Vestavia Hills
City Council Agenda
March 21, 2024
2:00 PM

1. Call to Order
2. Roll Call
3. Invocation - David Harwell
4. Pledge Of Allegiance
5. Approval Of The Agenda
6. Announcements, Candidates and Guest Recognition
7. City Manager’s Report
8. Councilors’ Reports
9. Approval Of Minutes - March 11, 2024 Work Session and Regular Meeting

Old Business (Public Hearing)

10. Public Hearing - Ordinance Number 3213 - An Ordinance authorizing the Mayor and City Manager to execute and deliver an agreement with Jefferson County Commission for Orthphotography and Planimetric Data Cost Sharing for the City's GIS Department
11. Public Hearing - Ordinance Number 3215 - An Ordinance Authorizing the Mayor and City Manager to execute and deliver an agreement with State of Alabama on behalf of Alabama Department of Transportation for certain traffic signals and lighting in the City

New Business

12. Resolution Number 5506 - A Resolution designating the Mayor as the City of Vestavia Hills' voting delegate for the annual business meeting to be held at the 2024 Convention of the League of Municipalities in Huntsville, Alabama
13. Resolution Number 5507 - A Resolution accepting the financial audit for FY23
14. Resolution Number 5505-A - A Resolution to change the date/time of a Council meeting and work session

New Business Requesting Unanimous Consent (Public Hearing)

15. Public Hearing - Ordinance Number 3216 - An Ordinance Approving Multi-Year Financial Commitment to Vestavia Hills City Schools for Purposes of Capital Improvements to Shared Facilities

First Reading (No Action To Be Taken At This Meeting)

16. Public Hearing - Ordinance Number 3211 - Rezoning - 4533 Pine Tree Circle; Lot 20, Topfield Subdivision; Rezone from Vestavia Hills R-1 (low-density residential) to Vestavia Hills O-1 (professional office district) with conditions; Kathryn Gentle, Owner
17. Citizens Comments
18. Time Of Adjournment

PUBLIC HEARING PROCEDURES

The following procedures shall be followed for every public hearing of the City Council:

- All comments shall be limited to **3 minutes**. A countdown clock will be provided on the video screens.
- Do not duplicate comments made by previous speakers. For example, if traffic is mentioned as an issue, do not readdress that issue.
- All comments shall be directed to the Mayor and/or presiding officer. Do not address the audience or the applicant.
- Each speaker shall identify himself, including full name and address.

SPECIAL NOTICE CONCERNING CITY COUNCIL MEETINGS

If you prefer not to attend a City Council meeting or work session in person, you may participate remotely:

- **Videoconference:** To participate by videoconference, you may access the meeting via Zoom at https://us02web.zoom.us/j/5539517181. When the Zoom.us window opens in your browser, click "Allow" to be placed in a virtual "waiting room." The host will open the meeting and allow all participants to join the meeting at that time. All participants will be automatically muted upon entrance to the meeting. If you wish to speak during time(s) identified for public input, activate the "video" feature and unmute yourself by toggling the mute button. When the Mayor recognizes you and gives you the floor, state your name and address for the record and then you may address the Council. Some useful Zoom functions include: microphone Mute/Unmute; Start/Stop Video; and View Participants – opens a pop-out screen that includes the "Raise Hand" icon that you may use to raise a virtual hand.
- **Teleconference:** To participate by telephone, dial 312.626.6799 and enter the meeting ID: 5539517181. All participants will be automatically muted upon entrance to the meeting. If you wish to speak during time(s) identified for public input, unmute yourself by pressing *6 on your keypad. Then state your name and wait for the Mayor to recognize you. When the Mayor recognizes you and gives you the floor, state your name and address for the record and then address the Council.

Meetings may be recorded. By participating in the meeting, you are consenting to be recorded.

"Zoom-bombing." Zoom-bombing is a cyber-crime and is punishable by law. In the event of an attendee intruding into any City of Vestavia Hills Zoom meeting, the online broadcast will be terminated immediately. Council and/or board members may be readmitted but online attendees will not. Although Zoom-bombing is not a frequent occurrence, those wishing to make public comment should attend the meeting in person.

Vestavia Hills
City Council Work Session Minutes
March 11, 2024
5:00 PM

1. Call to Order

The City Council of Vestavia Hills met in special work session on this date at 5:00 PM, following publication and posting pursuant to Alabama law. A number of staff and members of the general public were able to attend virtually, via Zoom.com, following publication pursuant to Alabama law. The Mayor called the meeting to order and the City Clerk called the roll with the following:

2. Roll Call

MEMBERS PRESENT: Mayor Ashley Curry, Mayor Pro-Tem Rusty Weaver, City Councilor Kimberly Cook, City Councilor George Pierce

MEMBERS ABSENT: City Councilor Paul Head

OTHER OFFICIALS PRESENT: Jeff Downes, City Manager; Patrick H. Boone, City Attorney; Cinnamon McCulley, Asst. City Clerk; Rebecca Leavings, City Clerk; Shane Ware, Police Chief; Melvin Turner, Finance Director; Marvin Green, Fire Chief; Jamie Lee, Director of Parks and Leisure Services; Lori Beth Kearley, Pubic Services Director.

Proposed Veteran's Memorial for Altadena Valley Park

The Mayor asked the Council to review a new conceptual plan for a proposed Veteran's Memorial at Altadena Valley Park, so he could advise the designers to work on more details. Discussion ensued.

Mr. Downes stated that this project will have to be bid due the estimated cost, and that he can hire a designer to produce designs for the Council’s consideration if there is consensus to go forward.

The Council expressed support for hiring a design professional.

Vestavia Hills City Schools - Dr. Todd Freeman

Dr. Freeman explained that the Board of Education is looking at different ways to meet urgent needs for many things, including facilities. The cost of completing $35 million in critical for roofing, HVAC replacement, and other items, are estimated at

$35 million, which would cost about $2.5 million per year debt service, if financed over 20 years. There is currently not enough funding to accomplish this. Instead, the Board is looking at smaller projects to improve recreational spaces that are shared with the city under a shared-use agreement. These are estimated to cost $3.5 million. He showed a table of the various projects that are included in this $3.5 estimate. The objective of these projects would be improved safety, which is a priority. He explained each proposal and noted the most urgent is replacing the football/soccer turf at VHHS that is beyond its useful life, and improving the soccer field access and parking at the Dolly Ridge campus.

Discussion ensued about options, the ability to increase program capacity and accessibility, along with other benefits of the projects. Dr. Freeman pointed out that improvements to these shared spaces will provide benefits and increased accessibility for city sports programs, and Mr. Lee, Parks and Leisure Service Director, agreed.

Mr. Downes explained the City could fund the $3.5 million in project costs through Community Spaces revenues. He proposed a payment schedule over three years that would accomplish the projects in stages without depleting excess Community Spaces funds that are being built-up year over year now that construction phases are complete. This expenditure should not affect the city’s high credit rating, nor will it affect the City undertaking new projects to renew and maintain City parks.

3. Time Of Adjournment

There being no further business, the Mayor adjourned the meeting at 5:43 PM.

Ashley C. Curry, Mayor

ATTESTED BY:

Rebecca Leavings, City Clerk

Vestavia Hills
City Council Minutes
March 11, 2024
6:00 PM

1. Call to Order

The City Council of Vestavia Hills met in regular session on this date at 6:00 PM, following publication and posting pursuant to Alabama law. A number of staff and members of the general public also attended virtually, via Zoom.com, following publication pursuant to Alabama law. The Mayor called the meeting to order and the City Clerk called the roll with the following:

2. Roll Call

Roll call was as follows:

MEMBERS PRESENT: Mayor Ashley Curry, Mayor Pro-Tem Rusty Weaver, City Councilor Kimberly Cook, City Councilor Paul Head, City Councilor George Pierce

MEMBERS ABSENT: None

OTHER OFFICIALS PRESENT: Jeff Downes, City Manager; Patrick H. Boone, City Attorney; Cinnamon McCulley, Asst. City Clerk; Rebecca Leavings, City Clerk; Shane Ware, Police Chief; Melvin Turner, Finance Director; Lori Beth Kearley, Public Works Director; Jamie Lee, Director of Parks and Leisure Services; Marvin Green, Fire Chief

3. Invocation - Chaplain Jim Cartledge

4. Pledge Of Allegiance

5. Approval Of The Agenda

The Mayor opened the floor for a motion to approve the agenda as presented.

MOTION: Approve the agenda as presented. Motion By: Rusty Weaver. Seconded By: Kimberly Cook.
Roll call vote as follows: Yes: Ashley Curry, Rusty Weaver, Kimberly Cook, Paul Head, George Pierce.
No: None. Abstain: None. Motion passed.

6. Life Saving Award Presentation - Lt. Mike House, Jefferson County Sheriff's Office

Chief Ware introduced Cpl. Jerry Hughes-Karrh, Vestavia Hills Police Department, accompanied by his wife and daughter. Chief introduced Jefferson County Sheriff Mark Pettway.

Sheriff Pettway introduced Dep. Chief Agee, Capt. Hardiman, Lt. Joni Money, Lt. Michael Jackson and Sgt. Jake Money. He introduced the honoree, Jefferson County Lt. Mike House. Lt. House was accompanied by several different family members including his wife, son (Jefferson County Dep. Chris House), and other family members.

Mayor Curry, along with the City Council, presented a Certificate of Commendation honoring Lt. House. Mr. Downes read the Certificate of Commendation aloud which expressed gratitude for his actions on December 6, 2023, when Lt. House donated a kidney to Cpl. Jerry Hughes-Karrh of the Vestavia Hills Police Department, a gift that saved Officer Hughes-Karrh's life. The Mayor and Council presented the Certificate to Lt. House.

Sheriff Pettway presented Lt. House with a Lifesaving Award plaque and medal.

Chief Ware presented Lt. House with an engraved Lifesaving Award plaque.

Cpl. House-Karrh thanked everyone for the well wishes and love shown to him throughout his health struggle.

When asked what advice he had for others who might be faced with the same opportunity to save a life, Lt. House said, "Listen to God and follow your heart."

7. Announcements, Candidates and Guest Recognition

- Mrs. Cook announced an upcoming vacancy on the Vestavia Hills Board of Education for a term of five years. The City Council will begin accepting applications for the appointment tomorrow morning. The application can be found under Online Services/City Clerk on the City's website vhal.org. Deadline for application is April 8, 2024, 5pm. Applicants are required to provide a resume along with the application. Interviews will be held April 11, 2024, and carry over, if needed, to April 17, 2024. The appointment will be made at the April 22nd meeting. She invited anyone interested to apply.
- Mr. Pierce welcomed Chamber of Commerce members Katherine McRee and Keri Bates.
- The Mayor stated that the City had advertised an opening on the Planning and Zoning Commission, but there were no responses. The Mayor will reappoint Commission member Lyle Larson who offered to be re-appointed temporarily as the Mayor continues to look for a new person to finish Mr. Larson's term.
- Mr. Weaver announced that the regular meeting of the Planning and Zoning Commission will be held Thursday in the Council Chambers beginning at 6 PM.

8. City Manager's Report

- Mr. Downes stated the City is moving forward with the Vestavia Hills Service Stars program. The formal kickoff was today, but they already have a recipient who serves as a prime example of what this program represents.

  - Mrs. McCulley stated that, last week, the Chamber was having an after-hours work event. A few doors down, there was a shoplifting event whereby two officers responded to find the accused, a mother, and her two children, ages 6 and 4 years old. Officers Juan Chauvez and Casey Cooper bought the two children a bag of toys to play with while the incident was resolved. Chamber members attending the nearby event were so struck by the officers' generosity and kindness that they contacted Mrs. McCulley to relay the story. Officer Cooper will soon become the city's second compliance officer and will be very involved in face-to-face contact with residents, so it is good to see he is already making a positive impact. Mr. Downes stated that this reinforces why recognizing Service Stars is important as it encourages employees to go the extra mile.
- Mr. Downes gave an update on the HVAC chiller claim for the Civic Center. A mediation occurred but there was no progress because the parties could not agree to a workable solution. The next step will be mandatory arbitration that will yield a decision. There is still a window of opportunity between now and then for the parties come together to cover the City's claim. The City has notified the contractor that the City will call the bond unless there is a purchase order for a replacement chiller, with proof they have ordered the parts.

9. Councilors' Reports

- Mrs. Cook updated the Council on HB151 and HB152 concerning gambling, including online sports wagering, ten Class III casinos, and a lottery. The Senate passed a different substitute bill which included a lottery, seven pari-mutuel casino sites, and a Compact with the Poarch Creek Band of Indians that may include Class III gambling. If the House does not concur, the bills go to a conference committee. If the Legislature passed these bills , there will be a referendum on September 10, 2024.
- Mr. Pierce commended Mrs. Cook on her work in Montgomery. When the Legislature reconvenes from spring break, they will be halfway through the session.
- Mr. Pierce stated he will attend the Chamber luncheon tomorrow at the Country Club. He indicated that the keynote speaker will be VHHS Football Coach Robert Evans.

10. Approval Of Minutes - February 15 & 16, 2024 Strategic Work Session and February 26, 2024 Regular Meeting Minutes

The Mayor announced that the minutes of the February 15 & 16, 2024 Work "Strategic" Session and February 26, 2024 Regular Meeting are being presented for approval. He opened the floor for a motion.

MOTION: Approve the minutes as presented. Motion By: Rusty Weaver. Seconded By: George Pierce.
Roll call vote as follows: Yes: Ashley Curry, Rusty Weaver, Kimberly Cook, Paul Head, George Pierce.
No: None. Abstain: None. Motion passed.

<u>Old Business (Public Hearing)</u>

11. Public Hearing - Ordinance Number 3212 - Annexation - Overnight - A portion of 1051 Highwall Drive; Lot 1 The Bray at Liberty Park First Addition; Liberty Park Joint Venture, Owners

MOTION: Approve Ordinance 3212 as presented. Motion by: Kimberly Cook. Seconded by: George Pierce.

Mr. Downes explained that this annexes the corridor in Liberty Park that Birmingham recently de-annexed. This series of actions allows a relocation of Birmingham's corridor so that this office building will be built solely in Vestavia Hills.

The Mayor opened the floor for a public hearing. There being no one present to address the Council on this issue, the Mayor closed the public hearing and called for the question.

VOTE: Roll call vote as follows: Yes: Ashley Curry, Rusty Weaver, Kimberly Cook, Paul Head, George Pierce.
No: None. Abstain: None. Motion passed.

<u>New Business</u>

12. Ordinance Number 3209 - An Ordinance to amend Ordinance Number 3176 providing for levying of municipal taxes for the City of Vestavia Hills and for assessment and collection by Jefferson County

MOTION: Approve Ordinance Number 3209 as presented. Motion by: Rusty Weaver. Seconded by: George Pierce.

The Mayor explained this ordinance along with the next ordinance will allow the tax assessor/collector of both Jefferson and Shelby County to assess and collect the City's municipal tax pursuant to Alabama law.

There being no further discussion, the Mayor called for the question.

VOTE: Roll call vote as follows: Yes: Ashley Curry, Rusty Weaver, Kimberly Cook, Paul Head, George Pierce.
No: None. Abstain: None. Motion passed.

13. Ordinance Number 3210 - An Ordinance providing for levying of municipal taxes for the City of Vestavia Hills and for assessment and collection thereof by Shelby County

MOTION: Approve Ordinance Number 3210 as presented. Motion by: Kimberly Cook. Seconded by: Rusty Weaver.

The Mayor stated that this Ordinance was explained previously.

There being no further discussion, the Mayor called for the question.

VOTE: Roll call vote as follows: Yes: Ashley Curry, Rusty Weaver, Kimberly Cook, Paul Head, George Pierce. No: None. Abstain: None. Motion passed.

14. Public Hearing - Resolution Number 5503 - A Resolution approving an alcohol license for Napoli Italian Restaurante and Pizza LLC d/b/a Napoli

Italian Restaurante and Pizza for the on-premise sale of 020 - Restaurant Retail Liquor; Sefer Dika, Executive

MOTION: Approve Resolution Number 5503 as presented. Motion by: George Pierce. Seconded by: Rusty Weaver.

Sefer Dika, owner and manager, stated that this is a new Italian Restaurant on Rocky Ridge. He indicated that he had opened dry and wants this license for his business.

Mr. Pierce asked how employees are trained to ensure no sales to minors. Mr. Dika stated he will use the ABC responsible vendor program.

The Mayor opened the floor for a public hearing. There being no one present to address the Council on this issue, the Mayor closed the public hearing and called for the question.

VOTE: Roll call vote as follows: Yes: Ashley Curry, Rusty Weaver, Kimberly Cook, Paul Head, George Pierce. No: None. Abstain: None. Motion passed.

15. Resolution Number 5504 - A Resolution declaring certain personal property as surplus and authorizing the City Manager to sell/dispose of said property

MOTION: Approve Resolution Number 5504 as presented. Motion by: Rusty Weaver. Seconded by: George Pierce.

The Mayor stated that this provides for disposal of a few police department vehicles that have reached the end of usefulness.

VOTE: Roll call vote as follows: Yes: Ashley Curry, Rusty Weaver, Kimberly Cook, Paul Head, George Pierce. No: None. Abstain: None. Motion passed.

16. Resolution Number 5505 - A Resolution rescheduling certain regular meetings and/or work sessions of the Vestavia Hills City Council in observance of holidays

MOTION: Approve Resolution Number 5505 as presented. Motion by: George Pierce. Seconded by: Rusty Weaver.

