> Delayed: _____
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Agreement

6. An Ordinance authorizing the Mayor and/or the Chief of Police to execute an Interlocal Cooperation Agreement, for a period not to exceed three years, with the Alabama Law Enforcement Agency (hereinafter referred to as "ALEA"), for access to and use of ALEA's ASPEN, ENCRYPTION SOFTWARE to be used of by certified Commercial Vehicle Enforcement officers of the Birmingham Police Department ("BPD") to perform driver-vehicle inspections on commercial motor vehicles. The Mayor and/or Chief of Police is authorized to execute and deliver all documents necessary to accomplish the purpose of this Ordinance.

Speaker: Sergeant Al T. Anger

- Approved Consent Agenda
- Approved pending
NA _____ ZONING _____
- No Recommendation
- DO NOT RECOMMEND
- Date: _____
- Delayed: _____

7. An Ordinance authorizing the Mayor and/or the Chief of Police to apply for and accept grant disbursements from the Law Enforcement Support Office (hereinafter referred to as "LESO") of the Alabama Department of Economic and Community Affairs (hereinafter referred to as "ADECA"), of excess personal property from the U.S. Department of Defense (DoD), including but not limited to equipment such as tactical gear, electronics, vehicles, weapons, etc., received through the LESO 1033 Program, for use by the Birmingham Police Department ("BPD") for law enforcement purposes. The City is authorized to pay not more than the annual One Thousand Five Hundred and 00/100 Dollars (\$1,500.00) participation/membership fee for participation in the program. The Mayor and/or Chief of Police is authorized to execute and deliver all documents necessary to receive the disbursements from ADECA, including any grant Agreements with ADECA and DoD for a term which shall not exceed three years.

Speaker: Sergeant Al T. Anger

- Approved Consent Agenda
- Approved pending
NA _____ ZONING _____
- No Recommendation
- DO NOT RECOMMEND
- Date: _____
- Delayed: _____



COMMITTEE REPORT



JOINT PUBLIC SAFETY AND SPECIAL CALLED COMMITTEE OF THE WHOLE MEETING
TUESDAY, FEBRUARY 22, 2022 | 3:30 P.M.
COUNCIL CHAMBERS

MINUTES

COUNCILOR LATONYA A. TATE, COMMITTEE CHAIR
PRESIDENT PRO TEM CRYSTAL N. SMITHERMAN & COUNCILOR HUNTER WILLIAMS, COMMITTEE MEMBERS

Councilor(s) Present: Tate, Smitherman, Williams

A. **CALL TO ORDER**
The Meeting was Called to Order by the Committee Chair, Councilor Tate.

B. **CALL TO ORDER**
The Meeting was Called to Order by the Committee Chair, Councilor Tate.

C. **APPROVAL OF MINUTES - February 8, 2022**
Action Taken:
Councilor Smitherman Motioned to Approve.
Councilor Williams Seconded the Motion.
The February 8, 2022 Minutes were Approved as Recorded.

D. **LIQUOR LICENSES**
A & A Quick Stop
4356 1st Ave North Suite A
Contact: Rubinder Kaur Arora
Beer Off Premise Wine Off Premise
Action Taken:
Councilor Williams Motioned to Approve the Item.
Councilor Smitherman Seconded the Motion.
The Item was Recommended to the March 1, 2022 City Council Agenda.

A & A Quick Stop
4356 1st Ave North Suite B
Contact: Rubinder Kaur Arora
Lounge Retail Liquor Class II (Package Store)
Action Taken:
Councilor Williams Motioned to Approve the Item.
Councilor Smitherman Seconded the Motion.
The Item was Recommended to the March 1, 2022 City Council Agenda.

SOCU Southern Kitchen & Oyster Bar Birmingham
1821 2nd Ave North, West Restaurant Space
Contact: Erica Wiggins Barrett
Restaurant Retail Liquor
Action Taken:
Councilor Williams Motioned to Approve the Item.
Councilor Smitherman Seconded the Motion.
The Item was Recommended to the City Council Consent Agenda.

MINUTES

E. TOWING/IMMOBILIZATION

Way Towing

4800 8th Ave Wylam

Contact: Haier Ali Yehia

Wrecker Service

Action Taken:

Per Zoning, this applicant is not allowed in a B1 neighborhood business district.

~~Councilor Tate Motioned to Delay the Item for Two (2) Week.~~

~~Councilor Williams Seconded the Motion.~~

~~Item Delayed for Two (2) Weeks.~~

Councilor Williams Motioned to Deny.

Councilor Smitherman Seconded the Motion.

The Application was Denied.

F. ADJOURNMENT

Councilor Williams Motioned to Adjourn.

Councilor Smitherman Seconded the Motion.

The Meeting was Adjourned.

LICENSE STATUS REPORT FORM

Date: 2/14/22

To: Latonya Tate, Chairman
Public Safety

Subject: Applicant's Name Yekcim & Yar LLC
Business Name Mickeys Place
Business Address 1720 Avenue D Ens

Type of License & Description

- | | |
|---|--|
| <input checked="" type="checkbox"/> Lounge Retail Liquor Class I | <input type="checkbox"/> Lounge Retail Liquor Class II (Package Store) |
| <input type="checkbox"/> Club Liquor Class I | <input type="checkbox"/> Club Liquor Class II (Private) |
| <input type="checkbox"/> Beer Off Premise | <input type="checkbox"/> Beer On & Off Premise |
| <input type="checkbox"/> Wine Off Premise | <input type="checkbox"/> Wine On & Off Premise |
| <input type="checkbox"/> Restaurant Retail Liquor | <input type="checkbox"/> Special Retail License (over 30 days) |
| <input type="checkbox"/> Special Retail License (under 30 days) | <input checked="" type="checkbox"/> Pool Table Permit |
| <input checked="" type="checkbox"/> Division I Dance Permit (customers) | <input type="checkbox"/> Division II Dance Permit |

The ENSLEY Neighborhood Association met on 2/24/22 and voted in reference to the above named license application. The concerns of the Neighborhood regarding the granting of this license are indicated as follows: (Please check one)

14 Attendance 3 Oppose 9 Support 1 No Recommendation

Reason for Opposition _____

Applicant: yes attended NA meeting _____ did not attend NA meeting

Ann Hall VP
President

(Please return this form to the of attention Latonya Tate /Public Safety; City of Birmingham; 710 North 20th Street, Birmingham, AL 35203; City Council Chambers; 3rd Floor) Failure to attend the neighborhood meeting may result in a delay in the liquor process.

New Application: Lounge Retail Liq – Class I On/Off Prem Type 010

The following applicant has applied to the City of Birmingham for an alcohol, dance or pool table license:

Name of Applicant: Yekcim & Yar LLC
Mailing Address: 1720 Avenue D Ens
Birmingham, AL 35218
Trade Name: Mickeys Place
Location Address: 1720 Avenue D Ens
Contact Number: (205)253-8147
Contact Person: Mickey Bailey

New Application Transfer

Type of License

- | | |
|--|--|
| <input checked="" type="checkbox"/> Lounge Retail Liquor Class I | <input type="checkbox"/> Lounge Retail Liquor Class II (Package Store) |
| <input type="checkbox"/> Club Liquor Class I (Fraternal) | <input type="checkbox"/> Club Liquor Class II (Private) |
| <input type="checkbox"/> Beer Off Premise | <input type="checkbox"/> Beer On & Off Premise |
| <input type="checkbox"/> Wine Off Premise | <input type="checkbox"/> Wine On & Off Premise |
| <input type="checkbox"/> Restaurant Retail Liquor | <input type="checkbox"/> Special Retail Liquor (7 days or less) |
| <input type="checkbox"/> Special Retail Liquor (over 30 days) | <input type="checkbox"/> Special Retail Liquor (under 30 days) |
| <input checked="" type="checkbox"/> Division I Dance Permit (customer) | <input type="checkbox"/> Division II Dance Permit (entertainers) |
| <input checked="" type="checkbox"/> Pool Table Permit (send copy of application) | |

Kitchen equipped: yes no

Number of table and chairs 10TBS/40CHS

Date Applied: 2/14/22

Revenue Examiner: GS

Copy: Fire Prevention
Health Department
Community Development
Operation New Birmingham
Melanie Genkin (pool tables)
Katrina Thomas (PEP)

**City of Birmingham
Application for
Alcoholic Beverage License**

New Application
Transfer

LOUNGE RETAIL LIQ-CLASS I ON/OFF PREM TYPE 010

By: GS
(Revenue Official)

(Enter Type of License Applied For)

1. Name of Applicant (s) Yekcim & Yar LLC

(Indicate whether Individual, Partnership, Corporation, LLC, LLP, etc)

2. Name and address of individual applicant or all partners and members if partnership or assoc., or all officers and directors, if corporation
(Attach separate sheet if necessary)

Social Security Number Drivers License Number Name of Owner, Officer or Partner	Title	Date of Birth Place of Birth	Present Residence Address	Length of Residence at Place Named
ALDL# [REDACTED] Mickey Ray Bailey	Member	[REDACTED] Birmingham, AL	1720 Ave D Ens Birmingham, AL 35218	9 years

Note: If a corporation, LLC or LLP, give place and date of incorporation or issuance of certificate of authority to do business in Alabama:

Book LR201511 Page: 1 of 3 Date: 3/24/2015 County: Jefferson
Foreign Corporation: certificate of Authority Date: (get copy of original papers)

3. Trade Name Mickeys Place

4(a) Location 1720 Avenue D Ens
Exact Street Number, or if on Highway, give details as to Location
Birmingham, Alabama Zip Code 35218 County Jefferson Shelby

(b) Length of time at this location

(c) Mailing Address: 1720 Avenue D Ens Birmingham, AL 35218

(d) Business Phone _____ Fax: _____ Other Contact: (205)253-8147

5. Name, trade name and License number of last or previous licensee:
Trade name _____ Year Type _____ Taxpayer ID _____

6 (a) Owner of real estate for which license is desired Mickey Bailey
1720 Avenue D Ens Birmingham, AL 35218 Address

(b) Give a full description of the premises for which a license is desired: New Construction Existing Structure
Description I Story Bldg

(c) Is establishment equipped with tables and chairs? Yes No If "Yes", how many? 10TBS/40CHS

7. Has a liquor, malt or brewed beverage license for premises ever been denied, suspended or revoked? Yes No
If "Yes", explain fully _____

8 (a) Pool Tables? Yes No Coin Operated? Yes No Standard Provider:

(b) Video Games? Yes No Juke Box or Slot Musical Equipment? Yes No

(c) Vending Machines (Snacks/Sodas)? Yes No Cigarettes or Tobacco Products? Yes No Other?

9 (a) Will you allow dancing? Yes No If "Yes": Customer/Patron? Div I Exhibition/Performance? Div II

(b) Independent Contract Employees (Disc Jockey, Band, Bartenders, Servers)? Yes No

- 10 (a) Are these premises kitchen equipped? Yes No Not Applicable
- (b) Is kitchen apart from but convenient to the dining room? Yes No
- (c) Is place of business habitually and principally used for providing food to the public? Yes No
- (d) If not kitchen equipped, is any type of food served? Yes No If "Yes", explain _____
- (e) Are these premises equipped for on premises consumption of liquor? Yes No
- (f) Will this business be operating primarily as a package store? Yes No
- (g) Seating Capacity: _____
- (h) For a SPECIAL RETAIL LICENSE, less than thirty (30) days: Starting Date _____ Ending Date _____
- (i) For a SPECIAL RETAIL LICENSE, more than thirty (30) days: Starting Date _____ Ending Dec. 31, _____
- (j) For a SPECIAL EVENTS RETAIL LICENSE, not to exceed seven (7) days: Starting _____ Ending _____
 (Note: Application must be filed 120 days in advance of event for which license is applied for)
- (k) Event Sponsor _____ Phone Number _____
- (1) Sponsor Letter of Designation? Yes No
- (2) Multi-Vendor Sponsorship? Yes No
- (3) Street Closing Required Yes No
- (4) Park Board Permission Yes No

- 11 (a) Does the club charge and collect dues from elected members? Yes No
- (b) How many paid-up members are there in the club? _____
- (c) Are regular meetings held? Yes No If so, when? _____
- (d) Is business conducted through officers regularly elected? Yes No
- (e) Are members admitted by written application, investigation, and ballot? Yes No
- (f) For what purpose is the club organized and operated? Social Patriotic Political Athletic Other

12. List below the court records for law violations in the last ten (10) years, if any, of each person interested in this application, including the manager, whether as sole applicant, partner, officer, member, or landlord. (Do not include traffic violations, except D.U.I. and reckless driving. If no record, state "None".)

Name	Violation Charged	Name of Court	Date	Disposition of Case
NO - Applicant				

Applicant for the Alcoholic Beverage license requested by the aforementioned applicant hereby swears or affirms that he or she has read said application and that all the statements therein and the facts set forth therein are true and correct, and that the applicant is the only person interested in the business for which said license is requested.

Sworn and subscribed before me this 14th day of February, 2022

Michelle Bailey
Signature of Affiant

[Signature]
Signature of Revenue Official

This application will not be processed until all fees due at the time of application are paid and receipts are on file.

DANCE APPLICATION

(DIV I, DIV II & DIV III)

2/14/2022

DATE

Chief of Police
City of Birmingham
Birmingham, Alabama

I, Yekcim & Yar LLC [REDACTED] B
(Name of Applicant) (D.O.B.) (Race)
respectfully represent that I am a resident citizen of Alabama, residing at

1720 Avenue D Ens Birmingham 253-8147
(Street Address) (City) (Telephone)

and as operator of Mickeys Place
(Name of Business)

1720 Avenue D Ens 253-8147
(Street Address) Telephone

in the City of Birmingham, Alabama, request that I be granted to allow

Division I
(Division I) (Division II) (Division III)

dancing at such place of business under and in accordance with the provisions of (Title 12, Article B, Vol. II of the General Code of the City of Birmingham, Alabama 1980) as amended, regulating the same. I have paid the fee of _____ to cover the

cost of investigation. The size of the dance area is 120 square feet
(\$25 or \$500)

and is located as described in the drawing on the reverse side of this application I presently hold a Applying for Lounge Retail Liq - Class I
(Type of Alabama A.B.C. Board License)

At this place of business in the name of Yekcim & Yar LLC
(Person, Firm or Corp. Holding License)

The name of the person in control of the premises and under whose supervision dancing will be conducted is Mickey Bailey

\$25.00 for Division I, \$50.00 for Division II Birmingham Police Department Background Investigation Form will be completed.

\$25.00 Application Fee to be paid to cashier before processing

Application For

Pool Table Permit

**Office of the Mayor
City of Birmingham
Birmingham, Alabama**

Date: 2/14/22

Your petitioner, Mickey Ray Bailey
(Name)

[REDACTED] ; B ; respectfully represents that he is a resident Citizen of
(D.O.B) (RACE)

Alabama, residing at 1720 Avenue D Ens
(Street Address)

Birmingham ; 35218 ; 253-8147 and that he desires to
(CITY) (ZIP) (TELEPHONE)

operate slot or coin-operated pool table(s) or standard pool table(s) at
(Number) (Number)

Mickeys Place ; 1720 Avenue D Ens
(Name of Business) (Location Address)

253-8147 in the City of Birmingham; wherefore your petitioner
(TELEPHONE)

prays that he may be granted a permit to operate such business under and in accordance with the provisions of Title 12, Article C, Volume II of the General Code of the City of Birmingham, Alabama 1980, regulating the same.

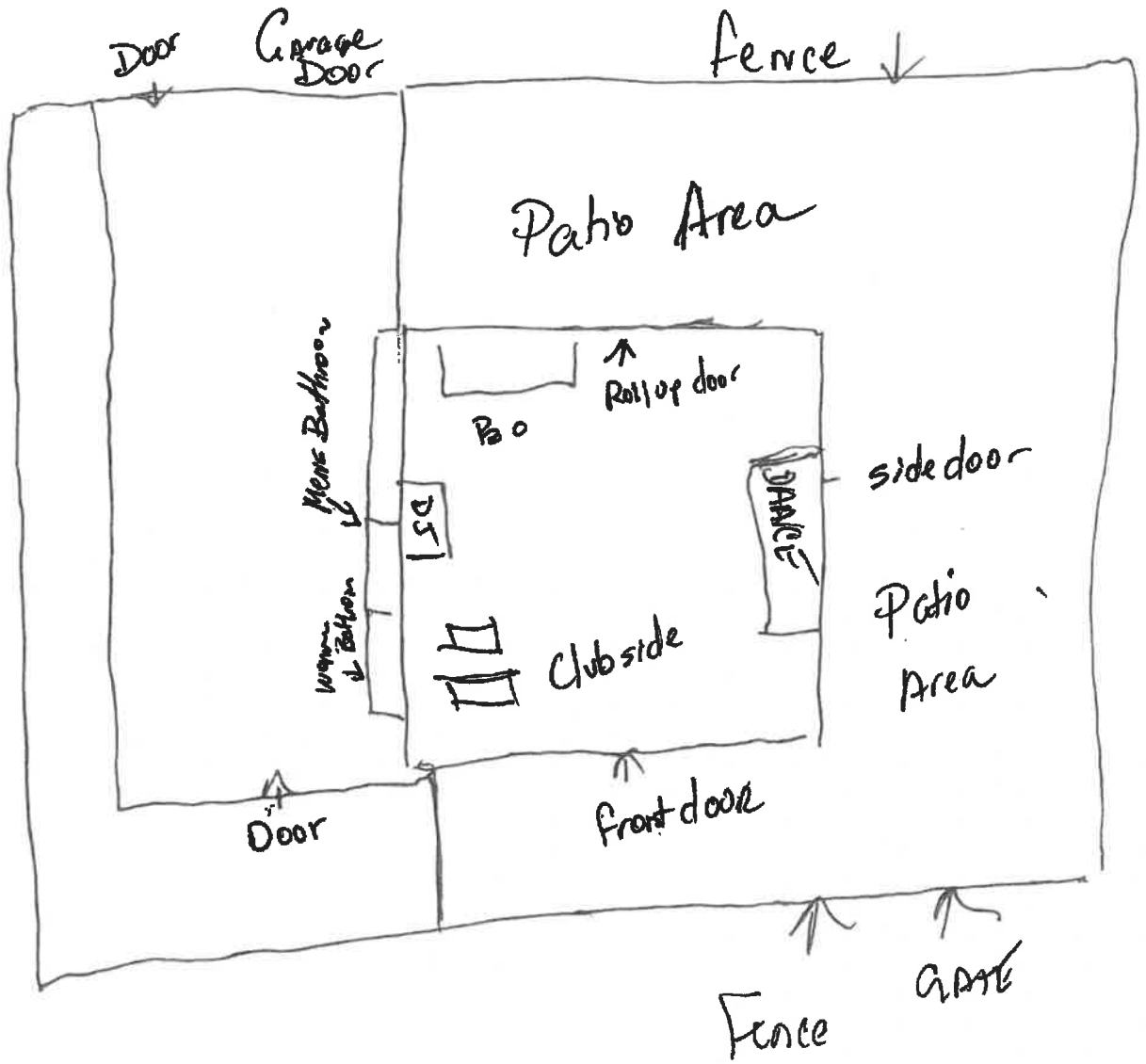
I presently hold a I Applying for Lounge Retail Liq - Class at this place of business
(TYPE OF BUSINESS)

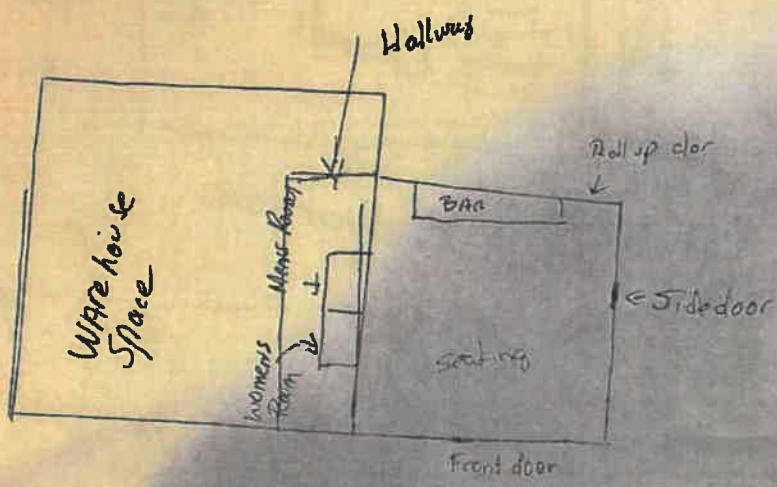
Approved by: Angie C Mitchell

Date: 2-14-2022

1. Dance floor 10x12= 120 square ft
2. I have two pool tables that at the moment are free because the coin operation is broken.
3. We will not be serving food
4. Bar seats 15 I have 15 tables 9 of which seat 4=36 6 seat 2 =12
5. No tobacco products
6. MickeyBailey was born in Birmingham Alabama . MickeyBailey current residence is 1720 Ave D Birmingham Alabama 35218 located inside the building separated by a wall . MickeyBailey has lived at the current location since January of 2013 nine years.
7. Current mailing address is : 1720 Ave D Birmingham Alabama 35218 Phone number 2052538147
8. EIN 47-3687073

o





1720 Ave D
Birmingham AL

PARCEL ID: 012200313013004000

SOURCE: TAX ASSESSOR RECORDS **TAX YEAR:** 2021

DATE: Wednesday, February 9, 2022 3:35:54 PM

OWNER: BAILEY MICKEY

ADDRESS: 1720 AVENUE D

CITY/STATE: BIRMINGHAM AL

ZIP+4: 35218

SITE ADDR: 1720 AVENUE D

CITY/STATE: ENSLEY, AL

ZIP: 35218

LAND: \$28,100.00

BLDG: \$126,500.00

OTHER: \$0.00

AREA: 18,747.47

ACRES: 0.43

SUBDIVISION INFORMATION:

NAME ENSLEY 4/3

BLOCK: 17-C

LOT: 13&

Section: 31-17-3W

Land Slide Zones: Not in Land Slide Zones

Historic Districts: Not in Historic Districts

Commercial Revitalization District: Ensley

Fire District: Not in Fire District

Flood Zones: Not in Flood Zones

Tax Increment Financing District: Not in Tax Increment Financing District

Neighborhoods: Ensley (801)

Communities: Ensley (8)

Council Districts: District - 9 (Councilor: LaTonya Tate)

Zoning Outline: CB2

Demolition Quadrants: DEM Quadrant - 2

Impaired Watersheds: Impaired Watershed - Upper Village Creek

Strategic Opportunity Area: Not in Strategic Opportunity Area

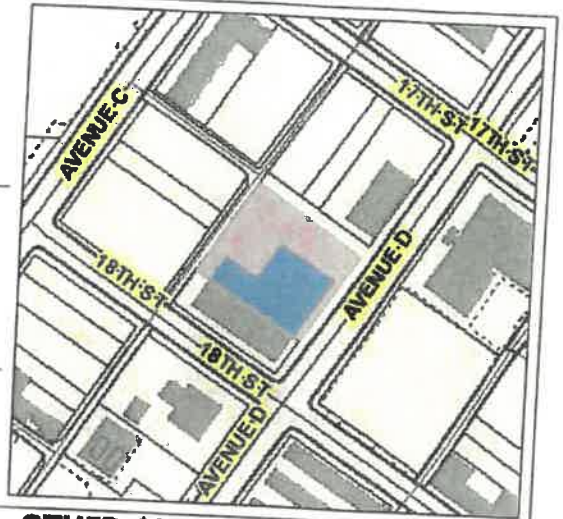
RISE Focus Area: In RISE Focus Area

Tax Delinquent Property: Not in Tax Delinquent Property

EPA Superfund: Not in EPA Superfund

Opportunity Zones: Not in Opportunity Zones

Judicial Boundaries: JEFFERSON



Parcel mapping and description information is obtained from the Jefferson County Tax Assessor's Office. This site does not provide real-time information and may contain errors. All data should be verified with the official source. The City of Birmingham makes no warranty as to the accuracy of the data and assumes no responsibility for any errors. Data from the Tax Assessor's Office may not be available for all parcels.

LICENSE STATUS REPORT FORM

Date: 2/10/22

To: Latonya Tate, Chairman
Public Safety

Subject: Applicant's Name J.D. & H. Enterprises, Inc
Business Name The Goose
Business Address 4100 4th Ave S

Type of License & Description

- | | |
|---|--|
| <input type="checkbox"/> Lounge Retail Liquor Class I | <input type="checkbox"/> Lounge Retail Liquor Class II (Package Store) |
| <input type="checkbox"/> Club Liquor Class I | <input type="checkbox"/> Club Liquor Class II (Private) |
| <input type="checkbox"/> Beer Off Premise | <input type="checkbox"/> Beer On & Off Premise |
| <input type="checkbox"/> Wine Off Premise | <input type="checkbox"/> Wine On & Off Premise |
| <input checked="" type="checkbox"/> Restaurant Retail Liquor | <input type="checkbox"/> Special Retail License (over 30 days) |
| <input type="checkbox"/> Special Retail License (under 30 days) | <input type="checkbox"/> Pool Table Permit |
| <input type="checkbox"/> Division I Dance Permit (customers) | <input type="checkbox"/> Division II Dance Permit |

The Forest Park / So. Avondale Neighborhood Association met on March 1 and voted in reference to the above named license application. The concerns of the Neighborhood regarding the granting of this license are indicated as follows: (Please check one)

35 Attendance _____ Oppose 35 Support _____ No Recommendation

Reason for Opposition _____

Applicant: attended NA meeting _____ did not attend NA meeting

Jeff McGee
President

(Please return this form to the of attention Latonya Tate /Public Safety; City of Birmingham; 710 North 20th Street, Birmingham, AL 35203; City Council Chambers; 3rd Floor) Failure to attend the neighborhood meeting may result in a delay in the liquor process.

New Application: Restaurant Retail Liquor – Type 020

The following applicant has applied to the City of Birmingham for an alcohol, dance or pool table license:

Name of Applicant: J.D. & H. Enterprises, Inc.
Mailing Address: 4100 4th Ave S
Birmingham, AL 35222
Trade Name: The Goose
Location Address: 4100 4th Ave S
Contact Number: (256)565-5301
Contact Person: John Conner

New Application Transfer

Type of License

- | | |
|---|--|
| <input type="checkbox"/> Lounge Retail Liquor Class I | <input type="checkbox"/> Lounge Retail Liquor Class II (Package Store) |
| <input type="checkbox"/> Club Liquor Class I (Fraternal) | <input type="checkbox"/> Club Liquor Class II (Private) |
| <input type="checkbox"/> Beer Off Premise | <input type="checkbox"/> Beer On & Off Premise |
| <input type="checkbox"/> Wine Off Premise | <input type="checkbox"/> Wine On & Off Premise |
| <input checked="" type="checkbox"/> Restaurant Retail Liquor | <input type="checkbox"/> Special Retail Liquor (7 days or less) |
| <input type="checkbox"/> Special Retail Liquor (over 30 days) | <input type="checkbox"/> Special Retail Liquor (under 30 days) |
| <input type="checkbox"/> Division I Dance Permit (customer) | <input type="checkbox"/> Division II Dance Permit (entertainers) |
| <input type="checkbox"/> Pool Table Permit (send copy of application) | |

Kitchen equipped: yes no

Number of table and chairs 7TBS/38CHS

Date Applied: 2/10/22

Revenue Examiner: GS

Copy: Fire Prevention
Health Department
Community Development
Operation New Birmingham
Melanie Genkin (pool tables)
Katrina Thomas (PEP)

**City of Birmingham
Application for
Alcoholic Beverage License**

New Application
Transfer

RESTAURANT RETAIL LIQUOR-TYPE 020
(Enter Type of License Applied For)

By: GS
(Revenue Official)

1. Name of Applicant (s) J.D. & H. Enterprises, Inc.
(Indicate whether Individual, Partnership, Corporation, LLC, LLP, etc)
2. Name and address of individual applicant or all partners and members if partnership or assoc., or all officers and directors, if corporation
(Attach separate sheet if necessary)

Social Security Number Drivers License Number Name of Owner, Officer or Partner	Title	Date of Birth Place of Birth	Present Residence Address	Length of Residence at Place Named
ALDL# [REDACTED] John Davis Conner	President	09/11/88 Decatur, AL	1300 27 th PL S Apt 15 Birmingham, AL 35205	4 years
ALDL# [REDACTED] Patrick Heath Bostick	Vice-Pres	[REDACTED] Brentwood, TN	2808 7 th Ave S Apt 217 Birmingham, AL 35233	1.5 years

Note: If a corporation, LLC or LLP, give place and date of incorporation or issuance of certificate of authority to do business in Alabama:

Book 2018012 Page: 1 of 3 Date: 2/8/2018 County: Jefferson
559

Foreign Corporation: certificate of Authority Date: (get copy of original papers)

3. Trade Name The Goose
- 4(a) Location 4100 4th Ave S
Exact Street Number, or if on Highway, give details as to Location
Birmingham, Alabama Zip Code 35222 County Jefferson Shelby
- (b) Length of time at this location _____
- (c) Mailing Address: 4100 4th Ave S Birmingham, AL 35222
- (d) Business Phone _____ Fax: _____ Other Contact: (256)565-5301

5. Name, trade name and License number of last or previous licensee: The Thirsty Donkey LLC
Trade name The Thirsty Donkey Year 2019 Type 150I Taxpayer ID 484887

- 6 (a) Owner of real estate for which license is desired Turn Key Homes LLC
PO Box 130932 Address _____
- (b) Give a full description of the premises for which a license is desired: New Construction Existing Structure
Description 1 Story Bldg
- (c) Is establishment equipped with tables and chairs? Yes No If "Yes", how many? 7TBS/38CHS

7. Has a liquor, malt or brewed beverage license for premises ever been denied, suspended or revoked? Yes No
If "Yes", explain fully _____

- 8 (a) Pool Tables? Yes No Coin Operated? Yes No Standard Provider:
(b) Video Games? Yes No Juke Box or Slot Musical Equipment? Yes No
(c) Vending Machines (Snacks/Sodas)? Yes No Cigarettes or Tobacco Products? Yes No Other?

9 (a) Will you allow dancing? Yes No If "Yes": Customer/Patron? Div I Exhibition/Performance? Div II

- (b) Independent Contract Employees (Disc Jockey, Band, Bartenders, Servers)? Yes No
- 10 (a) Are these premises kitchen equipped? Yes No Not Applicable
- (b) Is kitchen apart from but convenient to the dining room? Yes No
- (c) Is place of business habitually and principally used for providing food to the public? Yes No
- (d) If not kitchen equipped, is any type of food served? Yes No If "Yes", explain _____
- (e) Are these premises equipped for on premises consumption of liquor? Yes No
- (f) Will this business be operating primarily as a package store? Yes No
- (g) Seating Capacity: _____
- (h) For a SPECIAL RETAIL LICENSE, less than thirty (30) days: Starting Date _____ Ending Date _____
- (i) For a SPECIAL RETAIL LICENSE, more than thirty (30) days: Starting Date _____ Ending Dec. 31, _____
- (j) For a SPECIAL EVENTS RETAIL LICENSE, not to exceed seven (7) days: Starting _____ Ending _____
 (Note: Application must be filed 120 days in advance of event for which license is applied for)
- (k) Event Sponsor _____ Phone Number _____
- (1) Sponsor Letter of Designation? Yes No
- (2) Multi-Vendor Sponsorship? Yes No
- (3) Street Closing Required? Yes No
- (4) Park Board Permission? Yes No

- 11 (a) Does the club charge and collect dues from elected members? Yes No
- (b) How many paid-up members are there in the club? _____
- (c) Are regular meetings held? Yes No If so, when? _____
- (d) Is business conducted through officers regularly elected? Yes No
- (e) Are members admitted by written application, investigation, and ballot? Yes No
- (f) For what purpose is the club organized and operated? Social Patriotic Political Athletic Other

12. List below the court records for law violations in the last ten (10) years, if any, of each person interested in this application, including the manager, whether as sole applicant, partner, officer, member, or landlord. (Do not include traffic violations, except D.U.I. and reckless driving. If no record, state "None".)

Name	Violation Charged	Name of Court	Date	Disposition of Case

Applicant for the Alcoholic Beverage license requested by the aforementioned applicant hereby swears or affirms that he or she has read said application and that all the statements therein and the facts set forth therein are true and correct, and that the applicant is the only person interested in the business for which said license is requested.

Sworn and subscribed before me this 10th day of February, 2022

 Signature of Applicant

 Signature of Revenue Official

This application will not be processed until all fees due at the time of application are paid and receipts are on file.

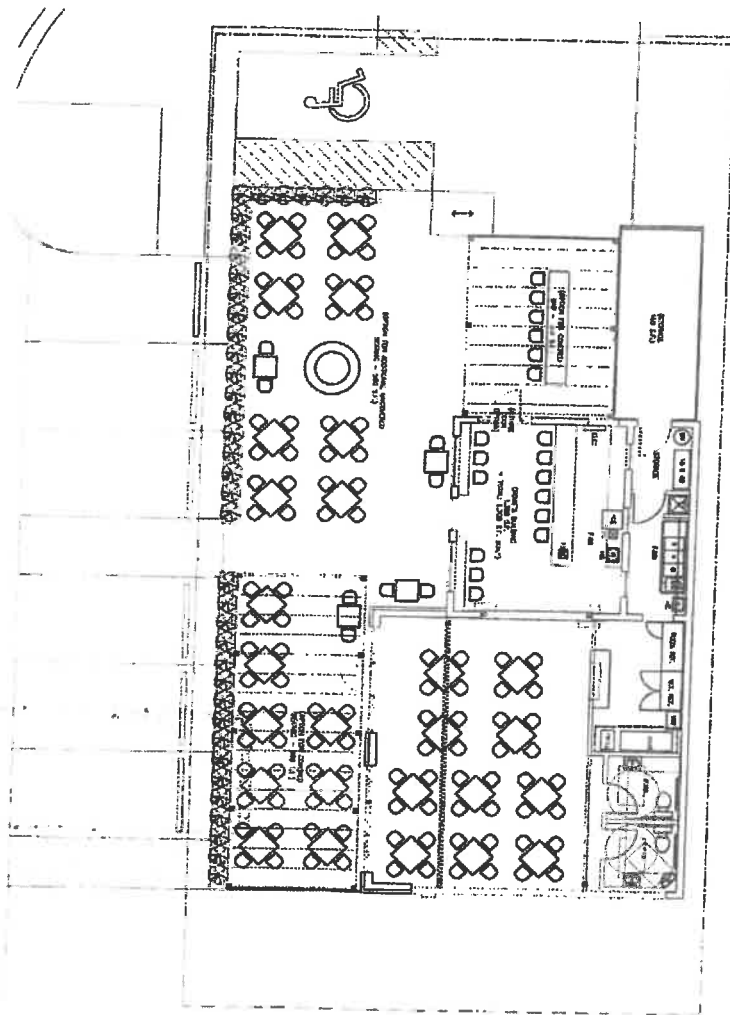


EXHIBIT B RULES AND REGULATIONS

The following rules and regulations shall apply, where applicable, to the Premises, the Building, the Property and the appurtenances thereto:

Sidewalks, entrances, passageways, courts, corridors, vestibules, halls, elevators and stairways in and about the Building shall not be obstructed nor shall objects be placed against glass partitions, doors or windows which would be unsightly from the exterior of the Building.

Plumbing, fixtures and appliances shall be used for only the purpose for which they were designed and no foreign substance of any kind whatsoever shall be thrown or placed therein. Damage resulting to any such fixtures or appliances from misuse by Lessee or its agents, employees or invitees, shall be paid for by Lessee and Lessor shall not in any case be responsible therefor.

Canvassing, soliciting and peddling in or about the Building or Property is prohibited. Lessee shall cooperate and use its best efforts to prevent the same.

Lessee shall not use the Premises in any manner which would overload the standard heating, ventilating or air conditioning systems of the Building.

Lessee shall bear the cost and expense of such extermination services.

To the extent permitted by law, Lessee shall not permit picketing or other union activity involving its employees or agents in the Building or on the Property, except in those locations and subject to time and other constraints as to which Lessor may give its prior written consent, which consent may be withheld in Lessor's sole discretion.