The Mayor explained that this reschedules some Council meetings and work sessions due to certain holidays.

There being no further discussion, the Mayor called for the question.

VOTE: Roll call vote as follows: Yes: Ashley Curry, Rusty Weaver, Kimberly Cook, Paul Head, George Pierce. No: None. Abstain: None. Motion passed.

New Business Requesting Unanimous Consent (Public Hearing)

17. Public Hearing - Ordinance Number 3214 - An Ordinance Authorizing The Settlement Of The Case Of *Anita Dunklin V. Colby Wooten, City Of Vestavia Hills, Et Al,* Being Civil Action Number 01-DV-2021-903578.00 Presently Pending In The District Court For Jefferson County, Alabama; Authorizing And Directing The Mayor And City Manager To Pay The Funds Described

Herein And To Take Any Action And Execute And Deliver Any And All Documents Necessary To Effectuate Said Settlement

The Mayor indicated that the next item requires unanimous consent for immediate consideration and action. He opened the floor for a motion.

MOTION: Unanimous consent for the immediate consideration and action of Ordinance Number 3214. Motion By: Rusty Weaver. Seconded By: Kimberly Cook.
Roll call vote as follows: Yes: Ashley Curry, Kimberly Cook, Paul Head, George Pierce.
No: None. Abstain: Rusty Weaver. Motion passed.

MOTION: Approve Ordinance Number 3214 as presented. Motion By: Kimberly Cook. Seconded By: George Pierce.

Mr. Boone explained that this case derives from information released by the VHPD concerning a fraud case reported by a local jeweler. The jewelry shop gave the VHPD a video of the incident, and it turned out to be the incorrect video. The VHPD, believing it to be a person of interest, placed the video on the internet asking the public for identification. The next day, the person depicted in the video came in, identified herself and indicated this was a mistake. She had simply gone in to get a watch repaired. It turned out it was an error because the jeweler gave the wrong video to the PD and later settled with the plaintiff in a separate lawsuit. Mr. Boone indicated that he and the City's legal counsel in this case agree that this settlement should be agreed upon as it would cost more to mount a defense on this.

The Mayor opened the floor for a public hearing. There being no one present to address the Council on this issue, the Mayor closed the public hearing and called for the question.

VOTE: Roll call vote as follows: Yes: Ashley Curry, Kimberly Cook, Paul Head, George Pierce.
No: None. Abstain: Rusty Weaver. Motion passed.

<u>First Reading (No Action To Be Taken At This Meeting)</u>

18. Public Hearing - Ordinance Number 3213 - An Ordinance authorizing the Mayor and City Manager to execute and deliver an agreement with Jefferson County Commission for Orthphotography and Planimetric Data Cost Sharing for the City's GIS Department

19. Public Hearing - Ordinance Number 3215 - An Ordinance Authorizing the Mayor and City Manager to execute and deliver an agreement with State of Alabama on behalf of Alabama Department of Transportation for certain traffic signals and lighting in the City

20. Citizens Comments

- None.

21. Time Of Adjournment

There being no further business, Mr. Pierce made a motion to adjourn. The Mayor adjourned the meeting at 6:42.

Ashley C. Curry, Mayor

ATTESTED BY:

Rebecca Leavings, City Clerk

CITY OF VESTAVIA HILLS
CITY CLERK
INTER-DEPARTMENT MEMO

March 21, 2024

To: Jeff Downes, City Manager

From: Rebecca Leavings, City Clerk

Cc:

RE: Public Hearing - Ordinance Number 3213 - An Ordinance authorizing the Mayor and City Manager to execute and deliver an agreement with Jefferson County Commission for Orthphotography and Planimetric Data Cost Sharing for the City's GIS Department

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Background:
the City of Vestavia Hills has maintained a strong partnership with Jefferson County GIS in order to obtain and share information. Jefferson County has formed a GIS Consortium and the City of Vestavia Hills has participated as a Consortium Partner for updated orthophotography and planimetric data. Jefferson County has contracted with WGI Geospatial for three (3) years until September 31, 2026 to provide updated orthophotography and planimetric data. The Consortium Partners who are providing funding for the project, through economies of scale will be able to mutually obtain the countywide data sets at a significant savings compared to one agency. As a Consortium Partners, the City of Vestavia Hill’s prorate share will not exceed $33,142.55 (Thirty-Three Thousand, One-Hundred and Forty-Two Dollars and Fifty-Five cents), per year, as detailed in an agreement. Jefferson County

continues to add partners to the consortium and, if additional partners join, the required payment will be reduced to the appropriate prorated share.

Recommendation:
This information has been useful by GIS and the zoning and engineering staff for information. The staff recommends approval.

Fiscal Impact:
The 2024 payment was included in the FY24 budget. Execution of this Ordinance will require securing the same amount for FY25 and 26.

Attachments:
1. Ordinance 3213
2. Consortium Partner Agreement -City of Vestavia Hills FY24-FY26

<u>ORDINANCE NUMBER 3213</u>

AN ORDINANCE AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE AND DELIVER AN AGREEMENT WITH JEFFERSON COUNTY COMMISSION FOR ORTHOPHOTOGRAPHY AND PLANIMETRIC DATA COST SHARING, JEFFERSON COUNTY, ALABAMA

WHEREAS, the City of Vestavia Hills has maintained a strong partnership with Jefferson County GIS in order to obtain and share information; and

WHEREAS, Jefferson County has formed a GIS Consortium and the City of Vestavia Hills has participated as a Consortium Partner for updated orthophotography and planimetric data; and

WHEREAS, Jefferson County has contracted with WGI Geospatial for three (3) years until September 31, 2026 to provided updated orthophotography and planimetric data; and

WHEREAS, the Consortium Partners who are providing funding toward the project, through economies of scale will be able to mutually obtain the countywide data sets at a significant savings compared to one agency; and

WHEREAS, as a Consortium Partners, the City of Vestavia Hill's prorate share will not exceed $33,142.55 (Thirty-Three Thousand, One-Hundred and Forty-Two Dollars and Fifty-Five cents), per year, as detailed in an agreement, a copy of which is marked as Exhibit A attached to and incorporated into this Ordinance Number 3213 as though written fully therein; and

WHEREAS, the Mayor and City Council fill it is in the best public interest to continue as a partner in the consortium and authorize the acceptance of the agreement.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF VESTAVIA HILLS, ALABAMA, AS FOLLOWS:

1. The Mayor and City Manager are hereby authorized to execute and deliver the agreement detailed in Exhibit A; and
2. A copy of the fully executed agreement shall be retained by the City Clerk; and
3. This Ordinance Number 3213 shall become effective immediately upon adoption and approval and posting/publishing pursuant to Alabama law.

ADOPTED and APPROVED this the 21st day of March, 2024.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CERTIFICATION:

I, Rebecca H. Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance Number 3213 is a true and correct copy of such Ordinance that was duly adopted by the City Council of the City of Vestavia Hills on the 21st day of March, 2024, as same appears in the official records of said City.

Posted at Vestavia Hills Municipal Center, Vestavia Hills Library in the Forest, and Vestavia Hills New Merkle House and Vestavia Hills Recreational Center this the ______ day of ______________, 2024.

Rebecca Leavings
City Clerk

CONTRACT AGREEMENT

TERMS AND CONDITIONS
Between

Jefferson County Commission
And
City of Vestavia Hills

Orthophotography and Planimetric Data Cost Sharing
Jefferson County, Alabama

CONTRACT FORM

THIS AGREEMENT made this ____ day of ______________, 2024, by and between, **Jefferson County Commission (COUNTY)** with its offices at 716 Richard Arrington Jr. Blvd. N, Birmingham, AL 35203, and **City of Vestavia Hills** with its offices at 1032 Montgomery Hwy, Vestavia Hills, AL 35216, hereinafter referred to as “Consortium Partner”.

For the purposes of this Contract, the following terms are defined as follows:

1. "Contract" means this Agreement.
2. "Consortium Partner" means The Birmingham Emergency Communication District.
3. "Contract Administrator" means Jefferson County Commission, and its duly authorized representatives.

WHEREAS, COUNTY and Consortium Partner mutually desire to maintain their existing GIS data sets through regular updates, and it is in the best interest of those served by COUNTY and Consortium Partner to financially share the cost of data acquisition updates; and

WHEREAS, COUNTY has contracted with WGI Geospatial for three years (3), until September 31, 2026, to provide updated orthophotography and planimetric data; and

WHEREAS, Consortium Partners who providing funding toward the project, through economies of scale, will be able to mutually obtain the countywide data sets at a significant savings compared to one agency contracting for the services as a single entity; and

WHEREAS, Consortium Partner has committed funds toward the project as set forth in this AGREEMENT.

ARTICLE 1. STATEMENT OF WORK (SOW)

I. Jefferson County, Alabama 2024 - 2026 Countywide 1" = 50' Scale Photogrammetric Mapping and Orthoimagery Project SOW – Attachment A

The objective of the project is to establish an intergovernmental funding consortium to obtain new digital color orthorectified aerial photography and updated planimetric data sets for Jefferson County, Alabama encompassing an area of approximately 1153 square miles. The data will be used for infrastructure analysis and management, property valuation, law enforcement, emergency management, land, and transportation planning, permitting, stormwater management, tax mapping, preliminary engineering, and to support other business processes within agency departments. The project area shall be defined as the geographic entirety of Jefferson County.

The specifications for this project are in accordance with the Alabama Department of Revenue, Property Tax Division specifications (ADV-25), Effective June 2010. The products and/or services to be provided by COUNTY hereunder (hereinafter referred to collectively as “Deliverables”) are defined below and are governed by the ALDOT/ALDOR/NMAS specifications for 1” = 100’ map accuracy standards~~.~~

Products and/or Services to Be Provided (Countywide):

- Monthly progress report and relevant data support files for archive
- True color orthophotography with 3″ resolution at 1″ = 50′ scale in geo-tiff format
- Map features listed in Attachment B in ESRI Geodatabase format.
- Change Detection parcel layer with Excel Spreadsheet of parcel numbers.

Annual Vendor Delivery Schedule:

- November through January– Ground control and flight planning
- January through March– Aerial Acquisition
- September– Orthophotography and Landmark Delivery.
- October - Additional Planimetric Updates (only in year three (3))

ARTICLE 2. INSPECTION / ACCEPTANCE

Responsibility for final inspecting, approving, and accepting equipment, software, data and/or services rendered by WGI Geospatial in the performance of the project deliverables shall rest solely with the COUNTY. Deliverables will be inspected for conformance with the project requirements prior to acceptance.

Consortium Partner may elect, if they so desire, to participate in contributing to the inspection process.

ARTICLE 3. CONSIDERATION

Consortium Partner will pay COUNTY an annual amount not to exceed **Thirty-Three Thousand One-Hundred and Forty-Two Dollars and Fifty-Five - $33,142.55.** The fee is in exchange for the COUNTY providing Consortium Partner a copy of received data products as delivered by WGI Geospatial under the Orthophotography and Planimetric Mapping Update project.

The SCHEDULE OF PAYMENTS to be made by Consortium Partner is as follows:

Full payment is due to the County by September 30th for each fiscal year as outlined below. County shall submit its invoice by August 30th of each fiscal year with payment due from Consortium Partner within 30 days.

- **FY24**
    - County Invoice to Partner: August 30th, 2024, for NTE $33,142.55
    - Partner Receives on Invoice; September 30th, 2024, for NTE $33,142.55
- **FY25**
    - County Invoice to Partner: August 30th, 2025, for NTE $33,142.55
    - Partner Receives on Invoice; September 30th, 2025, for NTE $33,142.55
- **FY26**
    - County Invoice to Partner: August 30th, 2026, for NTE $33,142.55
    - Partner Receives on Invoice; September 30th, 2026, for NTE $33,142.55

ARTICLE 4. TERM

The duration of this contract shall not exceed four years from the date of its final execution or end of the **Project**, whichever first occurs.

ARTICLE 5. TERMINATION

This agreement can be terminated by the COUNTY or Consortium Partner upon thirty (30) days written notice for any reason. Upon termination of this Agreement for any reason whatsoever, Consortium Partner shall retain all data provided by the COUNTY for which payment has been received from Consortium Partner by the COUNTY prior to the termination, but Consortium Partner will remove all data provided by the COUNTY from their respective computer systems for which payment has not been received from Consortium Partner by the COUNTY.

ARTICLE 6. RIGHT OF OWNERSHIP

All items developed and delivered as a result of Article 3 under this AGREEMENT shall become the property of the funding partners as outlined below:

- Orthorectified digital color aerial photography (owned by Jefferson County, Consortium Partner). Each party retains full ownership of the data to use as it deems appropriate.
- Photogrammetrically updated Planimetric mapping data layers (owned by Jefferson County). Consortium Partner is granted an exclusive use license for this data. This license provides that Consortium Partner shall use the Planimetric data for their respective internal business purposes and may be provided to consultants, contractors, etc. who are formally working for them.

ARTICLE 7. CONFIDENTIALITY

To the extent allowed by law, a Party may designate information to be deemed confidential because of considerations of individual privacy, safety and health, corporate proprietary claims, and other reasons in the best interests of the public or that would violate agreements with other entities.

Neither party shall be liable in damages for any disclosures pursuant to judicial actions or for inadvertent disclosure where proper degree of care has been exercised; provided, that upon discovery of such disclosure, it shall have endeavored to prevent any further inadvertent disclosure.

The receiving party shall not disclose or deliver, directly or indirectly, any technical data or product to any person to whom disclosure or delivery is prohibited by the U.S. Government, nor export, directly or indirectly, any technical data or product to any county for which the U.S. Government or any agency requires an export license or Government approval without first obtaining such license or approval.

ARTICLE 8. FORCE MAJEURE

a. For the purpose hereof, force majeure shall be any of the following events: acts of God, compliance with any order, regulation, decree of governmental authority or agency purporting to act therefore, acts of war, public disorder, rebellion, terrorism or floods, hurricanes, or other storms; or strikes or disputes, or any other cause, not within the reasonable control of the party affected.

b. A delay in or failure of performance of either COUNTY or Consortium Partner shall not constitute default hereunder nor be the basis for any claim for damages if such delay or failure is caused by force majeure.

c. The party prevented from performing by force majeure (i) shall be obligated within a period not to exceed 14 days after the occurrence or detection of such event to give notice to the other party setting forth in reasonable detail the nature therefore and the anticipated extent of the delay, and (ii) shall remedy such cause as soon as reasonably possible.

ARTICLE 9. COMPLIANCE WITH LAWS

Both parties shall comply with known and applicable laws, regulations, ordinances and other rules of governments and governmental agencies having jurisdiction over any portion of performance under this AGREEMENT.

ARTICLE 10. WAIVERS

Any failure by either party to enforce performance of the terms and conditions of this AGREEMENT shall not constitute a waiver of, or affect said party's right to avail itself of, such remedies as it may have for any subsequent breach of the terms of this AGREEMENT.

ARTICLE 11. NOTICES

Any notice or communication given pursuant to this AGREEMENT shall be in writing, as a document or in electronic form, and deemed received when delivered in person, electronic mail, facsimile, or sent prepaid via Express Mail, Federal Express or other private courier, or US certified mail, return receipt requested.

Consortium Partner agrees that any data provided will be relied upon at its own risk. COUNTY will not be responsible for incidental, consequential, or special damages, or any other damages of any type or character arising out of the use of any data, information, or products which may be furnished by the COUNTY. COUNTY does not warrant, either expressed or implied, of fitness of such data, information, or products for a particular purpose or any other use or purpose.

ARTICLE 12. NO THIRD PARTIES BENEFITED

This agreement is made and entered into solely for the benefit of the respective Parties, their successors and permitted assigns, and no other person or entity shall have any rights hereunder.

ARTICLE 13. GOVERNING LAW

This AGREEMENT shall be deemed to be a contract made under the laws of the State of Alabama and for all purposes it shall be construed in accordance with and governed by the laws of such state, conflict of law rules notwithstanding.

ARTICLE 14. IMMIGRATION LAW COMPLIANCE

By signing this Contract, the contracting parties affirm, for the duration of the Agreement, that they will not violate federal immigration law or knowingly employ, hire for employment, or continue to employ an unauthorized alien within the State of Alabama. Furthermore, a contracting party found to be in violation of this provision shall be deemed in breach of the agreement and shall be responsible for all damages resulting therefrom.

ARTICLE 15. COMPLETE AGREEMENT

This Contract document constitutes the entire AGREEMENT between the parties. This Contract may only be amended by execution of a written bilateral amendment.

ARTICLE 16. SEVERABILITY

If any provision of this agreement is declared by a court having jurisdiction to be illegal or in conflict with any law, the validity of the remaining terms and provisions shall not be affected; the rights and obligations of the parties shall be construed and enforced as if the agreement did not contain the particular provision held to be invalid.

City of Vestavia Hills - Mayor	**Jefferson County Commission**
______________________________	______________________________
Authorized Signature	Authorized Signature
______________________________	______________________________
Printed Name	Printed Name
______________________________	______________________________
Title	Title
______________________________	______________________________
Date	Date

City of Vestavia Hills – City Manager

____
Authorized Signature

____
Printed Name

____
Title

____

CITY OF VESTAVIA HILLS
PUBLIC SERVICES
INTER-DEPARTMENT MEMO

March 21, 2024

To: Jeff Downes, City Manager

From: Christopher Brady, City Engineer

Cc: Rebecca Leavings, City Clerk

RE: Public Hearing - Ordinance Number 3215 - An Ordinance Authorizing the Mayor and City Manager to execute and deliver an agreement with State of Alabama on behalf of Alabama Department of Transportation for certain traffic signals and lighting in the City

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Background:
This is an ordinance to authorize the Mayor and City Manager to execute and deliver an agreement with ALDOT for the installation and/or operation and/or maintenance of traffic control signals and/or roadway lighting along US 31.