Lessee shall comply with all applicable laws, ordinances, governmental orders or regulations and applicable orders or directions from any public office or body having jurisdiction, with respect to the Premises, the Building, the Property and their respective use or occupancy thereof. Lessee shall not make or permit any use of the Premises, the Building or the Property, respectively,

PARCEL ID: 012300293007005000

SOURCE: TAX ASSESSOR RECORDS **TAX YEAR:** 2021

DATE: Wednesday, February 9, 2022 2:16:47 PM

OWNER: TURN KEY HOMES LLC

ADDRESS: PO BOX 130932

CITY/STATE: BIRMINGHAM AL

ZIP+4: 35213

SITE ADDR: 4100 4TH AVE S

CITY/STATE: BHAM, AL

ZIP: 35222



LAND: \$115,000.00

BLDG: \$88,800.00

OTHER: \$0.00

AREA: 4,938.71

ACRES: 0.11

SUBDIVISION INFORMATION:

NAME AVONDALE

BLOCK: 13

LOT: 8

- Section:** 29-17-2W
- Land Slide Zones:** Not in Land Slide Zones
- Historic Districts:** Not in Historic Districts
- Commercial Revitalization District:** 41st Street
- Fire District:** Not in Fire District
- Flood Zones:** Not in Flood Zones
- Tax Increment Financing District:** Not in Tax Increment Financing District
- Neighborhoods:** Forest Prk (1401)
- Communities:** Red Mountain (14)
- Council Districts:** District - 5 (Councilor: Darrell O'Quinn)
- Zoning Outline:** B2
- Demolition Quadrants:** DEM Quadrant - 3
- Impaired Watersheds:** Impaired Watershed - Upper Village Creek
- Strategic Opportunity Area:** Not in Strategic Opportunity Area
- RISE Focus Area:** In RISE Focus Area
- Tax Delinquent Property:** Not in Tax Delinquent Property
- EPA Superfund:** Not in EPA Superfund
- Opportunity Zones:** In Opportunity Zones
- Judicial Boundaries:** JEFFERSON

Parcel mapping and description information is obtained from the Jefferson County Tax Assessor's Office. This site does not provide real-time information and may contain errors. All data should be verified with the official source. The City of Birmingham makes no warranty as to the accuracy of the data and assumes no responsibility for any errors. Data from the Tax Assessor's Office may not be available for all parcels.

Special Events Retail – Type 140/7Days: 1 Day Event – 4/7/22

The following applicant has applied to the City of Birmingham for an alcohol, dance or pool table license:

Name of Applicant: Friends Foundation of the Birmingham Public Library, Inc.

Mailing Address: 2100 Park Place
Birmingham, AL 35203

Trade Name: A Novel Taste

Location Address: 2100 Park PL: Birmingham Central Library Location 1st Floor

Contact Number: (205)226-3613

Contact Person:
Catherine Frey

New Application

Transfer

Type of License

- Lounge Retail Liquor Class I
- Club Liquor Class I (Fraternal)
- Beer Off Premise
- Wine Off Premise
- Restaurant Retail Liquor
- Special Retail Liquor (over 30 days)

- Lounge Retail Liquor Class II (Package Store)
- Club Liquor Class II (Private)
- Beer On & Off Premise
- Wine On & Off Premise
- Special Retail Liquor (7 days or less)
- Special Retail Liquor (under 30 days)

Division I Dance Permit (customer)

Division II Dance Permit (entertainers)

Pool Table Permit (send copy of application)

Kitchen equipped: yes no

Number of table and chairs Multiple

Date Applied: 3/4/22

Copy: Fire Prevention
Health Department
Community Development
Operation New Birmingham

Revenue Examiner: GS

Melanie Genkin (pool tables)
Katrina Thomas (PEP)

**City of Birmingham
Application for
Alcoholic Beverage License**

New Application
Transfer

SPECIAL EVENTS RETAIL-TYPE 140/7 DAYS

(Enter Type of License Applied For)

By: **GS**

(Revenue Official)

1. Name of Applicant (s) Friends Foundation of the Birmingham Public Library, Inc.
(Indicate whether Individual, Partnership, Corporation, LLC, LLP, etc)
2. Name and address of individual applicant or all partners and members if partnership or assoc., or all officers and directors, if corporation
(Attach separate sheet if necessary)

Social Security Number Drivers License Number Name of Owner, Officer or Partner	Title	Date of Birth Place of Birth	Present Residence Address	Length of Residence at Place Named
ALDL# [REDACTED] Bessie LaShawn Miller	Officer	[REDACTED] Birmingham AL	663 The Heights LN Calera, AL 35040	

Note: If a corporation, LLC or LLP, give place and date of incorporation or issuance of certificate of authority to do business in Alabama:

Book 550-640 Page: 1 of 4 Date: 06/02/2016 County: Jefferson
Foreign Corporation: certificate of Authority Date: (get copy of original papers)

3. Trade Name A Novel Tasting
- 4(a) Location 2100 Park PL: Birmingham Central Library Location 1st Floor
Exact Street Number, or if on Highway, give details as to Location
Birmingham, Alabama Zip Code 35203 County Jefferson Shelby
- (b) Length of time at this location
- (c) Mailing Address: 2100 Park Place Birmingham, AL 35203
- (d) Business Phone (205)567-9002 Fax: _____ Other Contact: (205)226-3613

5. Name, trade name and License number of last or previous licensee:
Trade name _____ Year Type _____ Taxpayer ID _____

6 (a) Owner of real estate for which license is desired City of Birmingham
710 N 20th ST Birmingham, AL 35203
Address

- (b) Give a full description of the premises for which a license is desired: New Construction Existing Structure
Description Multi-Story
- (c) Is establishment equipped with tables and chairs? Yes No If "Yes", how many? Multiple

7. Has a liquor, malt or brewed beverage license for premises ever been denied, suspended or revoked? Yes No
If "Yes", explain fully _____

- 8 (a) Pool Tables? Yes No Coin Operated? Yes No Standard Provider:
(b) Video Games? Yes No Juke Box or Slot Musical Equipment? Yes No
(c) Vending Machines (Snacks/Sodas)? Yes No Cigarettes or Tobacco Products? Yes No Other?

- 9 (a) Will you allow dancing? Yes No If "Yes": Customer/Patron? Div I Exhibition/Performance? Div II
(b) Independent Contract Employees (Disc Jockey, Band, Bartenders, Servers)? Yes No

- 10 (a) Are these premises kitchen equipped? Yes No Not Applicable
- (b) Is kitchen apart from but convenient to the dining room? Yes No
- (c) Is place of business habitually and principally used for providing food to the public? Yes No
- (d) If not kitchen equipped, is any type of food served? Yes No If "Yes", explain _____
- (e) Are these premises equipped for on premises consumption of liquor? Yes No
- (f) Will this business be operating primarily as a package store? Yes No
- (g) Seating Capacity: _____
- (h) For a SPECIAL RETAIL LICENSE, less than thirty (30) days: Starting Date _____ Ending Date _____
- (i) For a SPECIAL RETAIL LICENSE, more than thirty (30) days: Starting Date _____ Ending Dec. 31, _____
- (j) For a SPECIAL EVENTS RETAIL LICENSE, not to exceed seven (7) days: Starting 4/7/22 Ending 4/7/22
(Note: Application must be filed 120 days in advance of event for which license is applied for)
- (k) Event Sponsor Friends Foundation Phone Number _____
- (1) Sponsor Letter of Designation? Yes No
- (2) Multi-Vendor Sponsorship? Yes No
- (3) Street Closing Required? Yes No
- (4) Park Board Permission? Yes No

- 11 (a) Does the club charge and collect dues from elected members? Yes No
- (b) How many paid-up members are there in the club? _____
- (c) Are regular meetings held? Yes No If so, when? _____
- (d) Is business conducted through officers regularly elected? Yes No
- (e) Are members admitted by written application, investigation, and ballot? Yes No
- (f) For what purpose is the club organized and operated? Social Patriotic Political Athletic Other

12. List below the court records for law violations in the last ten (10) years, if any, of each person interested in this application, including the manager, whether as sole applicant, partner, officer, member, or landlord. (Do not include traffic violations, except D.U.I. and reckless driving. If no record, state "None".)

Name	Violation Charged	Name of Court	Date	Disposition of Case
<u>NO-Applicant</u>				

Applicant for the Alcoholic Beverage license requested by the aforementioned applicant hereby swears or affirms that he or she has read said application and that all the statements therein and the facts set forth therein are true and correct, and that the applicant is the only person interested in the business for which said license is requested.

Sworn and subscribed before me this 4th day of March 2022

Bonnie Rosemary Miller
Signature of Affiant

Greg Stanley
Signature of Revenue Official

This application will not be processed until all fees due at the time of application are paid and receipts are on file.

Special Events Retail-Type 140/7 Days

TAXPAYER IDENTIFICATION NUMBER
(City Office Use Only)

CITY OF BIRMINGHAM
APPLICATION FOR TAX CERTIFICATE

The information that you provide in this application is protected by the confidentiality provisions outlined in Ordinance No. 97-183, "The Business License Code of the City of Birmingham", Article II, Section 14. Please type or print. This application should be completed fully to avoid delays in processing.

Section 1 - WHAT WOULD YOU LIKE TO DO?

- Register a new business (Please complete all sections)
- Add a New Location or Tax Type to your current registration (Please complete Sections 2, 3, 5-10, 12, 13, and 14)
- Change Business Ownership of your current registration (Please complete all sections)
- Change the Mailing Address only for your current registration (Please complete Sections 2, 8-10, 12, 13 and 14)
- Change the Location Address of your current registration (Please complete Sections 2, 3, 5-13, and 14)
- Change in Corporate Officers, Members, or Partners (Please complete Sections 2, 5, 7-9,, 11-13, and 14)
- Provide a general "update" of your current registration information (Please complete all sections)

Section 2 - LEGAL NAME AND MAILING ADDRESS to which tax forms are to be sent:

(Note: If mailing address is a post office box, the street address of the business must also be indicated.)

Full Legal Name: Friends Foundation of the Birmingham Public Library, Inc.
Attention: _____
Address: 2100 Park Place
City: Birmingham State: AL Zip Code: 35203
Area Code and Phone Number: (205)226-3613
Area Code and Fax Number: _____
Name of Contact Person: Catherine Frey
E-Mail: Catherine.frey@cobpl.org Website Address: _____

Section 3 - TRADE NAME AND LOCATION ADDRESS of office in Birmingham. If you are registering more than one location, please see reverse side of this form. (Important Note: All business locations are subject to zoning approval.)

Please select: Commercial Establishment Private Residence No Physical Birmingham Location

Trade Name (d/b/a): A Novel Tasting
Attention: _____
Address: 2100 Park PL: Birmingham Central Library Location 1st Floor
City: Birmingham State: AL Zip: 35203
Area Code and Phone Number of Business Location: _____
Area Code and Fax Number of Business Location: _____
Name of Contact Person at Business Location: _____
E-Mail: _____ Website Address: _____

Section 4 - CHANGE OF OWNERSHIP resulting from merger, purchase or acquisition of an existing business. If applicable, this section MUST be completed.

Former Owner: _____
Trade Name (d/b/a) _____
Mailing Address of Former Owner _____
Address (es) of Former Location(s) _____
Area Code and Phone Number of Former Owner: _____

Section 5 – TYPE OF OWNERSHIP

Please indicate the form of organization. NOTE: Please refer to the accompanying “General Information for Preparing an Application for Tax Certificate Form” instruction sheet for a listing of supplemental documentation to be included with this application.

- 1. Alabama Corporation (Incorporated in Alabama)
- 2. Partnership (two or more owners)
- 3. Sole Proprietor (one owner)
- 4. Unincorporated Association (i.e., PA)
- 5. Other _____
- 6. Limited Liability Partnership (LLP)
- 7. Limited Liability Company (LLC)
- 1. Foreign Corporation (Incorporated in another state)

Section 6 – TYPE OF BUSINESS

Please indicate the principal business activity category.

- 1. Manufacturer
- 2. Contractor (Please Specify)
- 3. Wholesaler
- 4. Retailer
- 5. Other (Please Specify)
- 6. Food/Eating Establishment
- 7. Day Care Center
- 8. Home Occupation/Home Office
(Please Specify the type of occupation or office)
- 9. State Certified, State Regulated, or State Licensed Occupations, (Please Specify)
- 10. Transient Vendors/Special Events: A Novel Tasting
Date(s) of the Event: 4/7/22
Event Location: 2100 Park PL: Birmingham Central
Library Location 1st Floor

Section 7 – PRINCIPAL BUSINESS ACTIVITY AND PRODUCT

You should indicate the one business activity that accounts for the largest percentage of gross income. State the broad field of business activity as well as the product or service. For example-Activity: Wholesale Sales / Product: Pharmaceuticals OR Activity: Manufacturing / Product: Automobiles. Note: This information should be the same information as required by the Internal Revenue Service on Schedule c of Form 1040 for Sole Proprietorships.

Activity: Special Event Product: Benefit Reception/ Alcohol/Music/Food

Section 8 – FEDERAL TAX ID NUMBER / NUMBER OF EMPLOYEES

Enter Federal Identification Number (REQUIRED) and the number of employees that will be working in Birmingham.

Federal ID Tax Number 31-1612175 Number of Employees in Birmingham (Required) _____

Section 9 – COMMENCEMENT OF BUSINESS ACTIVITY

Enter Date Business Activity Will Begin in Birmingham: Month _____ Day _____ Year _____
Enter Date City of Birmingham Taxpayer ID Applied For: Month _____ Day _____ Year _____

Section 10 – Tax Liabilities Check the taxes for which you are liable.

- Sales Tax
 - Sellers Use Tax
 - Consumers Use Tax
 - Lease Tax
 - Occupational Tax- Employers
 - Lodgings Tax
- TAX IDENTIFICATION NUMBERS NOW ASSIGNED TO YOU: (Write "None" if no number assigned)
- State of Alabama Sales Tax Number _____
 - State of Alabama Sellers Use Tax Number _____
 - State of Alabama Consumers Use Tax Number _____
 - State of Alabama Lease Tax Number _____
 - State of Alabama Lodgings Tax Number _____

If you have more than one business location, it is assumed that you will file consolidated returns for each of the taxes for which you may be liable, including sales, use, lease, occupational, and lodgings taxes. Each separate business location requires a separate business license.

APPLICATION FOR TAX CERTIFICATE (CITY OF BIRMINGHAM, ALABAMA)

3

Business License Tax

State of Alabama Unemployment Tax Number _____

If you have more than one business location, it is assumed that you will file consolidated returns for each of the taxes for which you may be liable, including sales use, lease, occupational and lodgings taxes. Each separate business location requires a separate business license.

APPLICATION FOR TAX CERTIFICATE (CITY OF BIRMINGHAM, ALABAMA)

Section 11 – OWNER, PARTNERS, MEMBERS, OR CORPORATE OFFICERS
This information REQUIRED. (Attach additional sheets if necessary.)

NAME	TITLE	SOCIAL SECURITY NUMBER
Miller, Bessie	Officer	[REDACTED]

Section 12 – CORPORATE RESIDENT AGENT OR LOCAL MANAGER

Name: _____
 Address of Residence: _____
 City: _____ State _____ Zip Code _____
 Area Code and Phone Number of Residence: _____

Section 13– STATEMENT OF ACKNOWLEDGEMENT AND ACCEPTANCE OF CONDITIONS –Please read carefully, then sign.

I declare, under the penalty of making a false declaration, that I am authorized to complete this form and to the best of my knowledge and belief all questions answered are true, correct, and complete statements, made in good faith. I understand and agree that the granting of this license requires my compliance with all applicable City of Birmingham Tax Code provisions, and state laws, as well as with all conditions set forth in any and all applicable City of Birmingham Laws, Ordinances, Rules and Regulations, and that any failure or refusal to comply with said laws, ordinances, rules and regulations may result in the revocation of any license issued pursuant to this application. I also understand that disclosure of any false or misleading information will result in automatic denial of any license issued pursuant to this application, or in the revocation of the license if such has already been issued. I understand that it is unlawful for any person to commence or engage in any business, vocation, occupation or profession, who is not otherwise exempt therefrom under the provisions of the City of Birmingham Business License Tax Code (Ordinance No. 97-183), without first having procured a license therefore, and that it is unlawful for any person to continue in any business, vocation, occupation, or profession after the expiration of a license previously issued without obtaining a new license. I further understand that it is unlawful for any person to engage in or continue in any business, vocation, occupation, or profession at any location within the corporate limits of the City of Birmingham without approval from the City of Birmingham Department of Planning, Engineering, and Permits (Zoning Division).

Signed:

Bessie Miller
 Signature of Person Completing This Application

3/4/08
 Date

Bessie Miller
 Print the Name of the Person Completing This Application

205-567-9008
 Phone Number of Person Completing Application

CITY OFFICE USE ONLY – Location _____

ZONING APPROVAL AND COMMENTS:

 HOME OCCUPATION CERTIFICATE EXECUTED
 YES NO NOT APPLICABLE

SIC OR NAICS _____
 BLIC _____
 TERRITORY _____
 ANNEX _____
 HEALTH DEPT PERMIT _____
 OTHER REQUIRED PERMIT _____
 ARTICLES OF INCORPORATION _____
 CERTIFICATE OF AUTHORITY _____
 TAX FORMS ORDERED NBL ORDERED

APPLICATION FOR TAX CERTIFICATE (CITY OF BIRMINGHAM, ALABAMA)
SECTION 14 - ADDITIONAL TAXABLE LOCATIONS

Trade Name and Location Address of office in Birmingham. If you are registering more than one location, please use this section. Attach additional sheets if necessary. (Important Note: All business locations are subject to zoning approval.)

Please select: Commercial Establishment Private Residence No Physical Birmingham Location

Trade Name (d/b/a): _____
Attention: _____
Address: _____
City: _____ State: _____ Zip: _____
Area Code and Phone Number of Business Location: _____
Area Code and Fax Number of Business Location: _____
Name of Contact Person at Business Location: _____
E-Mail: _____ Website Address: _____

CITY OFFICE USE ONLY Location

ZONING APPROVAL AND COMMENTS: _____ _____ _____	SIC OR NAICS BLIC _____ TERRITORY _____ ANNEX _____ HEALTH DEPT PERMIT _____ OTHER REQUIRED PERMIT _____ ARTICLES OF INCORPORATION _____ CERTIFICATE OF AUTHORITY _____ TAX FORMS ORDERED <input type="checkbox"/> NBL ORDERED <input type="checkbox"/>
--	---

Trade Name and Location Address of office in Birmingham. If you are registering more than one location, please use this section. Attach additional sheets if necessary. (Important Note: All business locations are subject to zoning approval.)

Please select: Commercial Establishment Private Residence No Physical Birmingham Location

Trade Name (d/b/a): _____
Attention: _____
Address: _____
City: _____ State: _____ Zip: _____
Area Code and Phone Number of Business Location: _____
Area Code and Fax Number of Business Location: _____
Name of Contact Person at Business Location: _____
E-Mail: _____ Website Address: _____

CITY OFFICE USE ONLY Location

ZONING APPROVAL AND COMMENTS: _____ _____ _____	SIC OR NAICS BLIC _____ TERRITORY _____ ANNEX _____ HEALTH DEPT PERMIT _____ OTHER REQUIRED PERMIT _____ ARTICLES OF INCORPORATION _____ CERTIFICATE OF AUTHORITY _____ TAX FORMS ORDERED <input type="checkbox"/> NBL ORDERED <input type="checkbox"/>
--	---

DRIVER LICENSE
ALABAMA



NO. [REDACTED] CLASS [REDACTED]
ISS [REDACTED] EXPIR 11-13-2024

BESSIE LASHAWN
MILLER
667 THE HEIGHTS LN
CALEBA AL 35040

ENDORSEMENTS [REDACTED] SEX F HT 5-01 WT 125 EYES BRO HAIR BRO

Secretary Neil Taylor
Secretary of Law Enforcement

Bessie Lashawn Miller

[REDACTED]

ALABAMA

Center for Health Statistics

ALABAMA

CERTIFICATE OF LIVE BIRTH

THIS IS A LEGAL RECORD
AND MUST BE FILED WITH
LOCAL REGISTRAR WITHIN
FIVE (5) DAYS AFTER BIRTH.

County
File
Number-

State File Number

1. NAME First Middle Last (Type last name all capitals)	2. DATE OF BIRTH (Month, Day, Year)		3. TIME OF BIRTH (Specify am or pm)
Katelyn Michelle MILLER	[REDACTED]		18:15 PM
4. SEX	5. THIS BIRTH (Specify Single, Twin, Triplet, etc.)	6. IF NOT SINGLE BIRTH (Specify 1st, 2nd, 3rd, 4th, 5th, 6th)	
Female	Single		
8. CITY, TOWN OR LOCATION OF BIRTH	9. COUNTY OF BIRTH		
Birmingham	Jefferson		
10. SIGNATURE OF ATTENDANT OR CERTIFIER	11. DATE SIGNED (Month, Day, Year)		12. CERTIFIER'S NAME (If other than attendant)
<i>Yolanda R. Rodgers</i>	[REDACTED]		Yolanda R Rodgers
13. ATTENDANT'S ADDRESS	14. TYPE OF ATTENDANT		15. ATTENDANT'S LICENSE
Birmingham, AL	M.D.		6642
16. CERTIFIER'S ADDRESS	17. CERTIFIER'S TITLE		18. DATE SIGNED (Month, Day, Year)
Birmingham, AL	Patient Access		[REDACTED]
19. SIGNATURE OF EITHER PARENT	20. DATE SIGNED (Month, Day, Year)		21. Parent(s) request that a Special Security Number be issued for this child
<i>Bessie L. Miller</i> <i>Dorothy L. Haulbagen</i>	[REDACTED]		Yes
22. MOTHER'S MAIDEN LAST NAME	23. MOTHER'S LEGAL NAME		24. MOTHER'S RESIDENCE-CITY
Ward	Bessie Lashown		Jefferson
25. MOTHER'S DATE OF BIRTH	26. MOTHER'S STATE OF BIRTH	27. MOTHER'S LEGAL RESIDENCE-STATE	28. MOTHER'S RESIDENCE-COUNTY
[REDACTED]	Alabama	Alabama	Jefferson
29. FATHER'S NAME First Middle Last	30. FATHER'S RESIDENCE-STREET ADDRESS		31. MOTHER'S RESIDENCE-CITY
Darrell Eugene Miller	1332 Alabama Ave SW		Jefferson
32. FATHER'S DATE OF BIRTH	33. FATHER'S STATE OF BIRTH (If not U.S.A., name country)		34. FATHER'S RESIDENCE-CITY
[REDACTED]	Alabama		Yes

The following section will not be shown on certified

This is an official certified copy of the original record filed in the Center of Health Statistics, Alabama Department of Public Health, Montgomery, Alabama. 2020-396-479-5

October 6, 2020

Nicole H. Rushing
Nicole Henderson Rushing
State Registrar of Vital Statistics



Alabama Alcoholic Beverage Control Board

Licensing and Compliance Division

Non-Profit Special Event Retail License

Pre-Application Checklist

These documents are **REQUIRED** by Alabama State Law, therefore are **NOT** optional.
The ABC Board has broad discretion to request any other information that it deems necessary
All documents must be legible, color copies

DOCUMENTS REQUIRED AT THE TIME OF APPLICATION:

- Completed Non-Profit Special Event License Pre-Application (Form LCD-34, Page 2)
- Identification Documents from Individual Authorized to Complete the Application
- Color copy of valid driver's license or state issued ID from state of legal residency
- Certified color copy of birth certificate or US Passport
- Internal Revenue Code 501c Documentation
- Copy of Event Notification Letter Sent to the Local Governing Officials
- Sketch of Event Location (Include sketch of alternative location, if applicable)

DOCUMENTS OF FORMATION

- Corporations must provide the probated document that includes the book/instrument number page, date, and county to show when and where the business was formed.
- Out of state corporations must include the Certificate of Existence for Alabama issued by the Secretary of State. The Alabama Secretary of State may be reached at (334) 242-5324.

DOCUMENTS SHOWING CONTROL OF THE PROPERTY- I.E., LEASE, USE AGREEMENT, DEED, ETC.

- If a Lease or Use Agreement:**
 - Organization name on the document matches the applicant name exactly (Ex. If John Doe, Inc. is the applicant name, the lessee must be listed as John Doe, Inc.)
 - Address on the document matches the physical address of the event listed on the application.
 - The document has a valid term for the event date(s) listed on the pre-application (Must be 7 days or less.)
 - Document is signed by the applicant and property owner.
- If a Deed:**
 - The name on the deed must match exactly with the applicant name. (Ex. If John Doe, Inc. is the applicant, then the deed must be made out to John Doe, Inc.)
 - Deed must be stamped and recorded by the probate office in the county in which it is located.
 - Physical location address must be confirmed in one of the following ways:
 - E-911 Address verification
 - Handwritten on the deed, which is signed and dated by the applicant
 - Correspondence on letterhead from an authorized individual

PLEASE NOTE: If the special event is relocated after the original application is submitted to the ABC Board, control of property documentation for the alternate location should be submitted to the ABC Board prior to the event date so the license can be updated. The event license must have the correct location address listed



Alabama Alcoholic Beverage Control Board

Licensing and Compliance Division Temporary Non-Profit Special Event Retail License Pre-Application

Must be submitted to the ABC Board at least 25 calendar days prior to the event

The individual completing and signing for this Non-Profit Special Events Retail License Application must be properly authorized to do so by the applying organization.

Please check one of the following to show applicant is a qualifying organization:

- Organization has been continuously in existence in the State of Alabama for a minimum of three years.
- Organization is affiliated with a parent organization that has been in existence in the State of Alabama for a minimum of three years.
- Organization has reorganized and is continuing its mission under a new name on file with the Secretary of State and with a new tax identification number after having satisfied one of the two statements made above.

APPLICANT INFORMATION:

Organization/Applicant Name: Foundation of the Birming

Mailing Address: 2100 Park Place

State in which Recorded: Alabama

Doing Business As/Event Name: A Novel Tasting

County in which Recorded: Jefferson

Date Recorded: 3/2/2022

EVENT INFORMATION:

Date of Authority to Do Business in Alabama: 12/31/1978

PLEASE NOTE THE SPECIAL EVENT MUST BE 7 DAYS OR LESS

Event Start Date: 04/07/2022

Event End Date: 04/07/2022

Event Time: 5:00 pm

Event Location Address: 2100 Park Place

Description of Special Event Location (tent, city park, parking lot, etc.): Birmingham Central Library Location first floor

Alternate Event Date(s), Time, & Location (if applicable): n/a

Event Location Governing Jurisdiction: City of Birmingham

Event Location Police Jurisdiction: City of Birmingham

Type of alcoholic beverages to be sold (Beer, Wine, Liquor): Beer, Wine, Liquor

CONTACT INFORMATION:

Contact Name: Catherine Frey

Contact's Relationship to Organization: Development Directo

Contact Primary Number: 205-226-3613

Contact Secondary Number: 205-567-9002

Contact E-mail Address: catherine.frey@cobpl.org

NUCOR STEEL is proud to introduce

A NOVEL TASTING

An Evening Benefiting the Birmingham Public Library

presented by ALABAMA POWER

THURSDAY, APRIL 7, 2022

6:00-8:30 P.M.

Birmingham Public Library · 2100 Park Place

\$75/person · \$140/couple

VIP Reception 5:00-6:00 P.M. · \$125/person

You are cordially invited to *A Novel Tasting*, a special evening at downtown's Central Library featuring a tasting of wines, craft beers, and locally distilled spirits; live music by Sol Música; catered food; a silent auction; door prizes; cryptic corks; and a VIP reception.

Your participation in this festive event will help the Birmingham Public Library (BPL) continue to fulfill its mission of providing the community with the highest-quality experience in lifelong learning, cultural enrichment, and enjoyment. *A Novel Tasting* will fund the Library's programs, such as Bards & Brows, the Book Mobile, Literacy Leaders, Local Authors Expo, and Summer Learning, as well as support all BPL branches.

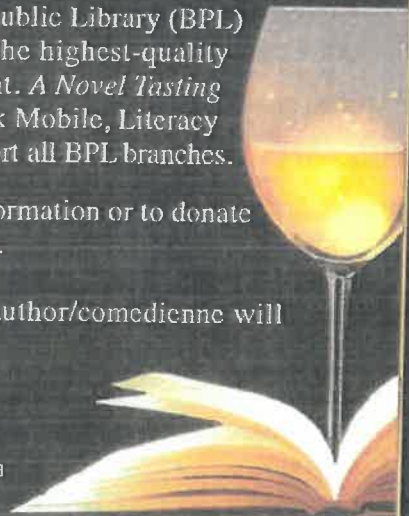
Please visit www.cobpl.org to purchase tickets. For sponsorship information or to donate items to the silent auction, please email catherine.frey@cobpl.org.



Eunice Elliott, former NBC 13 anchor turned author/comedienne will be the emcee.



NUCOR



Birmingham Public Library

Application for Use of Meeting Room Facilities

Please read our Policy and Guidelines for Meeting Rooms Usage before completing this application.

Date(s) and hour(s) requested:

For each date requested, give day, date, beginning time and ending time. Include time for room set-up and breakdown. Application form and fee(s) must be submitted at least five (5) days prior to dates requested. Payments must be received at the time reservations are being made. Rental fees for meeting spaces are non-refundable, and are due upon reservation request.

Meeting location: Birmingham Public Library- Central location- 2100 Park Place- Birmingham, AL 35203

Meeting date: 4/7/22

Meeting hours:

From: 5:00 __ A.M. X P.M.

To: 8:30 __ A.M. X P.M.

Room set-up for auditorium is theater style only. (Availability of tables and chairs will be made at the time of reservation. No Additional tables or chairs will be gathered or set-up prior/during scheduled meeting time.)

Information about the person completing the application:

Name: Bessie Miller

Phone number day: 205-479-4660 night:

Address: 663 The Heights Lane

City: Calera State: AL Zip:35040

Information about the individual or group holding the meeting: Organization

or group name:

Friends Foundation of the Birmingham Public Library

Phone number: 205-226-3613

Address: 2100 Park Place

City: Birmingham State: AL Zip: 35201

Name of chief officer: Sandra V. Lee

Brief history of the group or organization:

The mission of the Friends Foundation of the Birmingham Public Library is to support the programs, services,

and partnerships of the Birmingham Public Library, in service to the broader community, through fundraising, advocacy and outreach.

Through community-based efforts, the Friends of the Birmingham Public Library, which is the membership organization of the Friends Foundation, attend to the library's needs, generate new ideas, offer advice and encouragement, volunteer time and energy, and secure financial support.

Purpose of this meeting (Library meeting rooms are not available for commercial/business ventures):
On Thursday, April 7, 2022, the Birmingham Public Library will host its premier "A Novel Tasting" fundraising event. This special evening will feature a tasting of wines, craft beers, and locally distilled spirits; live music; catered food; a silent auction; door prizes; cryptic corks; and a VIP reception.

Expected Attendance (Seating may not exceed room capacity): 250

Special Accommodation needs? Yes No

If yes, describe:

The undersigned, on behalf of the above-mentioned organization, has read and agrees to comply with policy and procedures governing the public use of library meeting rooms. The applicant also accepts full responsibility for any damages to facilities or equipment and agrees to confine the organization's activities to the assigned room.

Bessie Miller

3/3/2022

*Signature

*Date

Bessie.Miller@cobpl.org

205-470-4660

*Email

21405020347106

*Telephone

*Library Card #

Driver's License # or *Non-Driver's ID# [REDACTED] AL

**required information*

Approved 3/20/2000

Rev. 06/23/2021—Effective 07/01/2021

Approved: March 3, 2022

Approved by Loretta Jones Regional Manager, Birmingham Public Library

Signature

Loretta Jones

Date: *3/3/2022*



Internal Revenue Service

Date: October 25, 2000

Friends Of the Birmingham Public Library, Inc.
2100 Park Place
Birmingham AL, 35203

Department of the Treasury
P. O. Box 2508
Cincinnati, OH 45201

Person to Contact:
Steve Brown 31-07422
Customer Service Representative
Toll Free Telephone Number:
8:00 a.m. to 9:30 p.m. EST
877-829-5500
Fax Number:
513-263-3756
Federal Identification Number:
63-0723263

Dear Sir or Madam:

This letter is in response to your written inquiry dated August 14, 2000 requesting a name change from Friends Of The Birmingham Public Jefferson County Free Library, Inc. to Friends of The Birmingham Public Library, Inc. located in Birmingham Alabama and a copy of your organization's determination letter. We have updated our system to reflect this change.

Our records indicate that a determination letter issued in April 1977, granted your organization exemption from federal income tax under section 501(c)(3) of the Internal Revenue Code. That letter is still in effect.

Based on information subsequently submitted, we classified your organization as one that is not a private foundation within the meaning of section 509(a) of the Code because it is an organization described in section 509(a)(1)170(b)(1)(A)(vi).

This classification was based on the assumption that your organization's operations would continue as stated in the application. If your organization's sources of support, or its character, method of operations, or purposes have changed, please let us know so we can consider the effect of the change on the exempt status and foundation status of your organization.

Your organization is required to file Form 990, Return of Organization Exempt from Income Tax, only if its gross receipts each year are normally more than \$25,000. If a return is required, it must be filed by the 15th day of the fifth month after the end of the organization's annual accounting period. The law imposes a penalty of \$20 a day, up to a maximum of \$10,000, when a return is filed late, unless there is reasonable cause for the delay.

All exempt organizations (unless specifically excluded) are liable for taxes under the Federal Insurance Contributions Act (social security taxes) on remuneration of \$100 or more paid to each employee during a calendar year. Your organization is not liable for the tax imposed under the Federal Unemployment Tax Act (FUTA).

Organizations that are not private foundations are not subject to the excise taxes under Chapter 42 of the Code. However, these organizations are not automatically exempt from other federal excise taxes.

Donors may deduct contributions to your organization as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to your organization or for its use are deductible for federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

Friends Of the Birmingham Public Library, Inc.
63-0723263

Your organization is not required to file federal income tax returns unless it is subject to the tax on unrelated business income under section 511 of the Code. If your organization is subject to this tax, it must file an income tax return on the Form 990-T, Exempt Organization Business Income Tax Return. In this letter, we are not determining whether any of your organization's present or proposed activities are unrelated trade or business as defined in section 513 of the Code.


The law requires you to make your organization's annual return available for public inspection without charge for three years after the due date of the return. You are also required to make available for public inspection a copy of your organization's exemption application, any supporting documents and the exemption letter to any individual who requests such documents in person or in writing. You can charge only a reasonable fee for reproduction and actual postage costs for the copied materials. The law does not require you to provide copies of public inspection documents that are widely available, such as by posting them on the Internet (World Wide Web). You may be liable for a penalty of \$20 a day for each day you do not make these documents available for public inspection (up to a maximum of \$10,000 in the case of an annual return).

Because this letter could help resolve any questions about your organization's exempt status and foundation status, you should keep it with the organization's permanent records.

If you have any questions, please call us at the telephone number shown in the heading of this letter.

This letter affirms your organization's exempt status.

Sincerely,



John E. Ricketts, Director, TE/GE
Customer Account Services

THOMAS A. ANSLEY
HAROLD I. APOLINSKY
KATHERINE M. PARR
JOHN R. BARRAH
ROBERT R. BAUGH
CHRISTOPHER S. BERDY
CALVIN W. BLACKBURN, III
JOSEPH S. BLUESTEIN
CHRISTOPHER A. BOTTCHER
STEVEN A. BRICHMAN
N. BROWN
BURSACH
J. BURRICK
J. M. BUSH
TIMOTHY A. BUSH
JULIAN D. BUTLER
JAMES S. CARLSON
FRED L. COFFEY, JR.
RICHARD COHN
STEPHEN G. COLLINS
JOEL D. DONALDY
JOHN H. COOPER
KRISTEN S. CROSS
J. MASON DAVIS, JR.
DONALD M. DAVIS, JR.
GREGORY M. DEITSCH
J. SCOTT DICKENS
CHARLES R. DRIGGARS
CARRIE S. ELLIS
BLAIR E. FLYNN
XARL B. FRIEDMAN
EDWARD H. FRIEND, III
MICHAEL E. GABEL
RUSSELL CARTER GACHE

GAILE FLUGH GRATTON
PETER J. HARDIN
CHRISTOPHER LEE HAWKINS
THOMAS R. HEAD, III
JACK E. HELD
JERRY E. HELD
SAMUEL M. HILL
CHRISTINE BRADSHAW HINSON
GARY BRUCE HOLDER
KAYE K. HOUSER
BARRY PUCKETT JOHNSON
C. RANDAL JOHNSON
DONALD E. JOHNSON
SHIRLEY M. JUSTICE
MARY KROHN KAMPLAIN
KEITH C. KANTACK
JAMES W. KING
JEFF KOHN
MELISSA W. LARSEN
KATIE E. LOGGINS
DAVID W. LONG
MICHAEL E. MADDOCK
MELINDA M. MATHEWS
RODNEY A. MAW
J. RUSHION McCLEES
KEFRY P. McNERNEY
CHARLES H. MOSES, III
T. JULIAN NOTES
GEORGE M. NEAL, JR.
RODNEY E. NOLEN
JOHNN M. PEREZ
JAMES L. PERMUTT
STEPHEN B. PORTERFIELD
REBECCA WRIGHT PRITCHETT

SIROTE
&
PERMUTT
A PROFESSIONAL CORPORATION

2311 Highland Avenue South
Birmingham, Alabama 35205

Reply to:
Post Office Box 55727
Birmingham, Alabama 35255-5727

Telephone (205) 930-5100
Facsimile (205) 930-5101

Writer's direct dial number:

(205) 930-5158
Writer's direct e-mail address:
cmoses@sirote.com

August 10, 2000

BARRY JOHNSON PUCKETT
JOHN H. RANDOLPH
CYNTHIA RANDBURG-BROWN
C. LEE REEVES
J. JEFFERY RICH
KENNETH J. RIEMER
JOE H. RITCH
JOSEPH T. RITCHIEY
GEORGE W. ROYER, JR.
SARAH WRIGHT RUPFNER
LEE MARTIN RUSSELL, JR.
RUSSELL L. SANDIDGE
S. SCOTT SARGENT
ROBERT E. SASSER
GARY S. SCHIFF
PATRICK L. W. SEFTON
RICHARD H. SPORZINI, JR.
MAURICE L. SNEVIN
J. SCOTT SIMS
BRADLEY J. SKLAR
ANTHONY R. SMITH
CHARLANNA SPENCER
RODERIC D. STEANLEY
CRAIG M. STEPHENS
CHARLES A. STEWART, III
TAMARA A. STIDHAM
BRIAN F. STRENGTH
JUDITH F. TODD
THOMAS G. TUTTAM, JR.
GEORGE M. VAN TASSEL, JR.
JOHNNIE F. WANN
CANDACE L. VOOT
GAIL WASHINGTON
J. LANCE WEBSTER

JAMES A. WILLIAMS
M. COURTNEY WILLIAMS
STEPHEN R. WINDOM
DEANNA P. WOOD
DAVID M. WOOLDRIDGE
DONALD M. WRIGHT

REGISTERED PATENT ATTORNEYS
KENNETH M. BUSH
RUSSELL CARTER GACHE
J. JEFFERY RICH
RUSSELL L. SANDIDGE
PROFESSOR JOSEPH W. BLACKBURN
SCHOLAR IN RESIDENCE

OF COUNSEL
KAREN G. ASHNORTH
MARIA B. CAMPBELL
ELIZABETH H. KUTCHINS
LEIGH A. KAYLOR
STUART LEACH
DOROTHY WELLS LITTLETON
LENDRA WALKER PATE
SANDRA L. VINN

MORRIS K. SIROTE (1930-1994)
E. M. FRIEND, JR. (1912-1995)
WILLIAM G. WEST, JR. (1922-1976)
MAYER U. HEWFIELD (1905-2000)

Mr. Jack F. Bulow, Director
Birmingham Public Library
2100 Park Place
Birmingham, AL 35203

Re: Friends of the Birmingham Public Library
C/M 042598-00001

Dear Jack:

This is to confirm that we find that Friends of the Birmingham Public Jefferson County Free Library, Inc. is still listed as a 501(c)3 charity by Internal Revenue Service based on the 1978 determination letter. We are supplying to you a copy from your records of the determination letter and the Articles of Amendment changing the name, along with the Form 990 from 1999. These are the documents which you should supply to your matching grant company, or for that matter anyone else requesting information on the Friends group.