Recommendation:
Engineering has reviewed this agreement and recommends approval.

Fiscal Impact:
na

Attachments:

1. Ordinance 3215
2. Agreement for Vestavia Hills

ORDINANCE NUMBER 3215

AN ORDINANCE AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE AND DELIVER AN AGREEMENT WITH ALABAMA DEPARTMENT OF TRANSPORTATION FOR THE INSTALLATION AND/OR OPERATION AND/OR MAINTENANCE OF TRAFFIC CONTROL SIGNALS AND/OR ROADWAY LIGHTING

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF VESTAVIA HILLS, ALABAMA, AS FOLLOWS:

1. The Mayor and City Manager are hereby authorized to execute and deliver an agreement with the State of Alabama Department of Transportation for the installation and/or operation and/or maintenance of traffic control signals and/or roadway lighting, a copy of which is marked as Exhibit A, attached to and incorporated into this Ordinance Number 3215 as if written fully therein; and
2. This Ordinance Number shall be effective immediately upon adoption and approval following publishing/posting pursuant to Alabama law.

ADOPTED and APPROVED this the 21st day of March, 2024.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CERTIFICATION OF CITY CLERK

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, Rebecca Leavings, City Clerk of the City of Vestavia Hills, Alabama, do hereby certify that the above and foregoing is a true and correct copy of an ordinance duly and legally adopted by the City Council of the City of Vestavia Hills, Alabama, on the 11th day of March, 2024 while in regular session, and the same appears of record in the minute book of said date of said City.

Witness my hand and seal of office this 21st day of March, 2024.

____
Rebecca Leavings, City Clerk

For Official Use Only: *ALDOT Agreement Number:* ______________________

Region Tracking Number: ____________________ Project Number: ____________________

Region: East Central County: Jefferson

STATE OF ALABAMA *acting by and through the*
ALABAMA DEPARTMENT OF TRANSPORTATION: *AGREEMENT for the*
INSTALLATION and/or OPERATION and/or MAINTENANCE OF TRAFFIC CONTROL SIGNALS and/or ROADWAY LIGHTING

This Agreement, in accordance with resolution number ____________________ dated (or minutes dated) ____________________ attached hereto and made part of this Agreement, is made and entered into by and between the Alabama Department of Transportation (herein referred to as STATE) and the City of Vestavia Hills (herein referred to as **MAINTAINING AGENCY**) for the accomplishment of the following work as hereinafter indicated by the alphabetic letter of "X" marked in the check-boxes below, to wit:

	(A) New Installation	**(B)** Equipment Upgrade	**(C)** Complete Removal	**(D)** Operation	**(E)** Maintenance
Traffic Control Signal:	☐	☒	☐	☐	☒
Intersection Flashing Signal/Beacon:	☐	☐	☐	☐	☐
Roadway Lighting:	☐	☐	☐	☒	☒
Other: ____________________	☐	☐	☐	☐	☐

The accomplishment of the work indicated by the alphabetic letter of "X" marked in the check-box(es) above and hereinafter signified by the use of the corresponding alphabetic letter A, B, C, D, and/or E as applicable, will be at the following location(s): *{Example: AL-3/US-31 @ Main Street [A, D, & E] denotes the installation, operation, and maintenance of the equipment installed}* ***NOTE*** *– if more space is needed, please use continuation sheets.*

US-31 - See attached sheet

1. For the purposes of this Agreement, "equipment and/or associated hardware" shall refer to the equipment and/or associated hardware used to install, upgrade, maintain, and/or operate traffic control signals, intersection flashing signals/beacons, roadway lighting, and/or other as specified in the chart above.

2. In the event the work to be accomplished above is identified by (A) and/or (B), the ■ STATE ☐ MAINTAINING AGENCY will furnish and the ■ STATE ☐ MAINTAINING AGENCY will install the equipment and/or associated

hardware utilized in the accomplishment of the work. In the event the STATE contributes funds to the work and the MAINTAINING AGENCY will be credited or debited for under-runs or overruns respectively, the "***Exhibit O***" is attached to and made part of this Agreement.

3. The equipment and/or associated hardware shall be installed in accordance with the applicable portions of the:
   A. Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD), current ALDOT approved edition.
   B. State of Alabama Project Details and Special and Standard Highway Drawings, current year version.
   C. National Electrical Code, current edition.
   D. Alabama Department of Transportation (ALDOT) Standard Specifications for Highway Construction, current edition and applicable special provisions.
   E. Code of Alabama, 1975 (as Amended) with specific reference to:
      (1) <u>§23-1-113,</u> Municipal Connecting Link Roads – Stipulations and Conditions [specifically sub-paragraphs (6) and (7)].
      (2) <u>§32-5A-32,</u> Traffic – Control signal legend.
      (3) <u>§32-5A-33,</u> Pedestrian – Control signals.
      (4) <u>§32-5A-34,</u> Flashing signals.
      (5) <u>§32-5A-35,</u> Lane – Direction – Control signals.
4. The STATE shall determine the quantity of the equipment and/or associated hardware to be utilized in the accomplishment of the work identified by (A) and/or (B) above. In the event the MAINTAINING AGENCY furnishes the equipment and/or associated hardware to be utilized in the accomplishment of the work identified by (A) and/or (B) above, the MAINTAINING AGENCY shall ascertain that the type and quality of the equipment and/or associated hardware is in accordance with the STATE's <u>Materials, Sources, and Devices with Special Acceptance Requirements (APL)</u> as maintained by the STATE's Bureau of Materials and Tests.

5. It is the sole responsibility of the MAINTAINING AGENCY to locate and/or relocate any and all utilities in conflict with the installation, upgrade, and/or maintenance of equipment and associated hardware prior to commencing work to install, upgrade, and/or maintain equipment and associated hardware. The MAINTAINING AGENCY will locate and/or relocate such utilities in accordance with all applicable Federal and State laws, regulations, and procedures. Associated utility costs will be at the sole expense of the MAINTAINING AGENCY. In the event utilities are damaged during the installation, upgrade, and/or maintenance of equipment and associated hardware due to failure of the MAINTAINING AGENCY to relocate and/or relocate such utilities, the MAINTAINING AGENCY shall be responsible for providing the funding to pay for any and all associated costs to repair the utilities.

6. Title to any and all equipment and/or associated hardware furnished by the STATE shall remain in the STATE and the STATE is deemed to be the sole owner of such equipment and/or hardware.

7. The equipment and/or associated hardware shall be operated and maintained at the sole expense of the MAINTAINING AGENCY. The MAINTAINING AGENCY agrees to provide electrical energy on a continuing basis as required, beginning at the time of the initial electrical service connection during the construction of the system. The MAINTAINING AGENCY agrees further to maintain the equipment and/or associated hardware in a good state of repair at all times, as required in

accordance with the applicable documents: Manual on Uniform Traffic Control Devices for Streets and Highways and the Alabama Department of Transportation Standard Specifications for Highway Construction and applicable special provisions. Any traffic control signal equipment and/or associated hardware must also be maintained in accordance with any traffic signal operating plan of the STATE which is in effect at the applicable time of the maintenance. If a malfunction of the equipment and/or associated hardware should ever occur, the MAINTAINING AGENCY shall make or cause to be made any repairs immediately. If a malfunction presents a potential hazard to the motoring public and the MAINTAINING AGENCY is unable to repair the equipment and/or associated hardware in a timely manner as determined by the STATE, the MAINTAINING AGENCY agrees that the STATE reserves the right to and may repair the equipment and/or associated hardware, and invoice the MAINTAINING AGENCY for all costs incurred. The MAINTAINING AGENCY agrees to pay the STATE all such costs incurred by the STATE promptly upon receipt of the invoice from the STATE.

7a. In instances where ALDOT maintains a fiber-optic trunk line that is used in conjunction with a closed-loop signal system, the MAINTAINING AGENCY shall maintain the fiber-optic cable from the splice point in the trunk line out to the traffic control equipment.

8a. Installation requests made by the MAINTAINING AGENCY and identified on page one as “(A) New Installation” with “Traffic Control Signal” marked must follow the Traffic Signal Warrant and Justification procedure as identified in the Alabama Department of Transportation Traffic Signal Design Guide and Timing Manual, latest edition. For any warrant study/analysis which does not satisfy a traffic signal warrant or warrants, the MAINTAINING AGENCY agrees to accept any and all responsibility for any damage or injury that may be caused by or related to the installation, location, operation, sequencing, and/or maintenance of the equipment and/or associated hardware and shall defend, indemnify, and hold harmless the State of Alabama, the Alabama Department of Transportation, and its agents, servants, employees, in their official or individual capacities and/or facilities from and against all claims, damages, losses and expenses, including but not limited to attorney’s fees, arising out of or resulting from the installation, operation, and maintenance of the equipment and/or associated hardware, or any claim, damage, loss, or expense to the person or property caused. A copy of the warrant study/analysis shall be attached to and made part of this Agreement.

8b. Check one:

The ■ CITY (Incorporated Municipality)

Subject to the limitations on damages applicable to municipal corporations under Alabama Code § 11-47-190(1975), the CITY shall indemnify and hold harmless the State of Alabama, the Alabama Department of Transportation, its officers, officials, agents, servants, and employees from and against (1) claims, damages, losses, and expenses, including but not limited to attorney’s fees arising out of, connected with, resulting from, or related to the work performed by the CITY, or its officers, employees, contracts, agents or assigns (2) the provision of any services or expenditure of funds required, authorized, or undertaken by the CITY pursuant to the terms of this Agreement, or (3) any damage, loss, expense, bodily injury, or death, or injury or destruction or tangible property (other than the work itself), including loss of use therefrom, and including but not limited to attorney's fees, caused by the willful, negligent, careless, or unskillful acts of the CITY, its agents, servants, representatives, or employees, or the misuse, misappropriation, misapplication, or misexpenditure of any source of funding, compensation, or reimbursement by the CITY, its agents, servants, representatives, or employees, or anyone for whose acts the CITY may be liable.

The ☐ COUNTY (County Government or Agency)

The COUNTY shall be responsible at all times for all of the work performed under this agreement and, as provided in Alabama Code § 11-93-2(1975), the COUNTY shall indemnify and hold harmless the State of Alabama, the Alabama Department of Transportation, its officers, officials, agents, servants, and employees.

For all claims not subject to Alabama Code § 11-93-2(1975), the COUNTY shall indemnify and hold harmless the State of Alabama, the Alabama Department of Transportation, its officers, officials, agents, servants, and employees from and against any and all damages, claims, loss, liabilities, attorney's fees or expense whatsoever, or any amount paid in compromise thereof arising out of, connected with, or related to (1) work performed under this Agreement, (2) the provision of any services or expenditure of funds required, authorized, or undertaken by the COUNTY pursuant to the terms of this Agreement, or (3) misuse, misappropriation, misapplication, or misexpenditure of any source of funding, compensation or reimbursement by the COUNTY, its officers, officials, agents, servants, and employees.

The term "hold harmless" includes the obligation of the MAINTAINING AGENCY to pay damages on behalf of the State of Alabama, the Alabama Department of Transportation, and its agents, servants, and/or employees.

9. Complete removal of the equipment and/or associated hardware, hereinabove identified by (C), will be at the sole expense of the ☐ STATE ☐ MAINTAINING AGENCY.

10. The STATE reserves the right to demand the removal of the equipment and/or associated hardware should the STATE determine that the signal is no longer required or deem its condition or operation hazardous. Further, the STATE shall have the right to remove the equipment and/or associated hardware should the MAINTAINING AGENCY fail to do so upon demand by the STATE. The MAINTAINING AGENCY agrees to reimburse the STATE for its costs associated with the removal. Any equipment and/or associated hardware which is deemed by the STATE to be non-uniform or obsolete will be removed and disposed of by the MAINTAINING AGENCY. None of the non-uniform or obsolete equipment and/or associated hardware which has been removed shall be reused on the STATE highway system.

11. If future traffic conditions require changes and/or adjustments to said equipment and/or associated hardware (other than ordinary timing), the MAINTAINING AGENCY shall obtain the approval of the STATE before such changes are implemented and the STATE shall make a determination on whether a new Agreement is required to be submitted for the UPGRADING, OPERATION, and MAINTENANCE of the new equipment and/or associated hardware. All such changes shall be at the sole cost and expense of the MAINTAINING AGENCY.

12. At such time as a warrant study is conducted on an existing signalized intersection and the results differ from the previous warrant study conducted at that signalized intersection, a new Agreement for Installation and/or Operation and/or Maintenance of Traffic Control Signals and/or Roadway Lighting shall be executed with the MAINTAINING AGENCY.

13. In the event Federal funds are utilized in the accomplishment of the work hereinbefore described, "***Exhibit M***" is attached to and made a part of this Agreement.

14. FUNDS SHALL NOT BE CONSTITUTED AS A DEBT

It is agreed that the terms and commitments contained herein shall not be construed as a debt of the State of Alabama in violation of Article 11, Section 213 of the Constitution of Alabama, 1901, as amended by Amendment Number 26. It is further agreed that if any provision of this Agreement shall contravene any statute or Constitutional Provision or Amendment, then the conflicting provision in this Agreement shall be deemed null and void.

For any and all disputes arising under the terms of this Agreement, the parties hereto agree, in compliance with the recommendations of the Governor and Attorney General, when considering settlement of such disputes, to utilize appropriate forms of non-binding alternative dispute resolution including, but not limited to, mediation by and through the Attorney General's Office of Administrative Hearings or where appropriate, private mediators.

15. The type and number of signal & pedestrian heads per intersection or roadway lighting hardware are as follows: *{Example: 5 – 3 sec, 12", red ball, yellow/green left arrow. OPTION: If plans are available to convey information below, just enter "**SEE ATTACHED PLANS**".}* ***NOTE*** *– If more space is needed, please use continuation sheets.*

See attached sheet

TYPE OF SIGNAL		CONTROLLER	
☒ Traffic Control	☒ Pedestrian Control	Make:	Model #:
☐ Flashing	☐ Lane Control	☐ Fixed Time	☐ Two Phase
☐ School Flasher	☐ Railroad Crossing	☐ Semi Actuated	☐ Four Phase
☐ Other:		☐ Full Actuated	☐ Eight Phase
		☐ Other:	
		SYSTEM ☒ YES ☐ NO	

16. In the event the work to be accomplished is identified by (A), (B), and/or (C) and [1] in part or wholly constitutes an interconnected, coordinated, fixed time relationship, signal control operation between two or more intersections (herein referred to as a SYSTEM and hereinabove indicated by the SYSTEM check-box for YES marked in the controller box above), [2] is located within the limits of a SYSTEM, or [3] is within close proximity as to adjoin a SYSTEM, the ■ STATE ☐ MAINTAINING AGENCY shall substantiate the work identified by (A), (B), and/or (C) to be SYSTEM compatible.

17. By entering into this agreement, the MAINTAINING AGENCY is not an agent of the State, its officers, employees, agents or assigns. The MAINTAINING AGENCY is an independent entity from the State and nothing in this agreement creates an agency relationship between the parties.

18. By signing this contract, the contracting parties affirm, for the duration of this agreement, that they will not violate federal immigration law or knowingly employ, hire for employment, or continue to employ an unauthorized alien within the State of Alabama. Furthermore, a contracting party found to be in violation of this provision shall be deemed in breach of this agreement and shall be responsible for all damages resulting there from.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK. SIGNATURE PAGE TO FOLLOW.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by those officers, officials, and persons thereunto duly authorized, and the Agreement is deemed to be dated and to be effective on the date stated hereinafter as the date of the approval of the Region Engineer.

(Seal of MAINTAINING AGENCY)

____
Legal Name of MAINTAINING AGENCY

Attest: ____________________________________
(Seal or notary signature)

By: ____________________________________
Authorized Signature *for* MAINTAINING AGENCY

Agreement Recommended for approval:

By: ____________________________________
Area Traffic Engineer Signature

STATE OF ALABAMA acting by and through the ALABAMA DEPARTMENT OF TRANSPORTATION

The within and foregoing Agreement is hereby approved on this __________ day of ______________________________, 20______.