We are retaining your records for a few more days while we undertake to correspond with Internal Revenue Service in an effort to update their records with respect to the change in our Bylaws and seeking that they change the name in their records to the current name. As soon as we have accomplished that, we will return these records to you.

Law Offices and Mediation Centers

305 Church Street/Suite 800
Huntsville, Alabama 35801
(256) 536-1711

One St. Louis Centre/Suite 1000
Mobile, Alabama 36602
(334) 432-1671
<http://www.sirote.com>

One Commerce Street/Suite 700
Montgomery, Alabama 36104
(334) 261-3400

Mr. Jack F. Bulow, Director
August 10, 2000
Page 2

As always, thank you for the opportunity to work with you.

Yours very truly,



Charles H. Moses, III
FOR THE FIRM

CHMiii:jdm

Enclosure

cc: Cathy Crittenden, Legal Assistant

Address any reply to: P. O. Box 35045, Jacksonville, Florida 32202

Department of the Treasury

RECEIVED

MAY 2 1977

MOSES, PHILLIPS,
YOUNG and DONALDSON

District Director

Internal Revenue Service

Date: **APR 28 1977**

In reply refer to:
720-2: Friel

(904) 791-2636

Friends of the Birmingham Public
Jefferson County Free Library, Inc.
Post Office Box 7627-A
Birmingham, Alabama 35223

Accounting Period Ending: December 31

Form 990 Required: Yes No

Advance Ruling Period Ends: December 31, 1978

Gentlemen:

Based on the information supplied, and assuming your operations will be as stated in your application for recognition of exemption, we have determined you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code.

Because you are a newly created organization, we are not now making a final determination of your foundation status under section 509(a) of the Code. However, we have determined that you can reasonably be expected to be a publicly supported organization of the type described in section 509(a)(1) and 170(b)(1)(A)(vi).

Accordingly, you will be treated as a publicly supported organization, and not as a private foundation, during an advance ruling period. This advance ruling period begins on the date of your inception and ends on the date shown above.

Within 90 days after the end of your advance ruling period, you must submit to us information needed to determine whether you have met the requirements of the applicable support test during the advance ruling period. If you establish that you have been a publicly supported organization, you will be classified as a section 509(a)(1) or 509(a)(2) organization so long as you continue to meet the requirements of the applicable support test. If, however, you do not meet the public support requirements during the advance ruling period, you will be classified as a private foundation for future periods. Also, in the event you are classified as a private foundation, you will be treated as a private foundation from the date of your inception for purposes of sections 507(d) and 4940.

Grantors and donors may rely on the determination that you are not a private foundation until 90 days after the end of your advance ruling period. In addition, if you submit the required information

within the 90 days, grantors and donors may continue to rely on the advance determination until the Service makes a final determination of your foundation status. However, if notice that you will no longer be treated as a section * organization is published in the Internal Revenue Bulletin, grantors and donors may not rely on this determination after the date of such publication. Also, a grantor or donor may not rely on this determination if he was in part responsible for, or was aware of, the act or failure to act that resulted in your loss of section * status, or acquired knowledge that the Internal Revenue Service had given notice that you would be removed from classification as a section * organization.

Donors may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

You are not liable for social security (FICA) taxes unless you file a waiver of exemption certificate as provided in the Federal Insurance Contributions Act. You are not liable for the taxes imposed under the Federal Unemployment Tax Act (FUTA).

Organizations that are not private foundations are not subject to the excise taxes under Chapter 42 of the Code. However, you are not automatically exempt from other Federal excise taxes. If you have any questions concerning these taxes, please let us know.

If your sources of support, or your purposes, character, or method of operation is changed, you should let us know so we can consider the effect of the change on your status. Also, you should inform us of all changes in your name or address.

If the yes box at the top of this letter is checked, you are required to file Form 990, Return of Organization Exempt From Income Tax, only if your gross receipts each year are normally more than \$5,000. The return is due by the 15th day of the fifth month after the end of your annual accounting period. The law imposes a penalty of \$10 a day, up to a maximum of \$5,000, for failure to file the return on time.

You are not required to file Federal income tax returns unless you are subject to the tax on unrelated business income under section 511 of the Code. If you are subject to this tax, you must file an income tax return on Form 990-T. In this letter we are not determining whether any of your present or proposed activities are unrelated trade or business as defined in section 513 of the Code.

You need an employer identification number even if you have no employees. If an employer identification number was not entered on your application, a number will be assigned to you and you will be advised of it. Please use that number on all returns you file and in all correspondence with the Internal Revenue Service.

Sincerely yours,

Charles O. DeWitt
District Director

*509(a)(1) and 170(b)(1)(A)(vi)

Form L-391 (4-73)

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: DEC 01 2002

BIRMINGHAM PUBLIC LIBRARY
FOUNDATION
2100 PARK PLACE
BIRMINGHAM, AL 35203

Employer Identification Number:
31-1612175
DLM:
402268009
Contact Person:
D. A. DOWNING ID# 31805
Contact Telephone Number:
(877) 829-5500
Our Letter Dated:
September 1998
Advance Ruling Period Begins:
July 1998
Advance Ruling Period Ends:
December 31, 2002
Addendum Applies:
No

Dear Applicant:

Our letter of the above date stated that we had determined your organization is exempt under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3) and that you would be treated as a publicly supported organization and not as a private foundation during your advance ruling period. This was based on our determination that you could reasonably be expected to be an organization described in sections 170(b)(1)(A)(vi) and 509(a)(1) or in section 509(a)(2).

We also stated that at the end of your advance ruling period you would have to establish that you were in fact an organization described in one of the above sections.

Our records indicate that your advance ruling period begins and ends on the dates shown above. Your exempt status as an organization described in section 501(c)(3) is still in effect. However, to establish that you are a publicly supported organization described in sections 170(b)(1)(A)(vi) and 509(a)(1) or in section 509(a)(2), please complete the attached Form 8734, Support Schedule for Advance Ruling Period, for each of the tax years in your advance ruling period.

The information requested in this letter is required to support your claim to be other than a private foundation. It is needed in addition to any required Form 990 or other annual return. Please send it to us within 90 days from the end of your advance ruling period.

If we do not receive this information, we will presume you are a private foundation and you will be treated as a private foundation as of the first day of your first tax year for purposes of sections 507(d) and 4940 of the Code. In addition, if you do not provide the information by the time requested, it will be considered by the Internal Revenue Service that you have not taken all reasonable steps to secure the determination you requested. Under section

Letter 1046 (DO/CG)

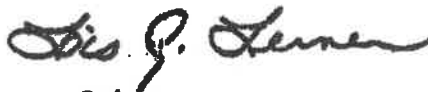
BIRMINGHAM PUBLIC LIBRARY

7428(b)(2) of the Code, not taking all reasonable steps, in a timely manner, to secure the determination may be considered as a failure to exhaust administrative remedies available to you within the Service, and may preclude the issuance of a declaratory judgment in the matter under judicial proceedings.

If you have any questions, please contact the person whose name and telephone number are shown in the heading of this letter.

Thank you for your cooperation.

Sincerely yours,



Lois G. Lerner
Director, Exempt Organizations

Enclosures:
Form 8734
Copy of this letter



Alabama Secretary of State



The Friends Foundation of the Birmingham Public Library	
Entity ID Number	000 - 550 - 640
Entity Type	Domestic Non-Profit Corporation
Principal Address	Not Provided
Principal Mailing Address	Not Provided
Status	Exists
Place of Formation	Jefferson County
Formation Date	07/30/1998
Registered Agent Name	BLALOCK, RENEE
Registered Office Street Address	2100 PARK PLACE BIRMINGHAM, AL 35203
Registered Office Mailing Address	2100 PARK PLACE BIRMINGHAM, AL 35203
Nature of Business	CHARITABLE/LITERARY/RESEARCH/EDUCATIONAL PURPOSES
Capital Authorized	
Capital Paid In	
Directors	
Director Name	NOT PROVIDED
Director Street Address	Not Provided
Director Mailing Address	Not Provided
Incorporators	
Incorporator Name	POOL, JAMES M
Incorporator Street Address	Not Provided
Incorporator Mailing Address	Not Provided
Transactions	
Transaction Date	04/20/1999
Miscellaneous Filing Entry	AMENDMENT FILED
Transaction Date	04/21/1999
Miscellaneous Filing Entry	AMENDMENT FILED
Transaction Date	04/07/2010
Registered Agent Changed From	BULOW, JACK F THE BIRMINGHAM PUBLIC LIBRARY 2100 PARK PLACE BIRMINGHAM, AL 35203
Transaction Date	08/20/2014

The Friends Foundation of the Birmingham Public Library

Director/Manager/Organizer Activity	NOT PROVIDED
Transaction Date	08/20/2014
Principal Office Changed From	BIRMINGHAM, AL
Transaction Date	05/31/2016
Legal Name Changed From	The Birmingham Public Library Foundation

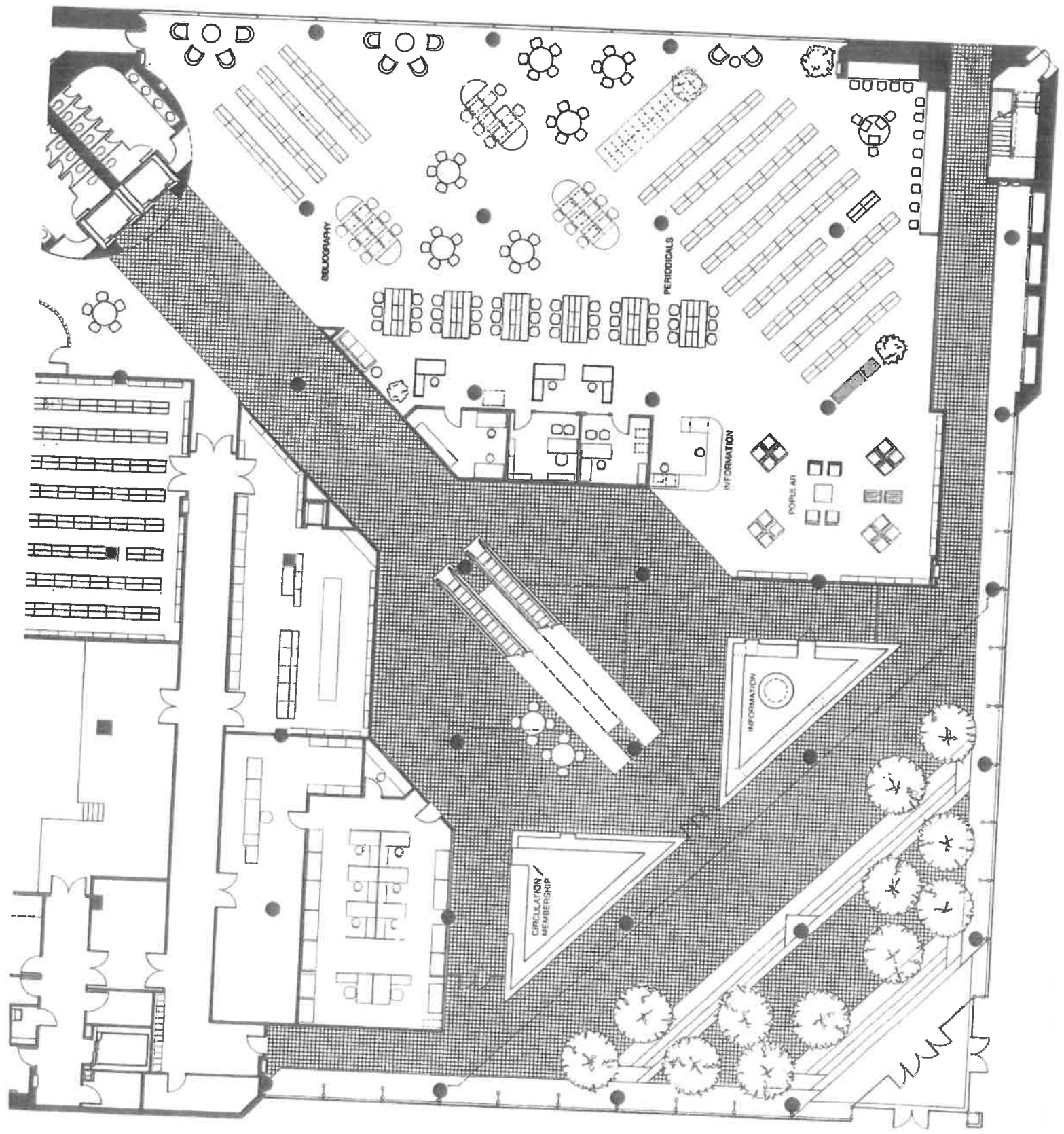
Scanned Documents

Purchase Document Copies

Document Date / Type / Pages	07/30/1998 Certificate of Formation 10 pgs.
Document Date / Type / Pages	04/20/1999 Miscellaneous Entry 5 pgs.
Document Date / Type / Pages	04/21/1999 Miscellaneous Entry 10 pgs.
Document Date / Type / Pages	04/07/2010 Registered Agent Change 2 pgs.
Document Date / Type / Pages	08/26/2014 Articles of Amendment 3 pgs.
Document Date / Type / Pages	06/02/2016 Articles of Amendment 4 pgs.

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CITY OF BIRMINGHAM

PULLING PEOPLE FIRST

BIRMINGHAM POLICE DEPARTMENT

February 16, 2022

Mayor's Office
1000 17th Street North
Birmingham, AL 35203
Phone: (205) 263-1000
Fax: (205) 263-1001
City of Birmingham
200 14th Street North
Birmingham, AL 35203
Phone: (205) 263-1000
Fax: (205) 263-1001
City of Birmingham
200 14th Street North
Birmingham, AL 35203
Phone: (205) 263-1000
Fax: (205) 263-1001

**Chairperson Latonya Tate
Public Safety Committee Members
710 20th Street North
Birmingham, AL 35203**

Haier Ali Yehia- 5 Way Towing has submitted a new application for a **Wrecker Service** to operate in the City of Birmingham. The applicant has met the necessary requirements to move forward with the application.

Det. Z.Pitts



BIRMINGHAM POLICE DEPARTMENT
 INSPECTION SERVICES
 1710 1ST AVENUE NORTH
 BIRMINGHAM, AL 35203
 (205) 254-4732

532-7973

APPLICATION FOR TOWING OR VEHICLE IMMOBILIZATION SERVICE LICENSE

(Ordinance No. 13-81)

PLEASE TYPE OR PRINT

<p style="text-align: center;">TYPE OF APPLICATION</p> <p><input checked="" type="checkbox"/> Initial Application</p> <p><input type="checkbox"/> Renewal Application: Current License # _____</p> <p><input type="checkbox"/> Add a line of service</p>
--

<p style="text-align: center;">TYPE OF SERVICE (check all that apply)</p> <p><input checked="" type="checkbox"/> Towing:</p> <p style="padding-left: 20px;"><input checked="" type="checkbox"/> Consensual</p> <p style="padding-left: 20px;"><input type="checkbox"/> Non-consensual</p> <p><input type="checkbox"/> Vehicle Immobilization</p>
--

APPLICANT INFORMATION:

Name: <u>Hajer Ali Yehia</u> <small>(Full legal name of applicant, whether sole proprietor, partnership, corporation or other organization type.)</small>		
D/B/A: <u>5 Way Towing</u>		
Physical Address: <u>4800 8th Ave Wylam</u>		
City: <u>Birmingham</u>	State: <u>AL</u>	Zip Code: <u>35224</u>
Mailing Address: _____ <small>(if different from physical address.)</small>		
City: _____	State: _____	Zip Code: _____
Phone #: <u>205 529 1277</u>	Cell #: <u>205 563 2075</u>	Fax #: _____
Email Address: _____		Website: _____

<p>THIS BUSINESS IS A: (Check one)</p> <p><input type="checkbox"/></p> <p><input type="checkbox"/> Sole Proprietorship</p> <p><input type="checkbox"/> Partnership</p> <p><input checked="" type="checkbox"/> Corporation, LLC, etc.</p>
--

APPLICATION FOR TOWING OR VEHICLE IMMOBILIZATION SERVICE LICENSE

OWNER/ COMPANY OFFICIAL INFORMATION: (Please attach additional sheet, if necessary.)

Owner/Officer Name: Hajer Ali Yehia Date of Birth: 6-2-1988

Position: Owner Stock/Interest: 100%

Address: 4800 8th Avenue Wylam, Birmingham AL 35224

Is or has this person been known by any other name/alias? NO If "Yes", give all other names by which this person has been known:

Owner/Officer Name: Nathan Hampton Date of Birth: 10-18-84

Position: Driver Stock/Interest: 0

Address: 5433 12th Ave B'ham AL 35224

Is or has this person been known by any other name/alias? NO If "Yes", give all other names by which this person has been known:

Owner/Officer Name: _____ Date of Birth: _____

Position: _____ Stock/Interest: _____

Address: _____

Is or has this person been known by any other name/alias? _____ If "Yes", give all other names by which this person has been known:

Owner/Officer Name: _____ Date of Birth: _____

Position: _____ Stock/Interest: _____

Address: _____

Is or has this person been known by any other name/alias? _____ If "Yes", give all other names by which this person has been known:

ORDINANCE NO. _____

**AN ORDINANCE
TO AUTHORIZE AN INTERLOCAL COOPERATION AGREEMENT
BETWEEN THE CITY OF BIRMINGHAM AND
THE ALABAMA LAW ENFORCEMENT AGENCY'S
MOTOR CARRIER SAFETY UNIT**

WHEREAS, Act 1969-916 of the Acts of Alabama authorizes Jefferson County and the municipalities, other governmental subdivisions and public corporations in Jefferson County to make the most efficient use of their powers by enabling them to cooperate with the state, the federal government and with each other on a basis of mutual advantage and thereby to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population and other factors influencing the needs and developments of the county and municipalities and other governmental units and agencies therein; and

WHEREAS, The City desires to obtain access and use of ALEA's ASPEN, ENCRYPTION SOFTWARE to be used of by certified Commercial Vehicle Enforcement officers of the Birmingham Police Department ("BPD") to perform driver-vehicle inspections on commercial motor vehicles;

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Birmingham, Alabama as follows:

SECTION 1. Authorization

The Mayor and/or the Chief of Police of the City of Birmingham, Alabama is hereby authorized to execute an Interlocal Cooperation Agreement, for a period not to exceed three years, with the Alabama Law Enforcement Agency (hereinafter referred to as "ALEA"), for access to and use of ALEA's ASPEN, ENCRYPTION SOFTWARE to be used of by certified Commercial Vehicle Enforcement officers of the Birmingham Police Department ("BPD") to perform driver-vehicle inspections on commercial motor vehicles. The Mayor and/or Chief of Police is authorized to execute and deliver all documents necessary to accomplish the purpose of this Ordinance.

SECTION 2. This Ordinance shall become effective upon approval and publication as required by law.

ADOPTED AND APPROVED THIS ____ the day of _____ 2022.

ATTEST:

CITY OF BIRMINGHAM, ALABAMA

City Clerk

By: _____
Mayor

SPECIAL ATTACHMENT FOR THE AGENDA OF:

March 15, 2022

RECOMMENDED BY: CHIEF OF POLICE

SUBMITTED BY: MAYOR'S OFFICE

An Ordinance authorizing the Mayor and/or the Chief of Police to execute an Interlocal Cooperation Agreement, for a period not to exceed three years, with the **Alabama Law Enforcement Agency** (hereinafter referred to as "**ALEA**"), for access to and use of ALEA's ASPEN, ENCRYPTION SOFTWARE to be used of by certified Commercial Vehicle Enforcement officers of the **Birmingham Police Department** ("**BPD**") to perform driver-vehicle inspections on commercial motor vehicles. The Mayor and/or Chief of Police is authorized to execute and deliver all documents necessary to accomplish the purpose of this Ordinance.

Funding Source: N/A

Resolution _____ Ordinance X Other

PUBLICATION REQUIRED: YES X NO _____

IF YES, NOTE ALL PUBLICATION INSTRUCTIONS/REQUIREMENTS:

Publication is required for an Ordinance of a general or permanent nature.

**MEMORANDUM OF UNDERSTANDING
For Commercial Motor Vehicle Enforcement**

1. Each agency will agree to furnish their officer(s) a laptop computer with wireless internet access, printer and any other necessary equipment to conduct inspections using the ASPEN program. The agency will be required to keep up-to-date anti-virus and encryption software on each computer. The agency will be required to conduct all of their inspections using the ASPEN program. If the agency fails to conduct all of its inspections using the ASPEN program the agency will be de-certified and will no longer be able to conduct inspections.
2. All inspection software, (i.e. ASPEN, ENCRYPTION SOFTWARE), will be provided by the Motor Carrier Safety Unit and must be installed on the officer/inspector(s) laptop. The agency will be required to update the software on a monthly basis as described by the Motor Carrier Safety Unit. If an inspector/officer fails to update the software as required he/she will be de-certified and no longer able to conduct inspections.
3. The inspections will be uploaded to the SAFETYNET at the end of each shift worked. Copies of completed inspections will be sent to the Motor Carrier Safety Unit on a weekly basis. Each agency will agree to use a driver-vehicle examination report identical to that of the Alabama Department of Public Safety, the only deviation being the name and address of the local enforcement agency on the report form. Officer(s) conducting computer generated inspections using the ASPEN program must submit a printed/signed copy to the Motor Carrier Safety office on a weekly basis to be filed.
4. Each agency will agree to provide copies of inspections to the Federal Motor Carrier Safety Administration, Alabama Division, as requested.
5. Each agency will agree to provide to the Motor Carrier Safety Unit, once a month, copies of the driver-vehicle inspection reports that have been signed and returned to them by the carrier documenting repairs have been made.
6. Each agency will agree to utilize only certified Commercial Vehicle Enforcement officers to perform driver-vehicle inspections on commercial motor vehicles. To become a certified CVE officer the officer(s) must complete and successfully pass a DPS approved Part A and Part B of the North American Standard Inspection Course. Once notification has been made that the officer has passed both Part A and Part B of the course the officer will be allowed to work with a certified Alabama DPS Motor Carrier Safety Unit Commercial Vehicle Enforcement Officer for a maximum of 32 hours during the next 30 calendar days to conduct a minimum of 32 Level II inspections.

7. Each agency will agree to allow its officer(s) to maintain their certification. To do this the officer must conduct a minimum of 4 inspections per month for a total of 48 Level II inspections each fiscal year and attend annual retraining. The Motor Carrier Safety Unit will generate a report from SAFETYNET at the beginning of each fiscal year to determine the number of inspections an officer conducted in the previous fiscal year for his/her certification. Any officer that did not conduct and upload 48 Level II inspections for the fiscal year being checked will be de-certified. Any officer that is de-certified will have to attend the 80-hour course again to be re-certified.

8. Due to this being a course to enhance truck safety each agency will utilize only uniform patrol officers assigned to traffic enforcement to perform driver-vehicle inspections. This program is about safety and it is not to be utilized just for interdiction purposes. Any agency found to be utilizing the program just for interdiction purposes will be de-certified.

9. Each agency will agree to use and follow the CVSA Out-of-Service Criteria.

10. Each agency will provide the Motor Carrier Safety Unit with a single point of contact to be a liaison for communications about their inspection program. It will be each agencies responsibility to keep this information updated as changes are made.

11. The Alabama Department of Public Safety, Motor Carrier Safety Unit reserves the right to cancel the participation of any agency or officer if any items in this MEMORANDUM OF UNDERSTANDING are violated.

I agree with and accept the terms of this Memorandum of Understanding.

Sheriff / Chief

for

Agency

Date

Attest

City Clerk

Cpt. [Signature] / MCSU

ALEA MCSU

[Signature]
Assistant City Attorney

2/2/2022

/ Date

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Birmingham, Alabama as follows:

SECTION 1. Authorization

The Mayor and/or the Chief of Police of the City of Birmingham, Alabama is hereby authorized to apply for and accept grant disbursements from the **Law Enforcement Support Office** (hereinafter referred to as "LESO") of the **Alabama Department of Economic and Community Affairs** (hereinafter referred to as "ADECA"), of excess personal property from the **U.S. Department of Defense (DoD)**, including but not limited to equipment such as tactical gear, electronics, vehicles, weapons, etc., received through the **LESO 1033 Program**, for use by the **Birmingham Police Department ("BPD")** for law enforcement purposes. The City is authorized to pay not more than the annual **One Thousand Five Hundred and 00/100 Dollars (\$1,500.00)** participation/membership fee for participation in the program. The Mayor and/or Chief of Police is authorized to execute and deliver all documents necessary to receive the disbursements from ADECA, including any grant Agreements with ADECA and DoD for a term which shall not exceed three years.

SECTION 2. This Ordinance shall become effective upon approval and publication as required by law.

Funding Source: G/L # 001_043_26000__26001.534-016

ADOPTED AND APPROVED THIS ____ the day of _____ 2022.

ATTEST:

CITY OF BIRMINGHAM, ALABAMA

City Clerk

By: _____
Mayor

ORDINANCE NO. _____

**AN ORDINANCE
TO AUTHORIZE PARTICIPATION IN THE LESO 1033 PROGRAM
FOR GRANT DISBURSEMENTS OF SURPLUS EQUIPMENT FROM
THE U.S. DEPARTMENT OF DEFENSE THROUGH ADECA
FOR LAW ENFORCEMENT PURPOSES**

WHEREAS, Alabama municipalities are authorized, pursuant to §11-64-3 and §11-81A-3 of the Code of Alabama, to apply for, accept, receive, agree with respect to, spend or donate to another public body or other persons any federal or state grant or donation as permitted by the terms of the grant; and

WHEREAS, Act 1969-916 of the Acts of Alabama authorizes Jefferson County and the municipalities, other governmental subdivisions and public corporations in Jefferson County to make the most efficient use of their powers by enabling them to cooperate with the state, the federal government and with each other on a basis of mutual advantage and thereby to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population and other factors influencing the needs and developments of the county and municipalities and other governmental units and agencies therein; and

WHEREAS, the U.S. Secretary of Defense (SECDEF) is authorized by 10 USC § 2576a to transfer to Federal and State Law Enforcement Agencies (LEAs), personal property that is excess to the needs of the DoD, including small arms and ammunition, that the Secretary determines is suitable to be used by such agencies in law enforcement activities, with preferences for counter-drug/counter-terrorism, disaster-related emergency preparedness or border security activities, under such terms prescribed by the Secretary. The SECDEF has delegated program management authority to the DLA. The DLA Disp Svcs LESO administers the program in accordance with (JAW) 10 USC § 2576a, 10 USC § 280, DoDM 4160.21 and DLAI 4140.11. The DLA defines "law enforcement activities" as activities performed by governmental agencies whose primary function is the enforcement of applicable federal, State, and local laws and whose compensated law enforcement officers have powers of arrest and apprehension; and

WHEREAS, the responsibility of managing the LESO 1033 Program for Alabama is the ADECA Surplus Property Division.; and

WHEREAS, The City desires to seek and receive disbursement of needed surplus equipment such as tactical gear, electronics, vehicles, weapons through the LESO 1033 Program for use by BPD for law enforcement purposes;

SPECIAL ATTACHMENT FOR THE AGENDA OF:

March 15, 2022

RECOMMENDED BY: CHIEF OF POLICE

SUBMITTED BY: MAYOR'S OFFICE

An Ordinance authorizing the Mayor and/or the Chief of Police to apply for and accept grant disbursements from the **Law Enforcement Support Office** (hereinafter referred to as "**LESO**") of the **Alabama Department of Economic and Community Affairs** (hereinafter referred to as "**ADECA**"), of excess personal property from the **U.S. Department of Defense (DoD)**, including but not limited to equipment such as tactical gear, electronics, vehicles, weapons, etc., received through the **LESO 1033 Program**, for use by the **Birmingham Police Department ("BPD")** for law enforcement purposes. The City is authorized to pay not more than the annual **One Thousand Five Hundred and 00/100 Dollars (\$1,500.00)** participation/membership fee for participation in the program. The Mayor and/or Chief of Police is authorized to execute and deliver all documents necessary to receive the disbursements from ADECA, including any grant Agreements with ADECA and DoD for a term which shall not exceed three years.

Funding Source: G/L # 001_043_26000_26001.534-016

Resolution _____ Ordinance X Other _____

PUBLICATION REQUIRED: YES X NO _____

IF YES, NOTE ALL PUBLICATION INSTRUCTIONS/REQUIREMENTS:

Publication is required for an Ordinance of a general or permanent nature.



**DEFENSE LOGISTICS AGENCY
DISPOSITION SERVICES
74 WASHINGTON AVENUE NORTH
BATTLE CREEK, MICHIGAN 49037-3092**

**Law Enforcement Support Office (LESO)
Application for Participation / Authorized Screeners Letter**

* Indicates Required Fields

(This form is for State/Local Law Enforcement Agencies only)

SECTION 1:

*Originating Agency Identifier (ORI) Number (if applicable) AL0010200
 *Agency Name: Birmingham Police Department
 *Agency Physical Address: 1710 1st Ave North *City: Birmingham
 *NCIC P.O. Box or address (if different than above i.e. Terminal Location): 710 20th St North RM-Basement Birmingham
 *Phone #: (205) 254-0840 Fax #: (205) 254-1703
 *State: AL *Zip Code: 35203 *Email: Jeffery.norwood@birminghamal.gov **Note: Email is needed for automated system notifications.**

Agency **MUST** have at least 1 full-time officer to participate in the program. Indicate the number of compensated officers with arrest and apprehension authority. Part-time field **MUST** be filled in: N/A, 0 or - is acceptable.

*Full-time: 738 *Part-time: 0

RTD Screener - RTD Screeners must be employed by the aforementioned LEA. Individuals identified below may request access to act as an authorized "RTD Screener" on behalf of this Law Enforcement Agency. Agency **MUST** have at least 1 RTD Screener.

#1	Captain	Torry	Mack
	*Official Title / Rank	*First Name	*Last Name
	Torry.Mack@birminghamal.gov	(205) 254-6555	
	*Email	*Phone Number	POC (Aircraft/Small Arms/Vehicle)
#2	Lieutenant	Eric	Stisher
	*Official Title / Rank	*First Name	*Last Name
	Eric.Stisher@birminghamal.gov	(205) 254-6396	
	*Email	*Phone Number	POC (Aircraft/Small Arms/Vehicle)
#3	Sergeant	Jeffery	Norwood
	*Official Title / Rank	*First Name	*Last Name
	Jeffery.Norwood@birminghamal.gov	(205) 254-6545	Aircraft/Small Arms
	*Email	*Phone Number	POC (Aircraft/Small Arms/Vehicle)
#4			
	*Official Title / Rank	*First Name	*Last Name
	*Email	*Phone Number	POC (Aircraft/Small Arms/Vehicle)

SECTION 2:

RESERVED FOR LAW ENFORCEMENT AGENCY USE ONLY

Law Enforcement Agency/Activity The LESO Program defines this as a Governmental agency/activity whose primary function is the enforcement of applicable Federal, State and Local laws and whose compensated Law Enforcement officers have the powers of arrest and apprehension.

I certify that my agency meets the definition of a "Law Enforcement Agency/Activity" as described above. I certify that all information contained in this application is valid and accurate. I understand that I must provide my State Coordinator an application to update my agency participant information if the following information changes: 1. Chief Law Enforcement Official (CLEO) changes, 2. Agency physical address changes or 3. RTD Screener additions/deletions.

***(Check only one):** I am signing this document as the CLEO of this law enforcement agency
In my official position or as Acting/Interim, I am authorized to sign documents on behalf of the CLEO for this agency. If checked, please provide current department policy or Memorandum that provides such signature authority to the individual holding that official position

By signing this application, I certify that my Agency will comply with U.S. Code 2576a for all controlled property, which states: With the authorization of the relevant local governing body or authority, that my agency has adopted publically available protocols for the appropriate use of controlled property, the supervision of such use, and the evaluation of the effectiveness of such use, including auditing and accountability policies; and that it provides annual training to relevant personnel on the maintenance, sustainment, and appropriate use of controlled property. I certify under penalty of perjury that the foregoing is true and correct. Making a false statement may result in judicial actions or prosecution under 18 USC § 1001.

*TITLE

*PRINTED NAME: FIRST & LAST

*SIGNATURE

*EMAIL

*DATE

SECTION 3:

RESERVED FOR STATE COORDINATORS OFFICE USE ONLY

As the State Coordinator/ State Point of Contact it has been determined that the agency meets the definition of a "Law Enforcement Agency/Activity" as described in section 2. I certify that all information contained in this application is valid and accurate

*PRINTED NAME FIRST & LAST

*SIGNATURE

*DATE

SECTION 4:

RESERVED FOR LESO USE ONLY

NOTICE FOR DLA DISPOSITION SERVICES PERSONNEL: Regulatory guidance outlining Screener Identification and Authorization must be accomplished in accordance with DOD 4160.21-M, Volume 3, Enclosure 5, Section 3 (k). In accordance with the aforementioned reference, the LESO Program authorizes the individuals identified in Section 1 of this form to screen excess property at your facilities as authorized participants in the LESO Program. This authorized screener letter supersedes all previously issued screener letters for this Law Enforcement Agency/Activity and is valid only on or after the date signed by authorized LESO signatory. Only two individuals authorized to screen per visit; however, additional personnel may assist receiving material previously screened and approved for transfer.

*This agency is authorized to screen items via the LESO Program under authorized Agency DODAAC:

*LESO Authorized Signatory:

*SIGNATURE

*Screener letter is valid one year from this date:

Note: Once this screener letter has expired, agency can request a new screener letter (LESO AUTHORIZATION SCREENER LETTER, v MARCH 2018) only through their SC/SPOC.

LESO Notes:

State Plan of Operation (SPO) between:

the State of Alabama and the

(State/United States Territory)

Birmingham Police Department
Law Enforcement Agency (LEA)

1) **PURPOSE** This State Plan of Operation (SPO) is entered into between the State/United States (U.S.) Territory and Law Enforcement Agency (as identified above), to set forth the terms and conditions which will be binding on the parties with respect to Department of Defense (DoD) excess personal property conditionally transferred pursuant to 10 USC § 2576a, in order to promote the efficient, expeditious transfer of property and to ensure accountability of the same.

2) **AUTHORITY** The Secretary of Defense (SECDEF) is authorized by 10 USC § 2576a to transfer to Federal and State Law Enforcement Agencies (LEAs), personal property that is excess to the needs of the DoD, including small arms and ammunition, that the Secretary determines is suitable to be used by such agencies in law enforcement activities, with preferences for counter-drug/counter-terrorism, disaster-related emergency preparedness or border security activities, under such terms prescribed by the Secretary. The SECDEF has delegated program management authority to the DLA. The DLA Disp Svcs LESO administers the program in accordance with (LAW) 10 USC § 2576a, 10 USC § 280, DoDM 4160.21 and DLAI 4140.11. The DLA defines "law enforcement activities" as activities performed by governmental agencies whose primary function is the enforcement of applicable federal, State, and local laws and whose compensated law enforcement officers have powers of arrest and apprehension.