APPROVED:

By: ____________________________________
Region Engineer Signature

RECORDED:

By: ____________________________________
State Traffic Engineer Signature

Date: ____________________________________
(Added to Archive)

US-31 Signal Locations

- US-31 @ Shades Crest Rd [B&E], Roadway Lighting [D&E]
- US-31 @ Laurel Rd/Tyson Dr [B&E], Roadway Lighting [D&E]
- US-31 @ Kentucky Ave [B&E], Roadway Lighting [D&E]
- US-31 @ Canyon Rd [B&E], Roadway Lighting [D&E]
- US-31 @ Old Creek Trl [B&E], Roadway Lighting [D&E]
- US-31 @ Vestavia City Hall [B&E], Roadway Lighting [D&E]
- US-31 @ Vesthaven Way [B&E], Roadway Lighting [D&E]
- US-31 @ Merryvale Rd [B&E], Roadway Lighting [D&E]
- US-31 @ Vestridge Ct [B&E], Roadway Lighting [D&E]
- US-31 @ Vestridge Dr[B&E], Roadway Lighting [D&E]
- US-31 @ Pizitz Dr[B&E], Roadway Lighting [D&E]
- US-31 @ Massey Rd[B&E], Roadway Lighting [D&E]
- US-31 @ Vestavia Pkwy[B&E], Roadway Lighting [D&E]
- US-31 @ I-65 NB Ramp/Columbiana Rd[B&E], Roadway Lighting [D&E]

US-31 Signal Heads

US-31 @ Shades Crest Rd

- 6 – 3 section, 12” LED, red/yellow/green ball
- 2 - 5 section, 12” LED, red/yellow/green ball, yellow/green left arrow

US-31 @ Laurel Rd/Tyson Dr

- 6 – 3 section, 12” LED, red/yellow/green ball
- 2 - 5 section, 12” LED, red/yellow/green ball, yellow/green left arrow

US-31 @ Kentucky Ave

- 4 – 3 section, 12” LED, red/yellow/green ball
- 4 - 5 section, 12” LED, red/yellow/green ball, yellow/green left arrow

US-31 @ Canyon Rd

- 4 – 3 section, 12” LED, red/yellow/green ball
- 4 - 5 section, 12” LED, red/yellow/green ball, yellow/green left arrow
- 1 – Luminaire head

US-31 @ Old Creek Trl

- 8 – 3 section, 12" LED, red/yellow/green ball

US-31 @ Vestavia City Hall

- 6 – 3 section, 12" LED, red/yellow/green ball
- 2 - 5 section, 12" LED, red/yellow/green ball, yellow/green left arrow

US-31 @ Vesthaven Way

- 6 – 3 section, 12" LED, red/yellow/green ball
- 2 - 5 section, 12" LED, red/yellow/green ball, yellow/green left arrow

US-31 @ Merryvale Rd

- 5 – 3 section, 12" LED, red/yellow/green ball
- 1 - 5 section, 12" LED, red/yellow/green ball, yellow/green left arrow

US-31 @ Vestridge Ct

- 6 – 3 section, 12" LED, red/yellow/green ball
- 2 - 5 section, 12" LED, red/yellow/green ball, yellow/green left arrow
- 1 – Luminaire head

US-31 @ Vestridge Dr

- 6 – 3 section, 12" LED, red/yellow/green ball
- 2 - 5 section, 12" LED, red/yellow/green ball, yellow/green left arrow

US-31 @ Pizitz Dr

- 8 – 3 section, 12" LED, red/yellow/green ball
- 2 - 5 section, 12" LED, red/yellow/green ball, yellow/green left arrow

US-31 @ Massey Rd

- 8 – 3 section, 12" LED, red/yellow/green ball
- 2 - 5 section, 12" LED, red/yellow/green ball, yellow/green left arrow

US-31 @ Vestavia Pkwy

- 4 – 3 section, 12" LED, red/yellow/green ball
- 1 - 5 section, 12" LED, red/yellow/green ball, yellow/green left arrow
- 2 – 4 section, 12" LED, red/yellow/green ball, green left arrow
- 1 – 3 section, 12" LED, red/yellow ball, green arrow

US-31 @ Columbiana Rd

- 8 – 3 section, 12” LED, red/yellow/green ball
- 2 - 5 section, 12” LED, red/yellow/green ball, yellow/green left arrow
- 3 – 3 section, 12” LED, red/yellow ball, green arrow

CITY OF VESTAVIA HILLS
CITY CLERK
INTER-DEPARTMENT MEMO

March 21, 2024

To: Jeff Downes, City Manager

From: Rebecca Leavings, City Clerk

Cc:

RE: Resolution Number 5506 - A Resolution designating the Mayor as the City of Vestavia Hills' voting delegate for the annual business meeting to be held at the 2024 Convention of the League of Municipalities in Huntsville, Alabama

---

Background:

The League of Municipalities will hold the 2024 Convention in Huntsville Alabama in May. During the Convention, the Leagues holds a business meeting for all voting delegates from member cities and towns. This Resolution authorizes the Mayor to be the voting delegate for the City of Vestavia Hills

Recommendation:

na

Fiscal Impact:

na

Attachments:

1. Resolution 5506

RESOLUTION NUMBER 5506

A RESOLUTION DESIGNATING THE MAYOR AS THE CITY OF VESTAVIA HILLS' VOTING DELEGATE FOR THE ANNUAL BUSINESS MEETING TO BE HELD AT THE 2024 ANNUAL COVENTION OF THE LEAGUE OF MUNICIPALITIES IN HUNTSVILLE, ALABAMA

BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF VESTAVIA HILLS, ALABAMA, AS FOLLOWS:

1. The Mayor is hereby designated to act as the City of Vestavia Hills' voting delegate for the business meeting of the 2024 League of Municipalities Convention to be held in Huntsville, Alabama; and
2. The Mayor is hereby authorized to complete and submit the authorizing form for said business meeting, a copy of which is marked as Exhibit A, attached to and incorporated into this Resolution Number 5506; and
3. This Resolution Number 5506 shall become effective immediately upon adoption and approval.

ADOPTED and APPROVED this the 21st day of March, 2024.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

VOTING DELEGATE AUTHORIZATION FORM

The City or Town Council must select the voting delegates and this form must be completed and returned to the **Alabama League of Municipalities on or before April 30, 2024,** in order for the municipality named below to be eligible to have its designee cast a vote at the **Annual Business Meeting of the League on Friday, May 17, 2024, at 4:00 p.m.**

The League Constitution REQUIRES that Voting Delegates and Alternates be Elected Municipal Officials and they must be selected by a vote of the City or Town Council.

Deadline to submit completed form is April 30, 2024!

The Following person(s) is authorized to cast the municipality's vote at the business session of the Annual Convention of the Alabama League of Municipalities on May 17, 2024.

Please print the requested information

1. **Voting Delegate**: ____
   Name

   ____
   Title

2. **1st Alternate Voting Delegate: Votes only in absence of Voting Delegate**

   ____
   Name

   ____
   Title

3. **2nd Alternate Voting Delegate: Votes only in absence of Voting Delegate & 1st Alternate**

   ____
   Name

   ____
   Title

Voted on by the City or Town Council on this the __________ day of _____________________, 2024

Form Completed by: ______________________________ ________________________________
(Please Print) Name Title

______________________________ ________________________________
City/Town Date

Return form to: Alabama League of Municipalities
P.O. Box 1270, Montgomery, Alabama 36102 or by Fax to (334) 263-0200 or Email to DPascal@almonline.org

CITY OF VESTAVIA HILLS
FINANCE DEPARTMENT
INTER-DEPARTMENT MEMO

March 21, 2024

To: Jeff Downes, City Manager

From: Zach Clifton, Asst. Finance Director

Cc: Melvin Turner, III, Finance Director
Jeff Downes, City Manager

RE: Resolution Number 5507 - A Resolution accepting the financial audit for FY23

Background:
Alabama law mandates that the City accept the financial audit annually and a copy be submitted to the State of Alabama. The audit for FY23 has been prepared by Carr, Riggs and Ingram and has been submitted to the City. The Finance Director, Asst. Finance Director and City Manager have reviewed the documents and recommended acceptance by the City Council.

Recommendation:
Acceptance is recommended.

Fiscal Impact:
na

Attachments:

1. Resolution 5507
2. DRAFT City of Vestavia Hills 9-30-23 FS 3.18.24

RESOLUTION NUMBER 5507

A RESOLUTION ACCEPTING THE 2022-2023 AUDIT FOR THE CITY OF VESTAVIA HILLS, ALABAMA

WHEREAS, the audit for the fiscal year 2022-2023 has been submitted to the City Manager, Mayor and the City Council for review; and

WHEREAS, the Mayor and the City Council feel it is in the best public interest to accept the audit performed by Carr, Riggs, and Ingram, LLC.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VESTAVIA HILLS, ALABAMA, AS FOLLOWS:

1. That the City Council wishes to accept the audit for the fiscal year 2022-2023; and
2. That a copy of the submitted audit be affixed to this resolution marked "Exhibit A."

ADOPTED and APPROVED this the 21st day of March, 2024.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

City of Vestavia Hills, Alabama

FINANCIAL STATEMENTS

September 30, 2023

Table of Contents

	Page
REPORT	
Independent Auditor's Report	1
MANAGEMENT'S DISCUSSION AND ANALYSIS	4.1
FINANCIAL STATEMENT	
Basic Financial Statements	
Government-wide Financial Statements	
Statement of Net Position	5
Statement of Activities	6
Fund Financial Statements	
Balance Sheet–Governmental Funds	7
Reconciliation of the Governmental Funds Balance Sheet to the Statement of Net Position	8
Statement of Revenues, Expenditures, and Changes in Fund Balances–Governmental Funds	9
Reconciliation of the Statement of Revenues, Expenditures, and Changes in Fund Balances of Governmental Funds to the Statement of Activities	10
Statement of Fiduciary Net Position–Fiduciary Funds	11
Statement of Changes in Fiduciary Net Position–Fiduciary Funds	12
Notes to Financial Statements–Index	13
Notes to Financial Statements	14
Required Supplementary Information	
Schedule of Revenues, Expenditures, and Changes in Fund Balances Budget to Actual–General Fund	56
Pension Plan	
Schedule of Changes in the Net Pension Liability and Related Ratios	57
Schedule of Employer Pension Contributions	58
Other Postemployment Benefits (OPEB)	
Schedule of Changes in OPEB Liability and Related Ratios	59
Schedule of Employer OPEB Contributions	60
Notes to Required Supplementary Information	61
Supplementary Information	
Combining Balance Sheet–Other Governmental Funds	63
Combining Statement of Revenues, Expenditures, and Changes in Fund Balances–Other Governmental Funds	64

	Page
FINANCIAL STATEMENT (Continued)	
Report on Compliance and Internal Control	
Independent Auditor's Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed In Accordance with *Governmental Auditing Standards*	65
Independent Auditor's Report on Compliance for Each Major Program and on Internal Control Over Compliance Required by Uniform Guidance	67
Schedule of Expenditures of Federal Awards	70
Notes to Schedule of Expenditures of Federal Awards	71
Schedule of Findings and Questioned Costs	72
REQUIRED COMMUNICATIONS	
Required Communications	74
Accounting Policies, Judgments and Sensitive Estimates & CRI Comments on Quality	78
Summary of Audit Adjustments	81
Management Representation Letter	82

REPORT

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INDEPENDENT AUDITOR'S REPORT

To the Mayor and City Council
City of Vestavia Hills
Vestavia Hills, Alabama

Report on the Audit of the Financial Statements

Opinions

We have audited the accompanying financial statements of the governmental activities, each major fund, and the aggregate remaining fund information of the City of Vestavia Hills, Alabama (the City), as of and for the year ended September 30, 2023, and the related notes to the financial statements, which collectively comprise the City's basic financial statements as listed in the table of contents.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, each major fund, and the aggregate remaining fund information of the City, as of September 30, 2023, and the respective changes in financial position, for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinions

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to the financial audits contained in *Government Auditing Standards,* issued by the Comptroller General of the United States. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the City, and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the City's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with generally accepted auditing standards and *Government Auditing Standards* will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with generally accepted auditing standards and *Government Auditing Standards*, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the City's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis and budgetary comparison information on pages 4.1-4.13 and page 56 as well as the pension and OPEB schedules on pages 57-60 and notes to required supplementary information on pages 61-62 be presented to supplement the basic financial statements. Such information is the responsibility of management and, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Supplementary Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the City's basic financial statements. The combining other governmental funds financial statements and schedule of expenditures of federal awards and the notes to the schedule of expenditures of federal awards, as required by Title 2 U.S. *Code of Federal Regulations Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* are presented for purposes of additional analysis and is not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and related directly to the underlying accounting and other records used to prepare the basic financial statements. The information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the combining other governmental funds financial statements and the schedule of expenditures of federal awards and the notes to the schedule of expenditures of federal awards are fairly stated, in all material respects, in relation to the basic financial statements as a whole.

Other Reporting Required by *Government Auditing Standards*

In accordance with *Government Auditing Standards*, we have also issued our report dated March 21, 2024, on our consideration of the City's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the City's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering City's internal control over financial reporting and compliance.

Carr, Riggs & Ingram, L.L.C.

CARR, RIGGS & INGRAM, LLC

Birmingham, Alabama
March 21, 2024

MANAGEMENT'S DISCUSSION AND ANALYSIS (MDA)

CITY OF VESTAVIA HILLS, ALABAMA
MANAGEMENT'S DISCUSSION AND ANALYSIS
September 30, 2023

The City of Vestavia Hills' Management Discussion and Analysis report provides an overview of the City's financial activities for fiscal year ended September 30, 2023. Please read the report in conjunction with the City's financial statements and notes to the financial statements that immediately follow this analysis.

Financial Highlights: Significant Items to Note

- The assets of the City exceeded its liabilities at September 30 2023, $144.18 million (Total Net Position).
- The City's net position increased 29.76% ($33.07 million) in 2023.
- The total cost of the City's programs for the 2023 fiscal year was $67.83 million. The net cost was $50.38 million after subtracting grants and contributions and charges for services.
- At September 30 2023, the general fund unassigned fund balance, excluding the City's committed funds (Emergency Reserves) for economic stabilization of $17.87 million and Liberty Park road maintenance of $2.43 million, was $8.85 million or 18.79% of total general fund operating expenses before debt service.
- Major capital expenditures totaled $16.9 million including $11.29 million projects in progress.
- The City decreased its outstanding General Obligation Warrants by $4.81 million, exclusive of $1.91 million held in the QECB Debt Sinking Fund.

Using the Annual Financial Report - An Overview for the User

The annual financial report consists of five parts - *management's discussion and analysis* (this section), the *independent auditors' report*, the *basic financial statements*, *required supplementary information*, and *other supplementary information*.

The City's basic financial statements are comprised of three components: 1) *government-wide financial statements*, 2) *fund financial statements*, and 3) *notes to the basic financial statements*.

Government-Wide Financial Statements - The focus of these statements is to provide readers with a broad overview of the City's finances as a whole, similar to a private-sector business, instead of an individual fund basis.

Go*vernment-wide statements* report both long-term and short-term information about the City's overall financial status including the capitalization of capital assets and depreciation of all exhaustible capital assets and the outstanding balances of long-term debt and other obligations. These statements report all assets and liabilities perpetuated by these activities using the accrual basis of accounting. The accrual basis takes into account all of the City's current year's revenues and expenses regardless of when cash is received or paid. This approach moves the financial reporting method for governmental entities closer to the financial reporting methods used in the private sector.

The following *government-wide financial statements* report is on all of the governmental activities of the City as a whole.

The *Statement of Net Position* (on page 5) is most closely related to a balance sheet. It presents information on all of the City's assets (what it owns) and liabilities (what it owes), with the difference between the two reported as net position. The net position reported in this statement represents the accumulation of changes in net position for the current fiscal year and all fiscal years in the past combined.

Over time, the increase or decrease in net position reported in this statement may serve as a useful indicator of whether the financial position of the City is improving or deteriorating.

The *Statement of Activities* (on page 6) is most closely related to an income statement. It presents information showing how the City's net position changed during the current fiscal year only. All of the current year revenues and expenses are accounted for in the *statement of activities* regardless of when cash is received or paid. This statement shows gross expenses and offsetting program revenues to arrive at net cost information for each major expense function or activity of the City. By showing the change in net position for the year, the reader may be able to determine whether the City's financial position has improved or deteriorated over the course of the current fiscal year.

However, the reader will also need to consider non-financial factors, such as changes in the City's property tax base and the condition of the City's infrastructure assets, in order to assess the overall health of the City.

Fund Financial Statements - A fund is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The City uses fund accounting to ensure and demonstrate compliance with finance-related legal and internal requirements. All of the funds of the City can be classified as governmental funds.

Governmental Funds - *Governmental fund financial statements* begin on page 7. These statements account for basically the same governmental activities reported in the *government-wide financial statements*. *Fund financial statements* presented herein display information on each of the City's most important governmental funds or *major funds*. This is required in order to better assess the City's accountability for significant governmental programs or certain dedicated revenue. The City's *major funds* are the General Fund, the Capital Projects Fund, the Capital Projects - Community Spaces Fund, and the Debt Service Fund.

Fiduciary Funds - *Fiduciary fund financial statements* begin on page 11. These statements are used to report assets held in a trustee or custodial capacity for others that cannot be used to support the government's own programs. Related collections and payments are also reported in fiduciary funds.

The *Fund Financial Statements* are measured on the modified-accrual basis of accounting. As a result, the *fund financial statements* focus more on the near-term use and availability of spendable resources. The information provided in these statements is useful in determining the City's immediate financial needs. This is in contrast to the accrual-based *government-wide financial statements*, which focus more on overall long-term availability of spendable resources. The relationship between governmental activities reported in the *government-wide financial statements* and the governmental funds reported in the *fund financial statements* are reconciled on pages 8 and 10 of these financial statements. These reconciliations are useful to readers in understanding the long-term impact of the City's short-term financing decisions.

Notes to the Basic Financial Statements - The *notes to the basic financial statements* provide additional information that is essential for the statements to fairly represent the City's financial position and its operations. The notes contain important information that is not part of the basic financial statements. However, the notes are an integral part of the statements, not an appendage to them. The *notes to the basic financial statements* begin on page 14 in this section.

After the presentation of the basic financial statements, the *required supplementary information* is presented following the notes to the basic financial statements. The *required supplementary information* beginning on page 56 provides a comparison of the adopted budget of the City's General Fund to the actual operating results for the fiscal year. The comparison of this data allows users to assess management's ability to project and plan for its operations throughout the year. Various information regarding changes in the City's net pension liability and employer contributions to the pension plan are also presented in this section.

Analysis of the City of Vestavia Hills' Overall Financial Position
As indicated earlier, net position may serve over time as a useful indicator of a government's financial position. Refer to *Table 1* when reading the following analysis of net position.

Table 1: Summary of Net Position

	As of September 30, (dollars in thousands)	
	2023	**2022**
Assets:		
Current and other assets	$ 49,513	$ 53,090
Capital assets	240,825	209,108
Total Assets	290,338	262,198
Deferred outflows	20,420	11,755
Liabilities:		
Other liabilities	17,150	23,445
Long-term liabilities	146,094	130,205
Total Liabilities	163,244	153,650
Deferred inflows	3,334	9,190
Net position:		
Net invested in capital assets	136,264	100,126
Restricted	2,870	2,805
Unrestricted (deficit)	5,046	8,182
Total Net Position	$ 144,180	$ 111,113

The City's assets and deferred outflows exceeded liabilities and deferred inflows by $144.18 million at September 30 2023.

Net investment in capital assets of $136.26 million reflects the City's investment in capital assets (e.g., land, infrastructure, buildings, improvements other than buildings, fixtures, furniture, equipment and transportation equipment), less accumulated depreciation and debt related to the acquisition of the assets. Since these capital assets are used in governmental activities, this portion of net assets is not available for future spending or funding of operations.

Restricted net position in the amount of $2.87 million represents net position restricted for debt service, $1.97 million, capital projects, $459, and road maintenance, $0.90 million.

Analysis of the City of Vestavia Hills' Operating Results
The results of this fiscal year's operations as a whole are reported in detail in the *Statement of Activities* on page 6.

Table 2 below condenses the results of operations for the fiscal year into a format where the reader can easily see the total revenues of the City for the year. It also shows the impact that operations had on changes in net position as of September 30 2023 and 2022.

Table 2: Summary of Changes in Net Position

	Fiscal Year Ended September 30, (dollars in thousands) 2023	2022
Program Revenues:		
Charges for services	$ 10,459	$ 8,775
Operating grants/contributions	6,311	6,107
Capital grants/contributions	675	366
General Revenues:		
Taxes	53,218	50,434
State shared revenue	969	929
Utility franchise fees	2,861	2,789
Investment earnings	423	167
Gain/(loss) on investments	923	(352)
Miscellaneous	2,874	179
Sale of assets	126	89
Donated infrastructure assets	22,054	628
Total Revenues	100,893	70,111
Program Expenses:		
General government	12,318	9,279
Public safety	28,518	25,234
Public works/Public services	14,765	15,406
Library	3,512	3,341
Parks and recreation	5,400	-
Appropriations to BOE	280	280
Interest on long term debt	3,033	3,517
Total Expenses	67,826	57,057
Change in net position	33,067	13,054
Net Position, beginning of year	111,113	98,059
Net Position, ending	$ 144,180	$ 111,113

The City’s revenues, excluding donated infrastructure assets, which do not provide spendable funds, increased $9.36 million or 13.47%. The increase resulted principally from taxes, $2.78 million or 5.52%, Miscellaneous, $2.70 million or 1,505.59%, and charges for services, $1.68 million or 19.19%.

The City’s program expenses increased $10.77 million or 18.87%. The increase resulted principally from general government, $3.04 million or 32.75%, public safety, $3.28 million or 13.01% and parks and recreation, $5.40 million or 100.00%.

Table 3 is a condensed statement taken from the Statement of Activities on page 6 showing the total cost for providing services for five major City activities. Total cost of services is compared to the net cost of providing these services. The net cost of services is the remaining cost of services after subtracting grants and charges for services that the City used to offset the program's total cost. In other words, the net cost shows the financial burden that was placed on all taxpayers for each of these activities. This information allows citizens to consider the cost of each program in comparison to the benefits provided.

Table 3: Net Cost of Government-Wide Activities

	Fiscal Year Ended September 30, 2023 (dollars in thousands)	
	Total Cost of Services	**Net Cost (Benefit) of Services**
General government administration	$ 12,318	$ 2,855
Public safety	28,518	26,524
Public works/Public services	14,765	10,517
Library	3,512	3,301
Parks and recreation	5,400	3,871
Appropriations to BOE	280	280
Interest on long term debt	3,033	3,033
Total	$ 67,826	$ 50,381

Performance of City Funds

As noted earlier, the City uses fund accounting to control and manage resources in order to ensure compliance with finance-related legal and internal requirements. Using funds to account for resources for particular purposes helps the reader to determine the City's accountability for these resources whether provided by taxpayers and other entities, and to help to provide more insight into the City's overall financial health. The following analysis of the City's funds should be read in reference to the *fund financial statements* that begin on page 7.

Governmental Funds - The focus of the City's governmental funds is to provide information on near-term inflows, outflows, and balances of available resources. Such information is useful in assessing the City's financial requirements (Note: the reconciliation statement between the *fund financial statements* and the *government-wide financial statements* are presented on pages 8 and 10). At the end of the fiscal year, the City's governmental funds reported a combined fund balance of $37.10 million, which includes general fund balances of $17.87 million committed funds to be used for economic stabilization in the event of an unforeseen emergency, $2.43 million committed funds to be used for Liberty Park road maintenance, and $8.85 million unassigned funds which is available to address future needs.

Budgetary Highlights of the General Fund

On or before October 1 of each year, the City Manager prepares and submits an annual budget to be adopted by the City Council. The fiscal year 2023 budget was adopted September 12, 2022. The comparison of the general fund budget to the actual results is detailed in the "Statement of Revenues, Expenditures and Changes in Fund Balances - Budget and Actual” on page 56. The City’s actual results as compared to the City’s budget can be briefly summarized as follows:

- Actual revenues exceeded total budgeted revenues by $7.91 million or 13.62%. Ad valorem real estate and sales taxes were the largest revenue generators, representing $47.48 million or 78.91% of total budgeted revenues.
- Actual expenditures exceeded budget by $0.87 million or 1.88%. The overage resulted principally due to capital outlay exceeding budget by $0.53 million or 1063.23%, public safety exceeding budget by $0.20 million or .82%, and parks and rec exceeding budget by $0.24 million or 5.62%.

Capital Assets and Debt Administration

Capital Assets - The City's investment in capital assets for governmental activities for fiscal year ended September 30 2023 was $136.26 million, net of accumulated depreciation and debt related to the acquisition of the assets. The City's investment in capital assets, which includes land, land improvements, infrastructure, buildings and improvements, fixtures, equipment, vehicles and furniture at actual or estimated historical cost, equipment purchased through financing arrangements, and construction in progress, is shown in *Table 4*. Assets are presented net of accumulated depreciation.

Table 4: Capital Assets (net of accumulated depreciation)

	Fiscal Year Ended September 30, (dollars in thousands)	
	2023	**2022**
Land	$ 94,571	$ 90,033
Construction-in-progress	36,738	49,033
Buildings	22,787	23,728
Right-to-use asset: Building	1,504	-
Land improvements	21,938	5,522
Vehicles	7,924	6,490
Recreational facilities	6,028	6,603
Equipment and fixtures	3,598	3,846
Subscriptions	253	-
Books and artwork	108	180
Infrastructure	45,376	23,673
Total	$ 240,825	$ 209,108

Additions to capital assets during the current year included the following:

Construction-in-progress	$	11,288
Buildings		1,649
Vehicles		3,157
Recreational facilities		31
Equipment and fixtures		772
Infrastructure		22,054
Total	$	38,951

Long-Term Debt - At year-end, the City had $98.20 million in general obligation warrants and financing arrangements. This represents a decrease of 3.92% in debt over last fiscal year, as shown in *Table 5* below.

Table 5: Outstanding Debt

As of September 30, 2023
(dollars in thousands)

	Beginning Balance		Net Change		Ending Balance	
Government activities:						
Warrant payable	$	94,170	$	(4,485)	$	89,685
Financing arrangements		8,029		481		8,510
Totals	$	102,199	$	(4,004)	$	98,195

Long-term debt activity for the year consisted of the following:

- ❖ The City reduced its general obligation warrants by $4.49 million. The ending balance includes $1.91 million, including interest, held in the debt sinking fund for the “Qualified Energy Conservation Bonds” (QECB) payment.
- ❖ There was a net increase of $.48 million in financing arrangements resulting from the City obtaining additional financing for capital projects and equipment offset by normal principal payments of outstanding financing arrangements.
- ❖ A favorable bond rating facilitates the City’s ability to meet financial obligations. Moody’s Investors Service assigned the City of Vestavia Hills a rating of “AAA stable” on its “Series 2021 Warrants.

Economic Factors and Next Year’s Budget

Ad Valorem Tax – The City’s ad valorem tax is based on annual reassessment of real estate and was the city’s second largest revenue generator in fiscal year 2023. Over the previous five years, ad valorem taxes have exceeded budget resulting from the annual appreciation of real estate.

Ad Valorem Taxes - Real Estate

Fiscal Year	Budget	Actual	Variance
2019	$ 14,175,565	$ 14,611,667	$ 436,102
2020	14,668,306	15,786,903	1,118,597
2021	15,740,785	16,605,261	864,476
2022	16,785,573	17,139,276	353,703
2023	17,311,511	18,989,813	1,678,302

Personnel Administration Costs – The City's personnel administration is provided by the Personnel Board of Jefferson County (PBJC). Participating municipalities pay an annual fee based on the number of classified employees employed by the municipality times a percentage of the PBJC's operating budget. The City of Vestavia Hills actual expense for fiscal year 2023 was $321,942.

Medical Costs – The City of Vestavia Hills' health insurance is with and administered through the "State of Alabama Local Government Health Insurance Board". In fiscal year 2023, Vestavia Hills retained its preferred insurance classification rating resulting from minimal medical claims and 80% or greater employee participation in the State of Alabama's "Wellness Screening Program". There was a budgeted increase of 6.5%, anticipating an increase by the Alabama Local Government Health Insurance Board in calendar year 2023, which resulted in a budgeted contribution of $2.69 million.

Retirement Costs –The City's retirement program for employees is provided through the Retirement System of Alabama (RSA). The pension plan is currently funded at 59.64%, reflecting an unfunded liability of $45.94 million as of the latest measurement date – September 30, 2023. Vestavia Hills' contribution factors for fiscal year 2023 were 15.02% - Tier 1 and 13.56% - Tier 2, representing budgeted contributions of $3.23 million.

Cost-of-Living Raise – A 5% cost of living adjustment was included in the 2023 fiscal year budget.

CITY MANAGER'S COMMENTS:

Fiscal Year 2023 Management Report

Review of the financial and economic activities with the City of Vestavia Hills during FY 2023 reveal a robust economic climate for our community that is in high demand for residential and commercial audiences. Quality and conveniently located housing with access to an excellent school system continues to provide a strong demand for available existing and soon to be constructed residences. In fact, the September 30, 2023 Zillow Home Value Index for single family homes in Vestavia Hills indicate a 3.9% year-over-year growth in home values. This is on top of Vestavia Hills' home values that Zillow report to be 54% higher than the United States average for single family homes. From a commercial standpoint, Vestavia Hills saw a notable increase in the valuation of commercial new construction in the fiscal year along with a large increase in the number of residential and commercial new construction permits. This is primarily the result of construction commencement at a new development called the Bray. The City was able to successfully negotiate a public-private partnership with the Liberty Park Joint Venture (LPJV) for this development in the previous fiscal year. The deal will launch the development of the last 700 acres of undeveloped acreage within the city limits. The real estate ownership is actively preparing the site that will bring over $850 million in new investment into Vestavia Hills over the course of the next 10-15 years. The first noteworthy project will be the construction of the new corporate headquarters of Medical Properties Trust. Construction on this catalyst project began in the fall of 2023. These impressive real estate metrics buoy the City's continued growth in ad valorem taxes - an important portion of the City's mix of tax revenue.

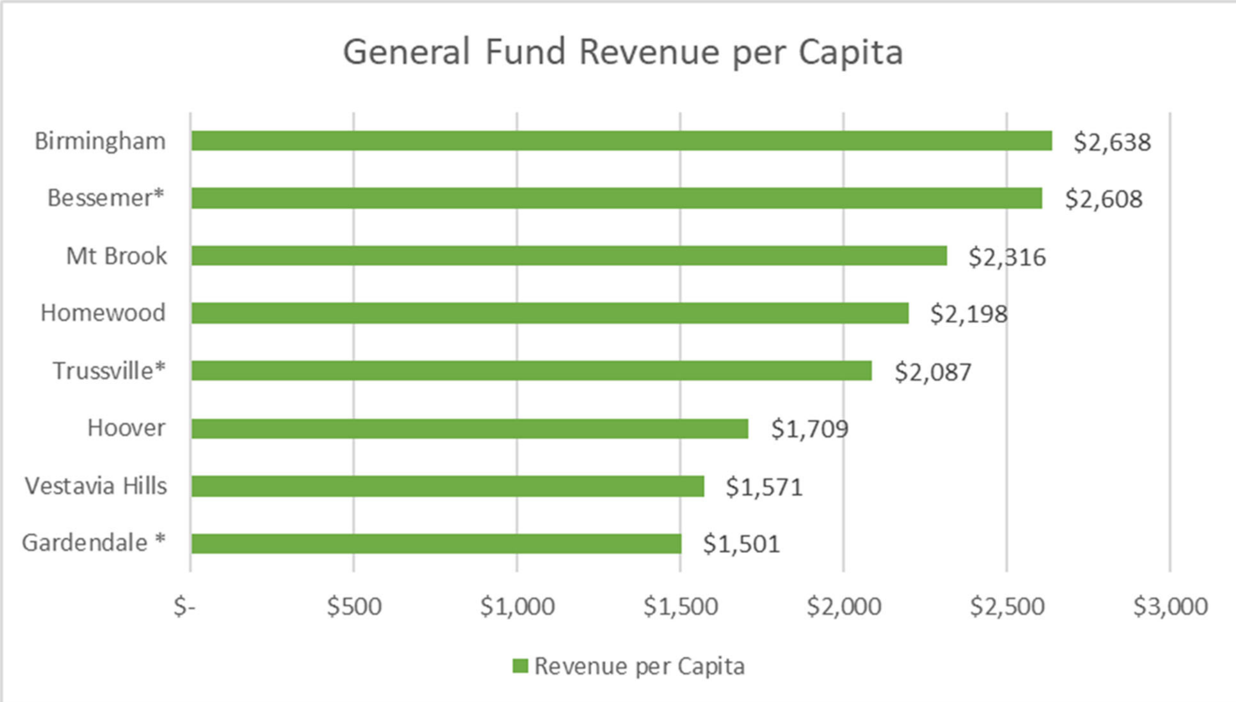
<u>The Bray - Project Benefits to the City of Vestavia Hills and Jefferson County:</u>

Given the scope and capital investment described in the project description ($850 million), a conservative fiscal impact study was produced through mutual efforts of the LPJV and City of Vestavia Hills. The results of which are included below. These fiscal impacts are direct tax and fee benefits derived from the project as described. They do not include indirect benefits.

City of Vestavia Hills (including its school system)	$230,226,724	77%
Jefferson County (includes general and educational revenues)	$ 69,887,599	23%
Total Local Fiscal Impact	$300,114,323	

The Bray Town Center

Additionally, the City of Vestavia Hills continues to experience extraordinary growth in its other large tax revenue - sales tax. The sales tax gives a great indication of the gross economic activity occurring within the city. Locally collected and on-line sales taxes remain at all-time high levels. Notable restaurants such as The Standard and Starbuck's Coffee opened during FY2023. During FY 2020, the City strategically facilitated the private sector construction of two additional Publix branded grocery stores that opened in the midst of the pandemic. The addition of those two locations and, with them being operational for the last several years, led to a dramatic increase in sales taxes associated with grocery purchases. The large revenue growth in the city was also accompanied with very conservative budgeting and expense management. Vestavia Hills continues to prosper even though per capita revenues are well below neighboring communities.



The resulting financial implication for the City's General Fund was a record surplus to end FY 2023. This surplus further reinforced existing financial reserves. The results and historical context are illustrated in the table below.

General Fund Surplus and Fund Balance
City of Vestavia Hills
Actual Results

Fiscal Year	FY Surplus (Deficit)	EOY Fund Balance	% Change
2023	$ 4,371,136	$ 29,261,641	17.56%
2022	3,725,513	24,890,505	17.60%
2021	2,444,345	21,164,992	13.06%
2020	2,717,800	18,720,647	16.98%
2019	1,459,976	16,002,847	10.04%
2018	1,184,355	14,542,871	8.87%

The facts expressed in this report continue to illustrate an economically strong and viable city with foundational elements that support long term success in sustaining strong City services and providing a quality of living that is very appealing for current and future residents and businesses. The more comprehensive results provided in this audited financial report reinforces these statements.

Conclusion

From a City Manager's perspective, the City of Vestavia Hills is well positioned to continue to provide exceptional city services, withstand economic disruptions and be sustainable in the long term given the financial and operational decisions made by our City Council and operational leadership. The steady implementation of a solid strategic plan coupled with discipline are the keys to these past and future accomplishments.