3) **GENERAL TERMS AND CONDITIONS** "DoD excess personal property" also known as "items", "equipment", "program property", or "property". "DLA Disposition Services Law Enforcement Support Office" also known as "1033 Program", "LESO Program", "the program", or "LESO". "State or U.S. Territory" also known as "the State", "State Coordinator (SC)", "State Point of Contact (SPOC)", or "SC/SPOC". "Law Enforcement Activities" also known as "agencies in law enforcement activities", "Law Enforcement Agency (LEA)", "program participant", or "LEA".

a) Property made available under this agreement is not for personal use and is for the use of authorized program participants only. All requests for property shall be based on bona fide law enforcement requirements. Authorized participants who receive property from the program will not loan, donate, or otherwise provide property to other groups or entities (i.e., public works, county garage, schools, etc.) that are not otherwise authorized to participate in the program. Property will not be obtained by program participants for the purpose of sale, lease, loan, personal use, rent, exchange, barter, transfer, or to secure a loan. To receive such property, on an annual basis the LEA shall certify that they have:

i) Obtained authorization of the relevant local governing body authority (i.e., city council, mayor, etc.).

ii) Adopted publicly available protocols for the appropriate use of controlled property, the supervision, and the evaluation of the effectiveness of such use, including auditing and accountability policies.

iii) Annual training in place and provides it to relevant personnel on the maintenance, sustainment, and appropriate use of controlled property, including respect for the rights of citizens under the Constitution of the U.S. and de-escalation of force.

b) All costs associated with the transportation, turn-in, transfer, repair, maintenance, insurance, disposal, repossession or other expenses related to property are the sole responsibility of the LEA. The LEA shall also be responsible to reimburse the U.S Government (USG), or the State of Alabama, as applicable, for costs incurred in retrieving and/or repossessing property impermissibly utilized by the LEA or transferred by the

LEA to unauthorized participants.

c) The LEA will maintain and enforce regulations and procedures designed to impose adequate security and accountability measures for controlled property to mitigate the risk of loss or theft of property. Program participants shall implement controls to ensure property made available under this agreement is used for official law enforcement use only. The LEA shall take appropriate administrative and/or disciplinary action against individuals that violate provisions of the Memorandum of Agreement (MOA) between the Federal Government and the State/U.S. Territory and/or this SPO, including unauthorized use of property.

d) All property transferred to the LEA via the program is on an as-is, where-is basis.

e) LESO reserves the right to recall property issued to a LEA at any time.

f) General use of definitions/terms:

i) Demilitarization (DEMIL code)-a code assigned to DoD property that indicates the degree of required physical destruction, identifies items requiring specialized capabilities or procedures, and identifies items which do not require DEMIL but may require Trade Security Controls (TSC). Program participants are not authorized to conduct physical demilitarization of property.

ii) "Controlled property"-items with a DEMIL code of B, C, D, E, F, G, and Q (with an Integrity Code of "3"). Title and ownership of controlled property remains with the DoD in perpetuity and will not be relinquished to the LEA. When a LEA no longer has a legitimate law enforcement use for controlled property, they shall notify the State/LESO and the property will be transferred to another program participating LEA (via standard transfer process) or returned to DLA Disp Svcs for disposition.

iii) "Non-controlled" property"-items with a DEMIL code of A or Q (with an Integrity Code of "6"). These items are conditionally transferred to the LEA and will remain on LEA accountable inventory for one year from the ship date. However, after one year from the ship date, DLA will relinquish ownership and title for the property to the LEA without issuance of further documentation. During this one year period, the LEA remains responsible for the accountability and physical control of the property and the LESO retains the right to recall the property. Participants should return any property in this one year period that becomes excess to their needs or they otherwise determine is not serviceable.

(1) The LEA receives title and ownership of DEMIL "A" and "Q6" property as governmental entities. Title and ownership of this property does not pass from DoD to any private individual or LEA official in their private capacity. Such property shall be maintained and ultimately disposed of IAW provisions in State and local laws that govern public property.

(2) Sales/gifting of DEMIL "A" and "Q6" property after one year from the ship date inconsistent with State/local law may constitute grounds to deny future participation in the program.

(3) After one year from ship date, DEMIL "A" and "Q6" property may be transferred, cannibalized for usable parts, sold, donated, or scrapped. LEAs are required to notify the State in writing in advance of the sale or disposal of archived DEMIL "A" or "Q6" property. Any proceeds obtained through the sale or disposal of archived DEMIL "A" or "Q6" property shall only be retained by the LEA, and should be documented with proper recordkeeping procedures. No proceeds shall go to a city or county government, any agency or department thereof, nor any other party other than the LEA.

(4) Once the property is no longer on the LEA accountable inventory, the property is no longer subject to the annual physical inventory requirements and will not be inventoried during a LESO Program Compliance Review (PCR).

g) All physical transfers of property require LESO approval. Program participants will not physically transfer property until the LESO approval process is complete.

h) The program may authorize digital signatures on required program documentation.

i) The LEA is not required to maintain insurance on controlled property, aircraft or other property with special handling requirements that remain titled to DoD. However, the LEA will be advised that if they elect to carry insurance and the insured property is on the program inventory at the time of loss or damage, the recipient will submit a check made payable to DLA for insurance proceeds received in excess of their actual costs of acquiring and rehabilitating the property prior to its loss, damage, or destruction.

4) STATE PLAN OF OPERATION

The State shall:

a) Assist in training LEAs with enrollment, property requests, transfers, turn-ins, and disposal procedures.

b) Adhere to the requirements outlined in the MOA between the Federal Government and the State/U.S. Territory and ensure MOA amendments or modifications are incorporated into this SPO and program participants are notified and acknowledge responsibility to comply with changes.

c) Submit a SPO to LESO that shall address procedures for determining LEA eligibility, allocation, equitable distribution of property, accountability, inventory, training, and education, State-level internal PCRs, export control requirements, procedures for turn-in, transfer, and disposal and other responsibilities concerning property.

d) Enter into written agreement with each LEA, via the LESO-approved SPO, to ensure program participants acknowledge the terms, conditions, and limitations applicable to property. This SPO must be signed by the current Chief Law Enforcement Official (CLEO) (or designee) and the current SC/SPOC.

e) Provide program participants the following information:

i) The LESO Program State POC's:

State Coordinator (SC): Burt Brownell

Email: Burt.Brownell@adeca.alabama.gov

Phone: (334) 309-1544

State Point of Contact (SPOC): Denise Williams

Email: Denise.Williams@adeca.alabama.gov

Phone: (334) 309-1542

ii) SC/SPOC Facility Information:

Physical Mailing Address: 4590 Mobile Highway Montgomery, AL 36108

Phone Number: (334) 284-0577

Website: www.adeca.alabama.gov/leso/

Hours of Operation: 7:00 a.m. CST – 4:30 p.m. CST

iii) Funding to administer the LESO Program at the State-level is provided via:

Personnel and resources provided by the State of Alabama, annual membership fees collected from participating LEAs, and one-time supplemental fees collected for the acquisition of aircraft and armored vehicles.

5) PROPERTY ACCOUNTING SYSTEM The State will maintain access to Federal Excess Property Management Information System (FEPMIS) (or current property accounting system), to ensure LEAs maintain property books, to include, but not limited to, transfers, turn-ins, and disposal requests from an LEA or to generate these requests at the State-level and forward all approvals to the LESO for action. The LESO requires photographs to be uploaded into FEPMIS (or current property accounting system) for all High-Profile property identified as aircraft, armored vehicles, small arms, and other unique items as required, received through the Program.

The State will:

- a) Conduct quarterly reconciliations of State property records.
- b) Ensure at least one person per LEA maintains access to the property accounting system. Users may be "active" or "inactive" in the system, so long as they are registered. Ensure registered users are employees of the LEA.
- c) Ensure LEAs receive and account for property in the property accounting system within 30 days.

The LEA will:

- a) Ensure at least one accountable property officer maintains access to the FEPMIS website (or current property accounting system) in order to properly maintain their property books, to include, but not limited to, the timely completion of receipts, transfers, turn-ins, disposal requests, modifications, and the annual inventory certification.
- b) Have at least one accountable property officer with an account in 'Active' status at the FEPMIS website (or current property accounting system) in order to be allocated property. Account holders must be employees of the LEA.
- c) Be sure that property receipts are completed in FEPMIS (or current property accounting system) within 30 days from the ship date of the property. The transfer and/or turn-in process is to be fully completed within 30 days of the LESO approval date. Failure to meet the timely completion of these tasks may result in LEA suspension.
- d) Notify the State Coordinator, in writing, within 30 days of changes to the LEA accountable property officer.
- e) Upload both a side photo and a data plate photo for aircraft and vehicles received through the Program that are serial number controlled. Serial numbers in photos should be clearly legible.
- f) Upload a serial number photo for each small arm received through the Program. Serial numbers in photos should be clearly legible.
- g) Upload an exterior photo of any item with wheels or tracks, including, but not limited to, items such as earthmoving equipment, vehicles, trailers, ATVs, carts, etc.

6) **LESO WEBSITE** The State shall access the LESO website for timely and accurate guidance, information, and links concerning the program and ensure that all relevant information is passed to the program participants.

7) **ANNUAL TRAINING** 10 USC § 280 provides that the SECDEF, in cooperation with the U.S. Attorney General, shall conduct an annual briefing of law enforcement personnel of each State (including law enforcement personnel of the political subdivisions of each State). Individuals who wish to attend are responsible for funding their own travel expenses. The briefing will include information on training, technical support, equipment, and facilities that are available to civilian law enforcement personnel from the DoD. The State shall provide program participants training material as discussed during the annual LESO training which includes information on property management best practices to include (but not limited to) searching for property, accounting for property on inventory, transfer and turn-in of property when it is no longer needed or serviceable. The State recommends that a minimum of 2 currently employed, full-time officers per LEA be trained in the LESO 1033 program rules and regulations. If the State determines that an LEA exhibits unsatisfactory understanding and familiarity with LESO 1033 program rules, regulations, and/or procedures, the State reserves the right to temporarily suspend requisitions from an LEA and/or require an LEA to attend, or re-attend, training.

8) **ENROLLMENT** The LESO shall establish and implement program eligibility criteria LAW 10 USC § 2576a, DLA Instructions and Manuals and this SPO and retains final approval/disapproval authority for application packages forwarded by the State. Non-governmental law enforcement entities such as private railroad police, private security, private academics, correctional departments, prisons, or security police at private schools/colleges are not eligible to participate. Fire departments (by definition) are not eligible to participate and should be referred to the DLA Fire Fighter program administered by USDA. Law enforcement agencies requesting program participation shall have at least one full-time law enforcement officer. Program property may only be issued to full-time/part-time law enforcement officers. Non-compensated reserve officers are not authorized to receive property. State law enforcement training facilities/academies may be authorized to participate in the program given their primary function is the training of bona fide State/local law enforcement officers. Law enforcement training facilities/academies will be reviewed on a case-by-case basis. The State shall:

a) Validate the authenticity of LEAs that are applying for program participation. Only submit to the LESO those application packages that the SC/SPOC recommends/certifies are government agencies whose primary function is the enforcement of applicable federal, State, and local laws and whose compensated officers have the powers of arrest and apprehension. If the State forwards an unauthorized participant application package, this may result in a formal suspension of the State.

b) Have sole discretion to disapprove LEA application packages in their State. The SC/SPOC should provide notification to the LESO when application packages are disapproved at the State-level.

c) Ensure that screeners listed in the application package are employees of the LEA. A screener may only screen property for two LEAs. Contractors may not conduct screening on behalf of a LEA.

d) Make recommendation on what constitutes a "full-time" or "part-time" law enforcement officer. If full-time status is in question, considerations for making such determination will include, but not necessarily be limited to: Number of hours worked, fringe benefits received, and the frequency with which the officer is 'on call'.

e) Ensure LEAs update their account information annually, or as needed. This may require the LEA to submit an updated application package. An updated application package shall be submitted for (but is not limited to) the following: a change in CLEO, the addition or removal of a screener, a change in the LEA physical address or contact information, etc.

f) Provide the LEA a comprehensive program overview once approved by the LESO for enrollment. The overview will be done within 90-days of a LEA being approved to participate.

9) PROPERTY ALLOCATION

a) The LESO shall:

i) Upon receipt of a SC/SPOC validated request for property through the RTD website, will review and give preference to requisitions indicating that the requested property will be used in the counter-drug, counter-terrorism, disaster-related emergency preparedness, or border security activities of the requesting LEA. Program participants that request vehicles used for disaster-related emergency preparedness, such as high-water rescue vehicles, should receive the highest preference.

ii) Require additional justification for small arms, aircraft, ammunition, and vehicles and to the greatest extent possible, ensure fair and equitable distribution of property based on current LEA inventory and justification for property.

iii) Reserve the right to determine and/or adjust allocation limits, to include the type, quantity and location of property allocated to the LEA. Generally, no more than one item (per part-time/full-time officer) will be allocated. Quantity exceptions may be granted by the LESO on a case-by-case basis based on the justification provided by the LEA. Currently, the following allocation limits apply:

(1) Robots: one (of each type) for every ten officers (full-time/part-time).

(2) High Mobility Multipurpose Wheeled Vehicle (HMMWV)/Up-Armored HMMWV (UAH): one vehicle for every three officers (full-time/part-time).

(3) Mine Resistant Ambush Protected (MRAP) / Armored Vehicles: one vehicle per LEA. For larger agencies, with a demonstrably critical need, and a convincing and compelling justification, the State may consider a request for a 2nd MRAP/Large Armored Vehicle on a case-by-case basis.

(4) Small arms: one (of each type) per officer (full-time/part-time).

(a) LESO may authorize over allocations of small arms in preparation for inevitable scenarios, i.e. training, equipment downtime (damage, routine maintenance, inspections) or other law enforcement needs. The chart below is the standard for small arms acceptable over-allocations:

Small Arms Acceptable Over-Allocations	
# of Officers	# by type
1-10	2 or less
11-25	3 or less
26-100	5 or less
101-299	8 or less
300 or more	10 or less

(b) In instances where small arm allocation amounts exceed the "acceptable over-allocation" levels, the LESO will coordinate with States to verify accuracy of the officer count. If small arm allocation is still beyond acceptable levels, LESO may authorize one of the following:

1) an exception to policy, 2) a transfer, or 3) a turn-in.

b) The State shall:

i) Assist the LEA in the use of electronic screening of property via the RTD website and shall access the RTD website a minimum of once daily (Monday-Friday) to review and process LEA requests for

property. Property justifications shall be validated to ensure they meet the intent of 10 USC § 2576a as suitable for use by agencies in law enforcement activities. Prior to approving a request or transfer, review the LEAs property allocation report to prevent over allocation.

ii) Upon receipt of a valid LEA request for property, provide a recommendation to the LESO on the preference to be given to those requisitions for property that will be used in counter-drug, counter-terrorism, disaster-related emergency preparedness or border security activities of the recipient agency. Requests for vehicles used for disaster-related emergency preparedness, such as high-water rescue vehicles, should receive the highest preference. The State shall consider the fair and equitable distribution of property based on current LEA inventory and LEA justifications for property. The State shall ensure the type and quantity of property being requested by LEAs is reasonable and justifiable given the number of officers (full-time/part-time) and prior requisitions for similar items they have received (both controlled and non-controlled property). Generally, no more than one of any item per officer (full-time/part-time) will be allocated.

10) PROPERTY MANAGEMENT Certain controlled equipment shall have a documented chain of custody (i.e. an acceptable ECR), including a signature of the recipient. Controlled property requiring an ECR: small arms (including parts and accessories), aircraft, vehicles, optics, and robots. It is encouraged to utilize ECRs for all controlled property. LEAs may request cannibalization of aircraft or vehicles. Cannibalization requests shall be submitted in writing to the State for review. Cannibalization must be approved by the LESO prior to any cannibalization actions. The cannibalized end item shall be returned to DLA Disp Svcs within the timeframes determined by the LESO.

a) Aircraft-Aircraft will not be obtained by LEAs for the purpose of sale, lease, loan, personal use, rent, exchange, barter, transfer, or to secure a loan and shall be reported to the LESO at the end of their useful life. All aircraft are considered controlled property, regardless of DEMIL code. Aircraft that are no longer needed or serviceable shall be reported to the General Services Administration (GSA) for final disposition by the LESO Program Aircraft Specialist.

b) Vehicles-Program participants that request vehicles used for disaster-related emergency preparedness, such as high-water rescue vehicles, should receive the highest preference. Vehicles will not be obtained by LEAs for the purpose of sale, lease, loan, personal use, rent, exchange, barter, transfer, or to secure a loan and vehicles that are considered controlled property will be returned to DLA Disp Svcs at the end of their useful life. DLA Disp Svcs Field Activity/Site will identify qualifying DEMIL A or Q6 vehicles and may issue (upon LEA request) a Standard Form (SF) SF-97 to the LEA upon physical transfer of the vehicle. The LEA may modify the vehicle during the one year conditional transfer period.

c) Ammunition-LESO will support the U.S. Army (USA), in allocating ammunition to program participants. Ammunition obtained via the program will be for training use only. At the time of request, the LEA will certify in writing that the ammunition will be used for training use/purposes only. The USA will issue approved transfers directly to the LEA. The LEA is responsible for funding all packing, crating, handling, and shipping costs for ammunition. The LEA will make reimbursements directly to the USA. Ammunition will not be obtained by LEAs for the purpose of sale, lease, loan, personal use, rent, exchange, barter, transfer, or to secure a loan. Ammunition obtained via the program shall not be sold. Ammunition will be treated as a consumable item and not tracked in any DLA inventory system or inspected during PCRs. LESO shall track and maintain necessary records of ammunition that has been transferred to LEAs and will post all requests, approvals, and denials on the LESO public website.

d) Small arms:

i) Small arms will not be obtained by LEAs for the purpose of sale, lease, loan, personal use, rent, exchange, barter, transfer, or to secure a loan and shall be returned to DLA Disp Svcs at the end of their useful life. Cannibalization of small arms is not authorized.

ii) Temporary modifications to small arms are authorized; permanent modifications to small arms are not authorized (i.e. drilling holes in the lower receiver of a small arm). In cases of temporary modifications, all parts are to be retained and accounted for in a secured location under the original serial number for the small arm until final disposition is determined. If the modified small arm is transferred to another LEA, all parts will accompany the small arm to the receiving LEA.

iii) Small arms will be issued utilizing an acceptable ECR which obtains certain information about the property being issued to include (but is not limited to) the signature of the law enforcement officer who is accepting responsibility for the small arm(s), the serial number of the small arm, the date in which the law enforcement officer took possession of the small arm, etc.

iv) Small arms that are not carried on an officer's person or in the officer's immediate physical vicinity will be secured using "two levels of physical security". Two levels of physical security meaning two distinct lockable barriers, each specifically designed to render a small arm inaccessible and unusable to unauthorized persons. Lockable barriers meeting this description may be either manual or electronic.

v) Program participants no longer requiring program small arm(s) shall request authorization to transfer the small arm to another participating LEA or request authorization to turn-in/return the small arm. Transfers and turn-in requests shall receive final approval from the LESO; small arms will not physically move until the LESO provides official notification that the approval process is complete. When turning-in small arms to Anniston Army Depot, the LEA shall follow LESO turn-in guidance.

vi) Local destruction (DEMIL) of small arms is not authorized.

vii) Lost, Stolen or Destroyed (LSD) small arms:

(1) Program participants with multiple instances of LSD small arms in a five-year window will be assessed by DLA Disp Svcs to determine if a systemic problem exists IAW DLAJ 4140.11.

(2) DIA OIG investigations may be initiated if small arms are improperly disposed of or become LSD while in program inventory. The LEA may be required to reimburse DLA the fair market value of the small arms when negligence, willful misconduct, or a violation of the MOA between the Federal Government and the State/U.S. Territory and/or this SPO is confirmed at the conclusion of the Financial Liability Investigation of Property Loss (FLIPL).

(a) Reimbursement will be within 60-days of the completion of the FLIPL.

(b) Title will never transfer to the recipient regardless of the status of the small arm.

(c) Payments due to DLA Disp Svcs, based upon the findings of the FLIPL, may be paid by one of three methods: 1) credit card via pay.gov, 2) cashier/ business check, or 3) wire transfer.

(3) In instances of LSD small arm recovery, DoD retains title in perpetuity and the small arm shall be immediately relinquished/surrendered back to the program.

11) PROGRAM COMPLIANCE REVIEWS (PCR)

a) The LESO shall:

i) Conduct PCRs to ensure that the SC/SPOC, and all LEAs within a State are compliant with the terms and conditions of the program as required by 10 USC § 2576a, the MOA between the Federal Government and the State/U.S. Territory and/or this SPO and any DIA Instructions and manuals regarding the

program. PCRs are conducted to ensure property accountability, program compliance, and program eligibility.

ii) Conduct PCRs for participating States every 2 years, providing training to the State/LEA as needed.

iii) Reserve the right to conduct no notice PCRs, or require an annual review, or similar inspection, on a more frequent basis for any State/LEA.

iv) Intend to physically inventory 100% of property selected for review at each LEA during a PCR. The use of ECRs in lieu of physical inspection is discouraged during PCRs. Extensive use of the ECR (without prior coordination with LESO) may result in a non-compliance finding during the PCR.

v) Intend to review as much property as possible during a PCR.

(1) The goal is to review 20% of a State's overall small arms inventory.

(2) The goal for inventory selections (at LEAs selected for review) is 15% of an LEA's general property to include non-controlled property (DEMIL code A and Q6).

vi) Select LEAs not visited during the last three regularly scheduled PCR cycles (as applicable).

vii) Recommend corrective actions (which may include suspending a State/LEA from program participation) for findings of non-compliance identified during a PCR.

(1) The LESO shall issue corrective actions (with suspense dates) to the State, which will identify what is needed to rectify the identified deficiencies within the State/LEA.

(2) If the State/LEA fails to correct identified deficiencies within the LESO suspense dates, the LESO may move to restrict, suspend, or terminate the State/LEA from program participation.

(3) States found non-compliant for a PCR will be suspended for a minimum of 60-days and will not be reinstated until the State successfully passes a LESO-conducted PCR.

viii) Ensure the State/LEA understand that property shall be transferred to a participating agency with SC/SPOC and LESO approval or returned to DLA Disp Svcs when no longer needed or serviceable.

b) The State shall:

i) Assist the LESO as required, prior to, during and upon completion of the PCR.

ii) Assist in the coordination of the PCR daily schedule of events and forward the schedule to LEAs that have been selected for review.

iii) Contact LEAs that have been selected for the PCR via phone, email or in person to ensure they are aware of the schedule and are prepared for the PCR.

iv) Receive inventory selections from the LESO and forward them to the selected LEAs. The State shall ensure the LEA physically gathers the selected property in a central location (to the greatest extent possible) which will allow the LESO to physically inventory the property efficiently during the PCR.

v) Coordinate the use of any ECR with the LESO prior to the PCR.

vi) Ensure LEAs understand property shall be transferred to a participating agency with SC and LESO

approval or returned to DLA Disp Svcs when deemed no longer needed or serviceable.

vii) Conduct State-level (internal) PCRs of participating LEAs to ensure property accountability, program compliance and program eligibility utilizing a PCR checklist provided by the LESO, or equivalent (for uniformity purposes).

(1) Ensure a State-level (internal) PCR of at least 8% of LEAs with program inventory is completed annually (3% of which will be focused on program participants with no controlled property). Results of the State-level (internal) PCR will be kept on-file with the State. Documentation shall be provided to the LESO for each LEA that received a State-level PCR.

(2) The State-level (internal) PCR will include, at minimum:

(a) A review of the dually-signed SPO, ensuring it is uploaded to the property accounting system.

(b) A review of the LEA application package to confirm authenticity and eligibility of the LEA.

(c) An inventory of property selected for review at each LEA.

(d) A review of each selected LEA files for any of the following which may include turn-in/transfer DD Form 1348-1A, ECR, small arm documentation, FLIPL documents, exception to policy letters, approved cannibalization requests, or other pertinent documentation as required.

(3) Request that the LESO restrict, suspend or terminate an LEA based on findings during State-level internal PCR or due to non-compliance with terms of the MOA between the Federal Government and the State/U.S. Territory and/or this SPO, DLA Instruction/Manual or any statute or regulation regarding the program.

(4) Notify the LESO and initiate an investigation into any questionable activity or action involving property issued to a LEA that comes to the attention of the State and is otherwise within the authority of the Governor/State to investigate. Upon conclusion of any such investigation, take appropriate action and/or make appropriate recommendations on restriction, suspension, or termination of the LEA to the LESO. The SC may suspend or terminate a LEA participation in the program at any time for non-compliance.

12) ANNUAL PHYSICAL INVENTORY Each LEA is required to conduct an annual physical inventory of all property on the active property book and provide certification in the property accounting system. DEMIL "A" and "Q6" property records will not be closed during the annual physical inventory period.

In the State of Alabama, the annual physical inventory and certification in the property accounting system process starts on July 1st and must be completed by August 31st. LEAs that fail to submit the certified annual inventory by August 31st may be suspended from operations within the Program. Failure to subsequently and promptly submit the certified annual inventory may result in a LEA's termination. The State shall:

a) Provide training to LEAs to properly conduct the annual physical inventory and complete the certification of property in the property accounting system.

b) Ensure an approved and current SPO is uploaded in the property accounting system for each LEA.

c) Validate the annual physical inventory certifications submitted by LEAs.

d) Adhere to annual physical inventory certification requirements as identified by the LESO. Physical inventories and certification statements will be maintained on file IAW the DLA records schedule.

e) Annually certify property is utilized and is within allocation limits IAW the MOA between the Federal Government and the State/U.S. Territory and this SPO.

f) Recommend suspension or termination of program participants who fail to complete or submit the certified annual physical inventory.

13) REPORTING LOST, STOLEN, OR DESTROYED (LSD) PROPERTY Any property identified as LSD on a LEA current inventory, shall be reported to the State/LESO. A FLIPL (aka the DD Form 200) shall be submitted to the State/LESO for LSD property. Program participants agree to cooperate with investigations into LSD property by any federal, state, or local investigative body and, when requested, assist with recovery of LSD property.

a) LSD controlled property shall be reported to the State/LESO within 24-hours. Program participants may be required to provide their SC/SPOC additional documentation which may include (but is not limited to):

1) Comprehensive police report, 2) NCIC report/entry, and 3) Contact information for the Civilian Governing Body (CGB) over the LEA involved, to include: Title, Name, Email, and mailing address.

b) LSD property with a DEMIL code of "A" and "Q6" shall be reported to the State/LESO within 7-days.

14) RESTRICTION, SUSPENSION OR TERMINATION Program participants are required to abide by the terms and conditions of the MOA between the Federal Government and the State/U.S. Territory and this SPO in order to maintain active program participation status. If a LEA fails to comply with any term or condition of the MOA, SPO, DLA Instruction or Manual, federal statute or regulation, the LEA may be suspended, terminated, or placed on restricted status. Restriction, suspension, or termination notifications will be in writing and will identify remedial measures required for reinstatement (if applicable). Suspension-A specified period in which a LEA is prohibited from requesting or receiving additional property through the program. Additional requirements may be implemented, to include the LEA requirement to return specifically identified controlled, or non-controlled, property. Suspensions will be for a minimum of 60-days. Termination-The removal of a LEA from program participation. The terminated LEA shall transfer or turn-in all controlled property previously received through the program, and any specific non-controlled property identified by the State, at the expense of the LEA involved. Restricted Status-A specified period in which a LEA is restricted from receiving an item or commodity due to isolated issues with the identified item or commodity. Restricted status may also include restricting a LEA from all controlled property.

a) State termination-The SC/SPOC will coordinate with LESO to identify a realistic timeframe to complete the transfer or turn-in of all property. The LESO retains final authority to determine timeframe requirements.

b) LEA termination-The SC/SPOC will coordinate with LESO to identify a realistic timeframe to complete the transfer or turn-in of all property. The LESO retains final authority to determine timeframe requirements.

c) In the event of a termination, the terminated LEA will make every attempt to transfer the property to an authorized LEA, as applicable, prior to requesting a turn-in of the property to DLA Disp Svcs. In cases that require a repossession or turn-in of property, the LEA will bear all expenses related to the repossession, turn-in or transfer of property to DLA Disp Svcs, including reimbursing the State for any expenses or costs incurred by the State in fulfilling these obligations.

d) The State shall:

i) Suspend LEAs for a minimum of 60-days in all situations relating to the suspected or actual abuse of property or requirements and/or repeated non-compliance related to the terms and conditions of this SPO. Suspension may lead to termination. The State shall also issue corrective action guidance to the LEA with suspense dates to rectify issues and/or discrepancies that caused the restriction, suspension, or termination. The State shall require the LEA to submit results on completed police investigations and/or

reports on LSD property to include the LEA CAP. The LESO retains final discretion on reinstatement requests. Reinstatement to full participation from a restriction, suspension or termination is not automatic.

ii) Initiate corrective action to rectify suspensions or terminations of the LEA for non-compliance to the terms and conditions of the program. The State shall also make contact (until resolved) with suspended LEAs to ensure corrective actions are rectified within required timeframes provided by the LESO.

iii) Require the LEA to complete and submit results on completed police investigations or reports regarding LSD property. The State will submit all documentation to LESO upon receipt.

iv) Provide documentation to LESO when actionable items are rectified for the LEA.

v) Request that the LESO suspend or terminate an LEA based upon their findings during State-level internal PCR or due to non-compliance with any term of this SPO, DLA Instruction/Manual or any statute or regulation regarding the program.

vi) Notify the LESO and initiate an investigation into any questionable activity or action involving property issued to an LEA that comes to the attention of the State and is otherwise within the authority of the Governor/State to investigate. Upon conclusion of any such investigation, take appropriate action and/or make appropriate recommendations on restriction, suspension, or termination of the LEA to the LESO. The SC may revoke or terminate concurrence for LEA participation in the program at any time.

vii) Provide written request to the LESO for reinstatement of an LEA for full participation status at the conclusion of a restriction or suspension period. Written verification shall be provided that the SC/SPOC has validated the LEA CAP.

15) RECORDS MANAGEMENT The LESO, SC/SPOC, and LEAs participating in the program will maintain program records IAW the DLA records schedule. Records for property acquired through the program have retention controls based on the DEMIL code. Property records will be filed, retained, and destroyed IAW DLA records schedule. Records may include, but are not limited to: DD Form 1348-1A for transfers, turn-ins, requisitions, Bureau of Alcohol, Tobacco, Firearms and Explosives (BATFE) Forms 5 and 10.

16) TRADE SECURITY CONTROL (TSC) and COMPLIANCE WITH EXPORT CONTROL REGULATIONS Items transferred to program participants, including DEMIL A and Q (with an Integrity Code of 6) property, may be subject to export control restrictions. Program participants shall comply with U.S. export control laws and regulations if they contemplate further transfers of any property. Once title transfers, LEAs should consult with the Department of State (DoS) and Department of Commerce (DoC) export control regulators about the type of export controls that may apply to items, regardless of DEMIL code. Program participants may request a formal Commodity Classification from the DoC, Bureau of Industry and Security (BIS), or submit a general correspondence request to the DoS, Directorate of Defense Trade Controls. Information on managing exports of CCL items can be found at the U.S. DoC Bureau of Industry and Security website. Program participants shall notify all subsequent purchasers or transferees, in writing, of their responsibility to comply with U.S. export control laws and regulations.

17) NOTICES Any notices, communications, or correspondence related to this SPO shall be provided by email, the U.S. Postal Service (USPS), express service, or facsimile to the appropriate DLA office. The LESO may (from time to time) make unilateral modifications or amendments to the provisions of the MOA between the Federal Government and the State/U.S. Territory and/or this SPO. Notice of these changes will be provided to the State in writing. Unless the State takes immediate action to terminate the MOA between the Federal Government and the State/U.S. Territory and/or this SPO, such modifications or amendments will become binding. In such cases, reasonable opportunity will (insofar as practicable) be afforded the State/LEA to conform to changes affecting their operations.

18) ANTI-DISCRIMINATION By signing or accepting property, the LEA pledges agreement to comply with provisions of the national policies prohibiting discrimination: 1) On the basis of race, color, or national origin, in Title VI of the Civil Rights Act of 1964 (42 USC 2000d et seq.) as implemented by DoD regulations 32 CR Part 195, 2) On the basis of age, in the Age Discrimination Act of 1975 (42 USC 6101, et seq) as implemented by Department of Health and Human Services regulations in 45 CFR Part 90 and 3) On the basis of handicap, in Section 504 of the Rehabilitation Act of 1973, P.L. 93-112, as amended by the Rehabilitation Act Amendments of 1974, P.L. 93-516 (29 USC 794), as implemented by Department of Justice (DoJ) regulations in 28 CFR Part 41 and DoD regulations at 32 CFR Part 56. These elements are the minimum essential ingredients for establishment of a satisfactory business agreement between the State and the DoD.

19) INDEMNIFICATION CLAUSE The LEA is required to maintain adequate liability insurance to cover damages or injuries to persons or property relating to the use of property issued under the program. Self-insurance by the LEA is considered acceptable. The USG assumes no liability for damages or injuries to any person(s) or property arising from the use of property issued under the program. It is recognized that State and local law generally limit or preclude the LEA from agreeing to open ended indemnity provisions. However, to the extent permitted by State and local laws, the LEA shall indemnify and hold the USG, and the State, harmless from any and all actions, claims, debts, demands, judgments, liabilities, cost, and attorney's fees arising out of, claimed on account of, or in any manner predicated upon loss of, or damage to property and injuries, illness or disabilities to, or death of any and all persons whatsoever, including members of the general public, or to the property of any legal or political entity including States, local and interstate bodies, in any manner caused by or contributed to by the LEA, its agents, servants, employees, or any person subject to its control while the property is in the possession of, used by, or subject to the control of the LEA, its agents, servants, or employees after the property has been removed from USG control.

20) TERMINATION This SPO may be terminated by either party, provided the other party receives a thirty (30) day notice (in writing) or as otherwise stipulated by Public Law. The undersigned SC hereby agrees to comply with all provisions set forth herein and acknowledges that any violation of the terms and conditions of this SPO may be grounds for immediate termination and possible legal consequences, to include pursuit of criminal prosecution if so warranted. If the LEA terminates this SPO, the requirements in Section 14 will still apply.

21) COSTS & FEES

- i) Each LEA with property in 'Assigned' status at the FEPMIS website (or other property accounting website) on October 1st, or that plans to requisition LESO property during the fiscal year, will be required to pay an annual membership fee. The State will consider exceptions to this annual fee in cases where an LEA no longer wishes to participate in the LESO 1033 program but is prevented from turning-in their remaining property due to a DLA turn-in moratorium. This fee, as outlined below, will be based on the number of full-time officers per LEA. The fee is due annually on October 1st of each year and if not paid by November 1st, the LEA may be suspended from further acquisition of property, until paid.
- ii) The annual fee is based on the prorated expenses incurred annually by the State, including but not limited to, the following major cost areas:
 - a) Personnel
 - b) Utilities
 - c) Phone/Data Services
 - d) Printing
 - e) Supplies
 - f) Compliance
 - g) Fuels
 - h) Travel

iii) The Membership Fees will be fair and equitable in relation to the number of full-time sworn officers of each Law Enforcement Agency. Emphasis will be placed on keeping the Membership Fee to a minimum but at the same time providing the necessary funds to operate the Alabama State LESCO program on a sound financial basis. The below schedule will be re-evaluated periodically for comparison of operating expenses with income receipts.

iv) Generally, fees will be priced according to the following schedule:

<u>Number of Full-Time Sworn Officers</u>	<u>Membership Fee</u>
1 TO 5	\$250
6 TO 10	\$400
11 TO 15	\$500
16 TO 25	\$600
26 TO 40	\$700
41 TO 75	\$800
76 TO 100	\$900
101 TO 150	\$1,000
151 TO 200	\$1,200
201 and ABOVE	\$1,500

v) There will be a one-time, supplemental fee assessed to the LEA at the time of acquisition for each of the following high profile, controlled property items:

Flyable Aircraft	\$3,000 each
Non-Flyable Aircraft	\$1,000 each
MRAP or Large Tactical Vehicle	\$2,500 each
Up-Armored HMMWV / Other Armored Vehicle	\$1,000 each

These supplemental fees apply to both newly acquired property, or property being transferred to an LEA.

22) **AGREEMENT OF PARTIES** The parties below agree to enter this agreement as of the last date below:

Governor-appointed SC/SPOC, State of Alabama

Full Name (Print): Burt Brownell, State Coordinator

Signature (Sign):  Date (MM/DD/YYYY): 06/04/2021

Chief Law Enforcement Official (CLEO) (or designee):

Title (Print): _____

Full Name (Print): _____

Signature (Sign): _____ Date (MM/DD/YYYY): _____

Attest

APPROVED AS TO FORM BY LAW DEPARTMENT:


Assistant City Attorney

/ Date

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City Clerk

Version-February 2021