Contacting the City's Financial Management

This financial report is designed to provide citizens, taxpayers, investors, and creditors with a general overview of the City's finances and to show the City's accountability for the money it receives. If you have any questions about this report or need additional financial information, contact Melvin Turner, III, Finance Director - City of Vestavia Hills, 1032 Montgomery Highway, Vestavia Hills, AL 35216, or by calling (205) 978-0128, Monday through Friday, 8:00 a.m. to 5:00 p.m., Central Standard Time.

FINANCIAL STATEMENTS

City of Vestavia Hills, Alabama
Statement of Net Position

September 30, 2023		Governmental Activities
Assets		
Cash	$	8,352,237
Cash - restricted		3,133,963
Investments		27,803,050
Investment - restricted		1,911,965
Receivables, net of allowance for uncollectibles		5,159,530
Leases receivable		2,929,798
Prepaid expenses		112,866
Land		94,570,987
Construction in progress		36,737,906
Capital assets, net of accumulated depreciation and amortization		107,759,039
Right-to-use lease assets, net of accumulated amortization		1,503,800
Right-to-use subscription assets, net of accumulated amortization		253,494
Total assets		290,228,635
Deferred Outflows of Resources		
Deferred charges - debt refunding		1,297,476
Employer pension contributions subsequent to measurement date		3,229,299
Differences between expected and actual experience of pension plan		3,787,109
Changes of assumptions - pension		3,125,941
Net difference between projected and actual earnings on pension plan investments		8,161,820
Differences between expected and actual experience of OPEB plan		435,645
Changes of assumptions - OPEB		382,808
Total deferred outflows of resources		20,420,098
Liabilities		
Accounts payable		2,897,956
Retainage payable		640,395
Accrued payroll		25,951
Court and performance bonds payable		1,414,120
Accrued interest payable		262,472
Other liability - claim on cash		1,500,922
Unearned revenues - grants		2,580,373
Unearned revenues - other		39,098
Current portion		
Due within one year		
Compensated absences		508,981
Warrant obligations, net		4,470,000
Direct - vehicle and equipment financing arrangements		2,418,992
Lease liability		136,217
Subscription liability		145,675
Noncurrent liabilities		
Due in more than one year		
Compensated absences		2,884,227
Warrant obligations, net		88,024,657
Direct - vehicle and equipment financing arrangements		6,090,590
Lease liability		1,377,469
Subscription liability		86,678
Net pension liability		45,940,154
OPEB liability		1,689,345
Total liabilities		163,134,272
Deferred Inflows of Resources		
Leases		2,851,912
Differences between expected and actual experience of pension plan		175,920
Changes of assumptions - OPEB liability		306,331
Total deferred inflows of resources		3,334,163
Net Position		
Net investment in capital assets		136,263,715
Restricted for debt service		1,966,313
Restricted for capital projects		459
Restricted for gas tax funds		903,768
Unrestricted		5,046,043
Total net position	$	144,180,298

The accompanying notes are an integral part of these financial statements.

For the year ended September 30, 2023

Program Activities	Expenses	Program Revenues: Fees, Fines and Charges for Services	Program Revenues: Operating Grants and Contributions	Program Revenues: Capital Grants and Contributions	Net (Expense) Revenue and Changes in Net Position Primary Government: Total
Primary government					
Governmental activities					
General government administration	$ 12,318,384	$ 5,590,716	$ 3,511,841	$ 360,766	$ (2,855,061)
Public safety	28,518,251	1,028,713	965,656	-	(26,523,882)
Public services	14,764,661	3,719,972	213,329	313,951	(10,517,409)
Library	3,511,666	119,556	91,198	-	(3,300,912)
Parks and recreation	5,399,866	-	1,528,776	-	(3,871,090)
Appropriations to BOE	280,000	-	-	-	(280,000)
Interest on long-term debt	3,032,861	-	-	-	(3,032,861)
Total primary government	$ 67,825,689	$ 10,458,957	$ 6,310,800	$ 674,717	(50,381,215)
General revenues					
Taxes					
Advalorem (real and personal property)					21,380,057
Sales and use					29,807,104
Other taxes					2,031,121
State shared revenues					969,188
Utility franchise fees					2,861,058
Investment earnings					423,808
Donated infrastructure assets					22,053,547
Donations					2,751,708
Miscellaneous					121,491
Gain on sale of assets					126,147
Gain on sale of investments					923,080
Total general revenues					83,448,309
Change in net position					33,067,094
Net position at beginning of year					111,113,204
Net position at end of year					$ 144,180,298

The accompanying notes are an integral part of these financial statements.

Balance Sheet–Governmental Funds

September 30, 2023

	General	Capital Projects	Capital Projects-Community Spaces	Debt Service	Other Governmental Funds	Total Governmental Funds
Assets						
Cash	$ 221,166	$ 5,137,285	$ 1,642,537	$ 54,348	$ 1,296,901	$ 8,352,237
Cash - restricted	1,431,557	1,701,947	459	-	-	3,133,963
Investments	27,803,050	-	-	-	-	27,803,050
Investments - restricted	-	-	-	1,911,965	-	1,911,965
Accounts receivable,						
net of allowance for uncollectibles	3,362,811	615,351	7,475	-	1,173,893	5,159,530
Leases receivable	2,929,798	-	-	-	-	2,929,798
Prepaid expenses	112,866	-	-	-	-	112,866
Interfund receivables	216,117	-	-	-	-	216,117
Total assets	$ 36,077,365	$ 7,454,583	$ 1,650,471	$ 1,966,313	$ 2,470,794	$ 49,619,526
Liabilities						
Accounts payable	$ 1,527,097	$ 654,610	$ 673,823	$ -	$ 42,426	$ 2,897,956
Retainage payable	-	-	640,395	-	-	640,395
Accrued payroll	25,951	-	-	-		25,951
Court and performance bonds payable	1,414,120	-	-	-	-	1,414,120
Other liability - claim on cash	957,546	-	-	-	543,376	1,500,922
Interfund payables	-	-	-	-	216,117	216,117
Unearned revenues - grants	-	2,580,373	-	-	-	2,580,373
Unearned revenues - other	39,098	-	-	-	-	39,098
Total liabilities	3,963,812	3,234,983	1,314,218	-	801,919	9,314,932
Deferred Inflows of Resources						
Leases	2,851,912	-	-	-	-	2,851,912
Unavailable revenues	-	350,000	-	-	-	350,000
Total deferred inflows of resources	2,851,912	350,000	-	-	-	3,201,912
Fund Balances						
Nonspendable	112,866	-	-	-	-	112,866
Restricted for:						
Road maintenance	-	-	-	-	903,768	903,768
Capital projects	-	-	459	-	-	459
Debt service	-	-	-	1,966,313	-	1,966,313
Committed to:						
Capital projects	-	3,869,600	335,794	-	-	4,205,394
Emergency reserve	17,865,879	-	-	-	-	17,865,879
Liberty Park - road maintenance	2,431,751	-	-	-	-	2,431,751
Assigned	-	-	-	-	765,337	765,337
Unassigned (deficit)	8,851,145	-	-	-	(230)	8,850,915
Total fund balances	29,261,641	3,869,600	336,253	1,966,313	1,668,875	37,102,682
Total liabilities, deferred inflows of resources, and fund balances	$ 36,077,365	$ 7,454,583	$ 1,650,471	$ 1,966,313	$ 2,470,794	$ 49,619,526

The accompanying notes are an integral part of these financial statements.

City of Vestavia Hills, Alabama
Reconciliation of the Governmental Funds Balance Sheet to the Statement of Net Position

September 30, 2023

Fund balances - total governmental funds		$ 37,102,682
Amounts reported for governmental activities in the statement of net position are different because:		
Capital assets used in governmental activities are not current financial resources and, therefore, are not reported in the governmental funds balance sheet.		
Governmental capital assets	$317,215,765	
Accumulated depreciation	(76,390,539)	240,825,226
Deferred outflows of resources related to debt refundings, pensions, and OPEB are applicable to future periods and, therefore, are not reported in the governmental funds balance sheet.		20,420,098
Deferred inflows of resources related to pensions and OPEB are applicable to future periods and, therefore, are not reported in the governmental funds balance sheet.		(482,251)
Deferred inflows of resources related to unavailable revenues		350,000
Long-term liabilities are not due and payable in the current period and, therefore, they are not reported in the governmental funds balance sheet.		
Warrant obligations, net	(92,494,657)	
Net pension liability	(45,940,154)	
OPEB liability	(1,689,345)	
Compensated absences	(3,393,208)	
Accrued interest payable	(262,472)	
Lease liability	(1,513,686)	
Subscription liability	(232,353)	
Direct - vehicle and equipment financing agreements	(8,509,582)	(154,035,457)
Net position of governmental activities		$144,180,298

The accompanying notes are an integral part of these financial statements.

City of Vestavia Hills, Alabama
Statement of Revenues, Expenditures, and Changes in Fund Balances–Governmental Funds

For the year ended September 30, 2023	General	Capital Projects	Capital Projects - Community Spaces	Debt Service	Other Governmental Funds	Total Governmental Funds
Revenues						
Taxes	$ 51,351,670	$ -	$ -	$ -	$ 1,866,612	$ 53,218,282
Licenses and permits	6,481,012	-	-	-	314,886	6,795,898
Intergovernmental	-	-	-	-	969,187	969,187
Charges for services	1,377,440	-	-	-	-	1,377,440
Fines and forfeitures	392,457	-	-	-	568,634	961,091
Fees	2,912,364	-	-	-	-	2,912,364
Grants	1,218,454	4,143,589	1,460,126	-	46,687	6,868,856
Proceeds from sale of assets	101,654	53,336	-	-	-	154,990
Interest revenues	58,661	191,550	110,571	45,332	17,694	423,808
Library revenues	-	-	-	-	164,068	164,068
Other revenues	2,097,414	2,785,590	-	119,090	20,000	5,022,094
Total revenues	65,991,126	7,174,065	1,570,697	164,422	3,967,768	78,868,078
Expenditures						
Current (operating)						
General government administration	8,901,054	108,391	-	5,499	892,073	9,907,017
Public safety	24,358,369	92,809	-	-	833,722	25,284,900
Public services	6,057,862	2,617,479	163,242	-	2,049,070	10,887,653
Library	2,781,297	25,348	-	-	77,127	2,883,772
Parks and recreation	4,412,300	17,243	119,861	-	-	4,549,404
Debt service	1,605	2,087,617	420,604	7,601,606	148,066	10,259,498
Capital outlay	581,610	6,803,625	9,408,658	-	103,786	16,897,679
Total expenditures	47,094,097	11,752,512	10,112,365	7,607,105	4,103,844	80,669,923
Excess of revenues over (under) expenditures	18,897,029	(4,578,447)	(8,541,668)	(7,442,683)	(136,076)	(1,801,845)
Other Financing Sources (Uses)						
Subscription financing	301,589	-	-	-	53,248	354,837
Operating transfers in	50,000	3,113,963	7,149,749	7,007,621	772,324	18,093,657
Operating transfers out	(14,877,482)	(50,000)	(3,166,175)	-	-	(18,093,657)
Appropriations to BOE	-	-	(280,000)	-	-	(280,000)
Other financing sources - right-to-use asset	-	1,596,956	-	-	-	1,596,956
Other financing sources - proceeds of vehicle and equipment financing agreements (direct)	-	2,844,775	-	-	-	2,844,775
Total other financing sources (uses)	(14,525,893)	7,505,694	3,703,574	7,007,621	825,572	4,516,568
Net change in fund balances	4,371,136	2,927,247	(4,838,094)	(435,062)	689,496	2,714,723
Fund balances at beginning of year	24,890,505	942,353	5,174,347	2,401,375	979,379	34,387,959
Fund balances at end of year	$ 29,261,641	$ 3,869,600	$ 336,253	$ 1,966,313	$ 1,668,875	$ 37,102,682

The accompanying notes are an integral part of these financial statements.

City of Vestavia Hills, Alabama
Reconciliation of the Statement of Revenues, Expenditures, and Changes in Fund Balances of Governmental Funds to the Statement of Activities

For the year ended September 30, 2023

Net change in fund balances - total governmental funds		$ 2,714,723
Amounts reported for governmental activities in the statement of activities are different because:		
Governmental funds report capital outlays as expenditures. However, in the government-wide statement of activities, the cost of those assets is allocated over their estimated useful lives as depreciation expense.		
Expenditures for capital assets	$ 16,897,679	
Less current year depreciation	(7,205,031)	9,692,648
Some revenues reported in the government-wide statement of activities do not provide current financial resources and, therefore, are not reported as revenues in the governmental funds.		
The effect of donated infrastructure		22,053,547
Repayment of long-term debt principal (including direct - vehicle and equipment financing agreements) are expenditures in the governmental funds, but reduce long-term liabilities in the statement of net position.		7,054,451
Proceeds from the issuance of long-term debt, vehicle and equipment financing (direct), right-to-use asset arrangements, and subscription liabilities are reported as financing sources in the governmental funds and, thus, contribute to the change in fund balance. These liabilities increase liabilities in the statement of net position, but does not affect the statement of activities.		(4,796,568)
The net effect of transactions involving the disposal of capital assets is to decrease net position.		(28,844)
Some expenses reported in the government-wide statement of activities do not require the use of current financial resources and, therefore, are not reported as expenditures in governmental funds.		
Difference in pension expense related to deferred outflows and inflows of resources and net pension liability	(3,399,999)	
Difference in OPEB expense related to deferred outflows and inflows of resources and net OPEB liability	(87,616)	
Change in compensated absences	(307,434)	
Change in accrued interest payable	35,737	
Amortization of bond premiums/discounts and deferred charges, net	136,449	(3,622,863)
Change in net position of governmental activities		$ 33,067,094

The accompanying notes are an integral part of these financial statements.

Statement of Fiduciary Net Position–Fiduciary Funds

	Custodial Funds		
September 30, 2023	Board of Education Tax Fund	Vehicle Tag Tax Fund	Total
Assets			
Cash and cash equivalents	$ 728,866	$ 243,370	$ 972,236
Total assets	$ 728,866	$ 243,370	$ 972,236
Liabilities			
Due to other governments	$ 728,866	$ 243,370	$ 972,236
Total liabilities	728,866	243,370	972,236
Net Position			
Restricted	-	-	-
Total net position	-	-	-
Total liabilities and net position	$ 728,866	$ 243,370	$ 972,236

The accompanying notes are an integral part of these financial statements.

City of Vestavia Hills, Alabama
Statement of Changes in Fiduciary Net Position–Fiduciary Funds

	Custodial Funds		
For the year ended September 30, 2023	Board of Education Tax Fund	Vehicle Tag Tax Fund	Total
Additions			
Advalorem taxes for other governments	$ 28,754,433	$ 3,493,457	$ 32,247,890
Total additions	28,754,433	3,493,457	32,247,890
Deductions			
Advalorem taxes to other governments	28,754,433	3,493,457	32,247,890
Total deductions	28,754,433	3,493,457	32,247,890
Net increase (deficiency) in fiduciary net position	-	-	-
Net position at beginning of year	-	-	-
Net position at end of year	$ -	$ -	$ -

The accompanying notes are an integral part of these financial statements.

	Page
Note 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES	14
Note 2: CASH AND INVESTMENTS	26
Note 3: CAPITAL ASSETS	29
Note 4: DIRECT – VEHICLE AND EQUIPMENT FINANCING ARRANGEMENTS	30
Note 5: ACCOUNTS RECEIVABLE	31
Note 6: LONG-TERM DEBT	31
Note 7: PENSION PLAN	35
Note 8: ACCUMULATED COMPENSATED ABSENCES	43
Note 9: OTHER POSTEMPLOYMENT BENEFITS	44
Note 10: DEFERRED COMPENSATION PLAN	47
Note 11: CONTINGENCIES AND COMMITMENTS	48
Note 12: TAX ABATEMENTS	48
Note 13: DEVELOPMENT AGREEMENT	49
Note 14: LEASES RECEIVABLE	49
Note 15: INTERFUND TRANSFERS	50

Note 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The City of Vestavia Hills, Alabama (the City) was incorporated on November 8, 1950. The City operates under a Council-Manager form of government organized to comply with the provisions of Title 11, Chapter 43, Sections 20-22 of the Code of Alabama 1975, as amended. The City Council is composed of five officials (four Councilors and the Mayor who serves as President of the Council) elected at-large for concurrent five-year terms. The City Manager is appointed by the City Council. The terms of the current administration are scheduled to expire October 31, 2025.

The accounting policies of the City conform to generally accepted accounting principles (GAAP) as applicable to the governmental units. This report, the accounting systems and classification of accounts conform to standards of the Governmental Accounting Standards Board (GASB). The accounting and reporting framework and the more significant accounting policies are discussed in subsequent subsections of this note.

Related Organization

The City Council is responsible for appointing the members of the Vestavia Hills Board of Education (the Board). However, the City has no control or influence in the presentation or adoption of the Board's annual operating budget; the City is not responsible for any budget deficits incurred by the Board; and the Board has the authority to issue debt securities, which are neither secured by the City's revenues or obligations of the City. Accordingly, the financial statements of the Board are not presented in the accompanying financial statements because the City is not considered to be financially accountable for the Board.

The City currently receives real property advalorem taxes from the Jefferson and Shelby County Tax Collectors based on a total millage rate of 49.30 mills. Of the 49.30 mills received from the County, 20.55 mills are kept by the City to fund general government operations and the balance of 28.75 mills is remitted by the City to the Board. The City also remits personal advalorem property taxes to the Board. During the year ended September 30, 2023, the total advalorem taxes remitted to the Board amounted to approximately $28,754,433 and $728,866 was due the Board of Education at September 30, 2023. Because of the custodial nature of these transactions that pass through the City from Jefferson and Shelby Counties to the Board, the City accounts for this activity in a fiduciary fund in accordance with GASB Statement No. 84.

The City also appropriates a portion of sales taxes collected within the City to the Board. During the year ended September 30, 2023, the total sales taxes appropriated to the Board were $485,440 and $68,085 was due to the Board as of September 30, 2023.

During the year ended September 30, 2019, the City and the Board entered into a funding agreement whereby the City has agreed to use excess Community Spaces funds to cover 25% of the cost of debt service in relation to the Board’s debt for various capital improvements. Annual support will be $280,000 per year for ten years. At September 30, 2023, the City was five years into the ten-year agreement.

Note 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Government-wide Financial Statements

The statement of net position and statement of activities display information about the reporting government as a whole. They include funds of the reporting entity except for fiduciary funds and component units that are fiduciary in nature (at year-end, the City had no component units).

Governmental activities generally are financed through taxes, intergovernmental revenues, and other nonexchange revenues.

The statement of activities demonstrates the degree to which the direct expenses of a given function or segment is offset by program revenues. Direct expenses are those that are clearly identifiable with a specific function or segment. Program revenues include 1) charges to customers or applicants who purchase, use, or directly benefit from goods, services, or privileges provided by a given function or segment and 2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular function or segment. Taxes and other items not properly included among program revenues are reported instead as general revenues.

Fund Financial Statements

Fund financial statements of the reporting entity are organized into funds, each of which is considered to be a separate accounting entity. Each fund is accounted for by providing a separate set of self-balancing accounts that constitute its assets, liabilities, fund equity, revenues, and expenditure/expenses. Funds are organized into three major categories: governmental, proprietary, and fiduciary (the City has no proprietary funds at year-end). An emphasis is placed on major funds within the governmental categories. At a minimum, governmental funds other than the General Fund must be reported as major funds if they meet both of the following criteria:

- *Ten percent criterion* - An individual governmental fund reports at least 10 percent of any of the following: a) total governmental fund assets, b) total governmental fund liabilities, c) total governmental fund revenues, or d) total governmental fund expenditures.

- *Five percent criterion* - An individual governmental fund reports at least 5 percent of the aggregated total for both governmental funds and proprietary funds of any one of the items for which it met the 10 percent criterion.

The funds of the financial reporting entity are described below:

Governmental Funds

General Fund – The General Fund is the principal fund of the City and is always classified as a major fund. It is used to account for all revenues and expenditures applicable to the general operations of City government, which are not properly accounted for in another fund. All general operating revenues, which are not restricted or designated as to their use by outside sources, are recorded in the General Fund.

Note 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Fund Financial Statements (Continued)

*Special Revenue Funds – S*pecial Revenue Funds are used to account for the proceeds of specific revenue sources that are restricted to expenditures for specified purposes.

Debt Service Fund – The Debt Service Fund is used to account for financial resources related to the City's debt service and debt defeasances.

Capital Project Funds – Capital Projects Funds are used to account for financial resources that are received and used for the acquisition, construction, or improvement of capital assets.

Fiduciary Funds – Fiduciary Funds are used to report assets held in a trustee or custodial capacity for others that cannot be used to support the government’s own programs. Related collections and payments are also reported in fiduciary funds.

The City has two Fiduciary Funds:

- The City sells vehicle tags on behalf of Jefferson County, Alabama. The personal property advalorem taxes collected by the City related to the vehicle tag sales are remitted to other governments. The City accounts for the temporary custodianship of the personal property advalorem tax funds in a fiduciary fund.

- Through various state and local statutes, the Vestavia Hills Board of Education (BOE) is entitled to a share of the real and personal property advalorem taxes collected by Jefferson and Shelby Counties, Alabama. Because of the tax payment/remittance mechanisms used by the Counties, these property taxes are remitted to the City and subsequently disbursed to the BOE from the City. The City collection and disbursement method related to these advalorem taxes causes the City to hold assets of the BOE and remit collections to the BOE. This activity is reflected in a custodial fiduciary fund activity of the City.

Major and Nonmajor Funds – The General Fund, Capital Projects Fund, Capital Projects - Community Spaces Fund, and Debt Service Fund are classified as major funds.

The remaining Other Governmental Funds (Special Revenue Funds) are classified as nonmajor funds and are described above.

Measurement Focus and Basis of Accounting

Measurement focus is a term used to describe "which" transactions are recorded within the various financial statements. Basis of accounting refers to "when" transactions are recorded regardless of the measurement focus applied.

Note 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Measurement Focus and Basis of Accounting (Continued)

Measurement Focus

On the government-wide statement of net position and the statement of activities, governmental activities are presented using the "economic resources" measurement focus. The accounting objectives of this measurement focus are the determination of operating income, changes in net position (or cost recovery), financial position, and cash flows. All assets and liabilities (whether current or noncurrent) associated with their activities are reported.

In the fund financial statements, the "current financial resources" measurement focus or the "economic resources" measurement focus is used as appropriate. All governmental funds utilize a "current financial resources" measurement focus. Only current financial assets and liabilities are generally included on their balance sheets. Their operating statements present sources and uses of available spendable financial resources during a given period. These funds use fund balance as their measure of available spendable financial resources at the end of the period. Grants and grants receivable are recognized when all the eligibility requirements of the providers have been met. Proprietary funds use “economic resources” measurement focus, of which the City has none.

Basis of Accounting

In the government-wide statement of net position and statement of activities, governmental activities are presented using the accrual basis of accounting. Under the accrual basis of accounting, revenues are recognized when earned and expenses are recorded when the liability is incurred or economic asset used. Revenues, expenses, gains, losses, assets and liabilities resulting from exchange and exchange-like transactions are recognized when the exchange takes place.

In the fund financial statements, governmental funds are presented on the modified accrual basis of accounting. Under the modified accrual basis of accounting, revenues are recognized when "measurable and available”. Measurable means knowing or being able to reasonably estimate the amount. Available means collectible within the current period or generally within sixty days after year-end. Expenditures (including capital outlay) are recorded when the related fund liability is incurred, except for general obligation warrant and capital lease principal and interest which are reported when due.

The fiduciary funds are reported using the economic resources measurement focus and the accrual basis of accounting.

Note 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Budgetary Information

Budgetary Basis of Accounting

Annual budgets are adopted on a basis consistent with generally accepted accounting principles for the General Fund, Capital Projects Funds, and Special Revenue Funds. The Capital Projects Funds are appropriated on a project-length basis. Certain Special Revenue Funds do not have appropriated budgets since other means control the use of these resources (e.g., grant awards and endowment requirements) and sometimes span a period of more than one fiscal year.

The appropriated budget is prepared by fund, function, and department. The City's department heads may make transfers of appropriations within a department. Transfers of appropriations between departments require the approval of the City council. The legal level of budgetary control (i.e., the level at which expenditures may not legally exceed appropriations) is the fund level.

Assets, Deferred Outflows, Liabilities, Deferred Inflows, and Net Position or Fund Balance

Cash and Cash Equivalents

The City's cash and cash equivalents are considered to be cash on hand, demand deposits, and short-term investments with original maturities of three months or less from the date of acquisition.

Investments

Investments for the City are reported at cost plus accrued interest or fair market value as appropriate.

Receivables and Payables

In the government-wide financial statements, receivables consist of all revenues earned at year-end and not yet received. Allowances for uncollectible accounts receivable are based upon historical trends and the periodic aging of accounts receivable. Major receivable balances for the governmental activities include sales and use taxes, advalorem taxes, and other taxes.

In the fund financial statements, receivables in governmental funds include the receivables mentioned in the preceding paragraph and other similar intergovernmental revenues since they are usually both measurable and available. Nonexchange transactions collectible but not available are deferred in the fund financial statements in accordance with modified accrual, but not deferred in the government-wide financial statements in accordance with the accrual basis. Interest and investment earnings are recorded when earned only if paid within sixty days since they would be considered both measurable and available.

Note 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Assets, Deferred Outflows, Liabilities, Deferred Inflows, and Net Position or Fund Balance (Continued)

Receivables and Payables (Continued)

Lease receivables – The City's lease receivables are measured at the present value of lease payments expected to be received during the lease term. Under the lease agreement, the City may receive variable lease payments that are dependent upon the lessee's revenue. The variable payments are recorded as an inflow of resources in the period the payment is received.

Unearned revenues – Unearned revenue represents amounts received before eligibility requirements are met.

Interfund Transactions

During the course of normal operations, the City incurs numerous transactions between funds to provide services, construct assets, service debt, etc. These transactions are generally reported as operating transfers except in instances where the transfer represents the reimbursement to a fund for expenditures incurred for the benefit of another fund. Remaining fund balances in discontinued funds and non-recurring, non-routine transfers are accounted for as residual equity transfers.

Details of current interfund receivables and payables are as follows:

Payable from	Payable to	Amount
Other Governmental Funds	General Fund	$216,117

The purpose of the interfund receivable balance to the General Fund from the Other Governmental Funds is for the motor vehicle tag fees due to the General Fund.

Interfund receivables and payables and transfers between funds within governmental activities are eliminated in the statement of net position and the statement of activities.

Restricted Assets

Certain assets of the City are classified as restricted assets on the statement of net position and fund financial statements because their use is limited by law through constitutional provisions or enabling legislation; or by restrictions imposed externally by creditors, grantors, contributors or laws or regulations of other governments. Special restricted asset accounts have been established to account for the sources and uses of these limited use assets as follows:

Customer and Developer Deposit Accounts – Deposited in non-interest bearing accounts and refunded upon termination of service with the City and satisfaction of all obligations due.

Note 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Assets, Deferred Outflows, Liabilities, Deferred Inflows, and Net Position or Fund Balance (Continued)

Restricted Assets (Continued)

Bond and Direct – Vehicle and Equipment Financing Arrangements Debt Service Accounts – Includes certain proceeds from issuance of revenue bonds, as well as certain resources set aside for the repayment of bonds or direct – vehicle and equipment financing arrangements.

Law Enforcement Fines and Confiscated Property Account – Funds generated from fines and confiscated property applied towards further education and enhancement of the police department pursuant to state statutes.

Fixed Assets

The accounting treatment for property, plant, and equipment (fixed assets) depends on whether the assets are reported in the government-wide or fund financial statements.

In the government-wide financial statements, fixed assets with initial individual costs of more than $5,000 and an estimated useful life in excess of one year are accounted for as capital assets. All fixed assets are valued at historical cost, or estimated historical cost if actual is unavailable, except for donated fixed assets, which are recorded at their estimated acquisition value at the date of donation. Historical cost was used to value the majority of the assets.

Depreciation of all exhaustible fixed assets is recorded as an allocated expense in the Statement of Activities, with accumulated depreciation reflected in the Statement of Net Position. Depreciation is provided over the assets' estimated useful lives using the straight-line method of depreciation. The range of estimated useful lives by type of assets is as follows:

Buildings	20-50 years
Improvements	10-50 years
Machinery and equipment	3-20 years
Infrastructure	25-50 years

Fund Financial Statements – In the fund financial statements, fixed assets used in governmental fund operations are accounted for as expenditures of the government upon acquisition.

Deferred Outflows/Inflows

In addition to assets, the statement of net position will sometimes report a separate section for deferred outflows of resources. This separate financial statement element represents a consumption of net position that applies to a future period(s) and so will not be recognized as an outflow of resources (expense/expenditure) until then. The City currently has several items that qualify for

Note 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Assets, Deferred Outflows, Liabilities, Deferred Inflows, and Net Position or Fund Balance (Continued)

Deferred Outflows/Inflows (Continued)

reporting in this category. The first is the deferred charge on refunding reported in the government-wide statement of net position. A deferred charge on refunding results from the difference in the carrying value of refunded debt and its reacquisition price. This amount is deferred and amortized over the shorter of the life of the refunded or refunding debt. The second one is related to pensions resulting from City contributions subsequent to the measurement date that will be recognized as a reduction of net pension liability in 2024. The third, fourth, and fifth items are also associated with the City's pension plan and are related to changes of assumptions, differences between expected and actual experience used to calculate the total pension liability, and difference between projected and actual earnings on plan investments. The sixth and seventh items are associated with the City's OPEB plan and are related to differences between expected and actual experience and changes of assumption used to calculate the total OPEB liability.

In addition to liabilities, the statement of net position will sometimes report a separate section for deferred inflows of resources. This separate financial statement element, deferred inflows of resources, represents an acquisition of net position that applies to a future period(s) and so will not be recognized as an inflow of resources (revenue) until that time. The City currently has three items that qualify for reporting in this category. The first is attributable to lease receivable. The second is the difference between expected and actual experience of the pension plan. The third is related to changes of assumptions used to calculate the total OPEB Liability.

Compensated Absences

The City’s policy permits employees to accumulate earned but unused vacation benefits, which are eligible for payment upon separation from government service. The liability for such leave is reported as incurred in the government-wide financial statements. A liability for those amounts is recorded in the governmental funds only if the liability has matured as a result of employee resignations or retirements. The liability for compensated absences includes salary-related benefits, where applicable. Accumulated sick leave lapses when employees leave the employ of the City and, accordingly upon separation from service, no monetary obligation exists.

Long-term Debt

In the government-wide financial statements, long-term debt and other long-term obligations are reported as liabilities in the applicable governmental activities statement of net position. Bond premiums and discounts are deferred and amortized over the life of the bonds. Losses resulting from the refunding of bonds are deferred and amortized over the remaining life of the old debt or the life of the new debt, whichever is shorter. Debt issuance costs (except for prepaid insurance costs) are recognized as an expense in the period incurred.

Note 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Assets, Deferred Outflows, Liabilities, Deferred Inflows, and Net Position or Fund Balance (Continued)

Long-term Debt (Continued)

In the fund financial statements, governmental fund types recognize bond premiums and discounts, as well as bond issuance costs, during the current period. The face amount of debt issued is reported as other financing sources. Premiums received on debt issuances are reported as other financing sources while discounts on debt issuances are reported as other financing uses. Issuance costs are reported as debt service expenditures except as noted above.

Leases

Lease contracts that provide the City with control of a non-financial asset, such as land, building or equipment, for a period of time in excess of twelve months are reported as a right-to-use lease asset with a related lease liability. The lease liability is recorded at the present value of future lease payments, including fixed payments, variable payments based on an index or fixed rate and reasonably certain residual guarantees. Right-to-use lease assets are amortized over the shorter of the useful life of the asset or the lease term. The lease liability is reduced for lease payments made, less the interest portion of the lease payment.

Subscription Assets

Subscription assets are initially recorded at the initial measurement of the subscription liability, plus subscription payments made at or before the commencement of the subscription-based information technology arrangement (SBITA) term, less any SBITA vendor incentives received from the SBITA vendor and certain payments made before the commencement of the SBITA term, plus capitalizable initial implementation costs. Subscription assets are amortized on a straight-line basis over the shorter of the SBITA term or the useful life of the underlying IT asset.

Pensions

The Employees' Retirement System of Alabama (the Plan or ERS) financial statements are prepared using the economic resources measurement focus and accrual basis of accounting. Contributions are recognized as revenues when earned, pursuant to the plan requirements. Benefits and refunds are recognized when due and payable in accordance with the terms of the Plan. Expenses are recognized when the corresponding liability is incurred, regardless of when the payment is made. Investments are reported at fair value. Financial statements are prepared in accordance with the requirements of the Governmental Accounting Standards Board (GASB). Under these requirements, the Plan is considered a component unit of the State of Alabama and is included in the State's Annual Comprehensive Financial Report.

Note 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Assets, Deferred Outflows, Liabilities, Deferred Inflows, and Net Position or Fund Balance (Continued)

Other Postemployment Benefits (OPEB)

Other Postemployment Benefits (OPEB) cost for retiree healthcare and similar, non-pension retiree benefits, is required to be measured and disclosed using the accrual basis of accounting (see Note 9), regardless of the amount recognized as OPEB expense on a modified accrual basis of accounting. Annual OPEB cost is calculated in accordance with GASB Statement No. 75.

Equity Classifications

Government-wide Financial Statements
Equity is classified as net position and displayed in three components:

Net Investment in Capital Assets – Consists of capital assets including restricted capital assets, net of accumulated depreciation, construction in progress, land, and reduced by the outstanding balances of any bonds, mortgages, notes, or other liabilities that are attributable to the acquisition, construction, or improvement of those assets.

Restricted – Constraints placed on the use either by (1) external groups such as creditors, grantors, contributors, or laws or regulations of other governments; or (2) law through constitutional provisions or enabling legislation.

Unrestricted – All other net position that do not meet the definition of "restricted" or "net investment in capital assets".

When both restricted and unrestricted resources are available for use, it is the City's policy to use restricted resources first, then committed, assigned, and unassigned – in order as needed.

Fund Financial Statements
In the fund financial statements, governmental funds report aggregate amounts for five classifications of fund balances based on the constraints imposed on the use of these resources. The nonspendable fund balance classification includes amounts that cannot be spent because they are either (a) not in spendable form – prepaid items or inventories; or (b) legally or contractually required to be maintained intact.

The spendable portion of the fund balance comprises the remaining four classifications: restricted, committed, assigned, and unassigned.

Restricted Fund Balance – This classification reflects the constraints imposed on resources either (a) externally by creditors, grantors, contributors, or laws or regulations of other governments; or (b) imposed by law through constitutional provisions or enabling legislation.

Note 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Equity Classifications (Continued)

Fund Financial Statements (Continued)

Committed Fund Balance – These amounts can only be used for specific purposes pursuant to constraints imposed by formal resolutions of the City Council – the government's highest level of decision making authority. Those committed amounts cannot be used for any other purpose unless the City Council removes the specified use by taking the same type of action imposing the commitment. This classification also includes contractual obligations to the extent that existing resources in the fund have been specifically committed for use in satisfying those contractual requirements.

Assigned Fund Balance – The classification reflects the amounts constrained by the City's "intent" to be used for specific purposes, but are neither restricted nor committed. The City Council and the Finance Director have the authority to assign amounts to be used for specific purposes. Assigned fund balances include all remaining amounts (except negative balances) that are reported in governmental funds, other than the General Fund, that are not classified as nonspendable and are neither restricted nor committed.

Unassigned Fund Balance – This fund balance is the residual classification for the General Fund. It is also used to report negative fund balances in all governmental funds.

The City Council has adopted an Emergency Reserve Fund Balance Policy. Under this policy, it is the City's intent to develop and maintain a General Fund Emergency Reserve fund balance representing at least 25% of prior year actual General Fund expenditures (modified accrual basis) plus operating transfers out. The City Council has currently committed $17,865,879 of General Fund balance for economic stabilization in case of an emergency. An emergency that would warrant use of their committed fund balance is defined as an unforeseen non-routine event that generally represents an economic impact to the City greater than 5% of the previous 5-year average of sales tax collections by the City and this event cost can't be absorbed by reducing the current year budgeted expenses, increasing current year budgeted revenue, or the event occurred too late in the year to overcome the impact by adjusting the budget in the normal course of the City's business.

Note 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Equity Classifications (Continued)

The Liberty Park Home Owner's Association donated funds to the City, which were originally set aside for repairs and maintenance of the roads in Liberty Park. The acceptance of those roads, by the City, stated that these funds would be committed for those purposes. The City Council has currently committed $2,431,751 of General Fund balance for this purpose.

The City has assigned $765,337 of the Other Governmental Funds balance for use as follows: $235,031 for E-911, $471,723 for the Library, and $58,583 for Capital Projects – Sidewalks.

When both restricted and unrestricted resources are available for use, it is the City's policy to use restricted resources first, then committed, assigned, and unassigned – in order as needed.

Expenditures/Expenses

In the government-wide financial statements, expenses are classified by function for the governmental activities.

In the fund financial statements, expenditures are classified as follows:

Governmental Funds – By Character:	Current (further classified by function)
	Debt Service
	Capital Outlay

In the fund financial statements, governmental funds report expenditures of financial resources.

Property Taxes

All advalorem real property taxes levied by municipalities in Jefferson County, Alabama and Shelby County, Alabama are assessed by the Jefferson and Shelby County Tax Assessors and collected by the Jefferson and Shelby County Tax Collectors. The Jefferson and Shelby County Tax Assessors attach taxes as enforceable liens on property as of September 30 and taxes become due October 1 through December 31. Property taxes not paid by January 1 are considered delinquent. Personal property taxes are also collected by the Jefferson and Shelby County Tax Collectors and are due throughout the year. After collecting property taxes, the Jefferson and Shelby County Tax Collectors remit the City's portion by check on a monthly basis. Taxes collected by the Jefferson and Shelby County Tax Collectors prior to fiscal year-end, but remitted to the City after September 30 are accrued in the General Fund.

Note 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Management Estimates

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities, contingent liabilities and the reported amount of revenues and expenditures/expenses during the reporting period. Actual results could differ from those estimates.

Subsequent Events

Management has evaluated subsequent events through the date that the financial statements were available to be issued, March 21, 2024 and determined there were no events that occurred that required disclosure. No subsequent events occurring after this date have been evaluated for inclusion in these financial statements.

Economic Dependency

The City receives a significant portion of their revenue from property taxes and sales and use taxes. Property tax revenue was $21,380,057 or 21.39% of total revenue in fiscal year 2023. Sales and use tax revenue was $29,807,104 or 29.82% of total revenue in fiscal year 2023.

Recently Issued and Implemented Accounting Pronouncements

During the current fiscal year, the City implemented the following new accounting pronouncements issued by the Governmental Accounting Standards Board (GASB):

- Statement No. 91, *Conduit Debt Obligations.*
- Statement No. 93, *Replacement of Interbank Offered Rates*.
- Statement No. 96, *Subscription-Based Information Technology Arrangements.*

The Governmental Accounting Standards Board has issued statements that will become effective in future years. These statements are as follows:

- Statement No. 100, *Accounting for Changes and Error Corrections.*
- Statement No. 101*, Compensated Absences.*

The City is evaluating the requirements of the above statements and the impact on reporting.

Note 2: CASH AND INVESTMENTS

Cash

The City maintains several checking accounts that are separately held by several of the City's funds. At year-end, the carrying amount and bank balance of the City's deposit accounts were as follows:

	Net Carrying Amount	Bank Balance
All funds: Cash (excluding fiduciary funds)	$ 11,486,200	$ 15,826,391
All funds: other liability - claim on cash (excluding fiduciary funds)	(1,500,922)	-
Fiduciary fund - vehicle tag tax fund	243,370	243,370
Fiduciary fund - Board of Education tax fund	619,653	619,653
Total	$ 10,848,301	$ 16,689,414

Certain banks holding deposits belonging to the state, counties, cities, or agencies of any of these entities must pledge securities as collateral against these deposits. In the event of the failure of a bank, securities pledged by that bank would be liquidated by the State Treasurer to replace the public deposits. If the securities pledged failed to produce adequate funds for that purpose, every bank participating in the pool would share the liability for the remaining balance. At September 30, 2023, all of the City's cash depositories are participating in the SAFE program.

Custodial credit risk is the risk that, in the event of a bank failure, the City’s deposits may not be returned to it. Management believes that there is no significant custodial credit risk because as of September 30, 2023, all of the bank balance of the City's funds was either covered by federal depository insurance or secured by collateral through the Alabama State Treasury's Security for Alabama Funds Enhancement (SAFE) Program. Under the SAFE program, the City's funds are protected through a collateral pool administered by the Alabama State Treasury.

Included in the carrying amount above are restricted assets totaling $3,133,963, which includes deposits related to the following: $155,927 court appearance bonds, $1,412,477 lease escrow, $289,470 police confiscations, $459 community spaces, and $1,275,630 contractor’s surety. These deposits consist of cash equivalents and are considered restricted as they are payable to various third parties upon completion of a future event. Accordingly, a corresponding liability is recorded for this amount.

Investments

The City categorizes its fair value measurements within the fair value hierarchy established by generally accepted accounting principles. The hierarchy is based on the valuation inputs used to measure the fair value of the assets. Level 1 inputs are quoted prices in active markets for identical asset; Level 2 inputs are significant other observable inputs; Level 3 inputs are significant unobservable inputs.

Note 2: CASH AND INVESTMENTS (Continued)

The City has the following recurring fair value measurements as of September 30, 2023 in its investment portfolio:

- U.S. Treasury Securities totaling $27,803,050 (Level 1 inputs)
- Guaranteed Investment Contract held in restricted bond sinking fund trust in the amount of $1,911,965 (Level 3 inputs)

At September 30, 2023, the City had the following investments and maturities:

	Investment Maturity in Years		
	Fair Value	Less Than 1	From Up To 2
Investments:			
U.S. Treasury Securities	$ 27,803,050	$ 23,369,143	$ 4,433,907
Guaranteed Investment Contract (restricted - held in bond sinking fund trust)	1,911,965	1,911,965	-
Total portfolio	$ 29,715,015	$ 25,281,108	$4,433,907

Interest Rate Risk – As a means of limiting its exposure to fair value losses arising from rising interest rates, the City's investment policy restricts all investments of funds to be used for current operations to those with maturities of one year or less and Capital Projects, Emergency Reserve and Special Revenue Fund(s) investments to those with maturities of two years or less. Cash and investment maturities as of September 30, 2023, were as follows:

Maturity	Portion of Respective Portfolio
Less than one year	85%
1-2 years	15%
Total	100%

Note 2: CASH AND INVESTMENTS (Continued)

Investments (Continued)

Credit Risk – The City's investment will conform to the Code of Alabama Section 11-81-21 (other than externally managed investments held in trust required under sinking fund debt agreements). The City's investments are also be made with judgment and appropriate care under circumstances prevailing and with the prudence, discretion, and intelligence appropriate for the management of public funds. Investments shall not be made for speculation, but will consider the probable safety of their principal as well as the probable income to be derived. The City diversifies its investments by security type and institution. However, the City will limit at least 90% of its investment portfolio (including cash and equivalents) to U.S. Treasury securities, authorized pools, FDIC insured funds and SAFE Program qualified public depository investments. The remaining 10% could be invested in other allowed investments in accordance with the Code of Alabama Section 11-81-21, but with no more than 50% of that amount to be in a single security type or with a single financial institution.

Custodial Credit Risk – For an investment, custodial credit risk is the risk that, in the event of the failure of the counterparty, the City will not be able to recover the value of its investments or collateral securities that are in the possession of an outside party. The City's policy states that deposit type securities shall be collateralized through the SAFE Program for any amount exceeding FDIC coverage. Other investments shall be collateralized by the actual security held in safekeeping by the primary agent. The collateral for any repurchase agreements will, at all times, be no less than 102% of the value of the repurchase agreement. The City's investments in certificates of deposits and the guaranteed investment contract are held by the City's custodial counterparties in the name of the City.

Because of FDIC insurance and collateralization, the City believes there is no significant custodial credit risk as of September 30, 2023.

The City's restricted investment held in a bond sinking fund trust of $1,911,965 was collateralized by a financial institution in an amount exceeding 104% of the value. The City deposits cash funds annually into a bond sinking fund trust which is separately managed by a financial institution. This trust and the related investment management is a required part of the City's Series 2013 general obligation Qualified Energy Conservation Bond indenture. This investment is exempted from the City's normal investment portfolio policy since it is required under a separate debt agreement.

Note 3: CAPITAL ASSETS

Following is a summary of the changes in the City's capital assets for the year ended September 30, 2023:

	Balance at 9/30/2022	Additions	Disposals/ Retirements/ Completed	Reclassifications	Balance at 9/30/2023
Capital Assets Not Being Depreciated					
Land	$ 90,032,747	$ -	$ -	$ 4,538,240	$ 94,570,987
Construction in progress	49,032,493	11,288,024	-	(23,582,611)	36,737,906
Total capital assets not being depreciated	139,065,240	11,288,024	-	(19,044,371)	131,308,893
Capital Assets Being Depreciated/Amortized					
Land improvements	13,215,316	-	-	17,997,864	31,213,180
Buildings	32,643,566	52,107	(633)	-	32,695,040
Right-to-use asset: Buildings	-	1,596,956	-	-	1,596,956
Building equipment and fixtures	884,010	61,394	-	1	945,405
Vehicles	13,751,124	3,157,386	(565,585)	1	16,342,926
Equipment	8,446,397	302,443	(113,097)	(2)	8,635,741
Computer equipment	2,418,055	-	-	-	2,418,055
Recreational equipment	3,391,901	-	-	-	3,391,901
Office furniture and fixtures	2,451,193	12,778	-	-	2,463,971
Office equipment	133,715	-	-	-	133,715
Recreational facilities	23,078,606	30,500	-	1	23,109,107
Books and artwork	2,360,969	-	-	1	2,360,970
Subscriptions	-	396,091	-	-	396,091
Infrastructure	37,103,762	22,053,547	-	1,046,505	60,203,814
Total capital assets being depreciated/amortized	139,878,614	27,663,202	(679,315)	19,044,371	185,906,872
Less Accumulated Depreciation and Amortization					
Land improvements	7,693,249	1,581,521	-	-	9,274,770
Buildings	8,914,610	993,616	(16)	-	9,908,210
Right-to-use asset: Buildings	-	93,156	-	-	93,156
Building equipment and fixtures	244,489	70,301	-	-	314,790
Vehicles	7,261,429	1,694,671	(537,551)	-	8,418,549
Equipment	6,847,144	330,417	(112,904)	-	7,064,657
Computer equipment	2,092,195	97,398	-	-	2,189,593
Recreational equipment	2,148,364	110,465	-	-	2,258,829
Office furniture and fixtures	2,413,012	16,317	-	-	2,429,329
Office equipment	133,696	7	-	-	133,703
Recreational facilities	16,475,658	605,672	-	-	17,081,330
Books and artwork	2,180,891	72,008	-	-	2,252,899
Subscriptions	-	142,597	-	-	142,597
Infrastructure	13,431,242	1,396,885	-	-	14,828,127
Total accumulated depreciation and amortization	69,835,979	7,205,031	(650,471)	-	76,390,539
Total capital assets being depreciated/amortized, net	70,042,635	20,458,171	(28,844)	19,044,371	109,516,333
Governmental activities capital assets, net	$ 209,107,875	$ 31,746,195	$ (28,844)	$ -	$ 240,825,226

Note 3: CAPITAL ASSETS (Continued)

Depreciation and amortization expense was charged to functions of the primary government as follows:

Governmental activities	
General government administration	$ 721,196
Public safety	1,857,497
Public services	3,283,309
Parks and recreation	818,105
Library	524,924
Total depreciation and amortization expense	$ 7,205,031

Note 4: DIRECT – VEHICLE AND EQUIPMENT FINANCING ARRANGEMENTS

At September 30, 2023, approximately $6,943,978 in accumulated depreciation has been recorded in the government-wide financial statements related to vehicles, emergency vehicles, and equipment costing $15,822,971 purchased under financing arrangements. The current portion of the outstanding liability related to these financing arrangements at September 30, 2023 reported in the government-wide financial statements totaled $2,418,992. The remaining long-term portion of these financing arrangements reported in the government-wide financial statements totaled $6,090,590 at September 30, 2023.

The following schedule shows the future minimum financing arrangement payments at September 30, 2023:

For the years ending September 30,	Interest	Principal	Total Payment
2024	$ 181,427	$ 2,418,992	$ 2,600,419
2025	142,920	2,532,614	2,675,534
2026	102,493	1,841,601	1,944,094
2027	67,419	1,131,065	1,198,484
2028	36,412	585,310	621,722
2029 and thereafter	-	-	-
Total	$ 530,671	$ 8,509,582	$ 9,040,253

Financing arrangements at September 30, 2022	$ 8,028,504
Additions	2,844,775
Principal payments	(2,363,697)
Financing arrangements at September 30, 2023	$ 8,509,582

Note 5: ACCOUNTS RECEIVABLE

The following details the description and amounts of accounts receivable for the City:

	General Fund	Capital Projects Fund	Capital Projects - Community Spaces Fund	Other Governmental Funds	Total
Sales taxes	$ 2,267,421	$ -	$ -	$ -	$ 2,267,421
Property taxes	437,413	-	-	-	437,413
Road & bridge taxes	-	-	-	924,976	924,976
Other taxes	161,098	-	-	-	161,098
Franchise fees	92,107	-	-	-	92,107
Transport receivable, net	294,099	-	-	-	294,099
Intergovernmental	-	-	-	248,917	248,917
Grant receviables	-	615,351	7,475	-	622,826
Other receivables	110,673	-	-	-	110,673
Total	$ 3,362,811	$ 615,351	$ 7,475	$ 1,173,893	$ 5,159,530

Note 6: LONG-TERM DEBT AND LIABILITIES

Leases Payable

On February 23, 2023, City of Vestavia Hills, Alabama entered into a 120 month lease as Lessee for the use of Public Works Building. An initial lease liability was recorded in the amount of $1,596,956. As of September 30, 2023, the value of the lease liability is $1,513,686. City of Vestavia Hills, Alabama is required to make monthly fixed payments of $11,651. Additionally, there are monthly other reasonably certain payments of $2,934. The lease has an interest rate of 2.6730%. The Buildings estimated useful life was 0 months as of the contract commencement. The value of the right to use asset as of September 30, 2023 of $1,596,956 with accumulated amortization of $96,490 is included with Buildings on the Lease Class activities table found below. City of Vestavia Hills, Alabama has 1 extension option(s), each for 60 months.

Note 6: LONG-TERM DEBT AND LIABILITIES (Continued)

Leases Payable (Continued)

The following is a schedule of minimum future lease payments from lease agreements as of September 30:

For the years ending September 30,	Interest	Principal	Total Payment
2024	$ 38,800	$ 136,217	$ 175,017
2025	35,114	139,903	175,017
2026	31,328	143,689	175,017
2027	27,440	147,577	175,017
2028	23,392	159,780	183,172
2029-2033	48,215	786,520	834,735
Total	$ 204,289	$ 1,513,686	$ 1,717,975

Subscription-Based Information Technology Arrangements

For the year ended September 30, 2023, the financial statements include the adoption of GASB Statement No. 96, *Subscription-Based Information Technology Arrangements*. The primary objective of this statement is to enhance the relevance and consistency of information about governments' subscription activities. This statement establishes a single model for subscription accounting based on the principle that subscriptions are financings of the right to use an underlying asset. Under this Statement, an organization is required to recognize a subscription liability and an intangible right-to-use subscription asset. For additional information, refer to the disclosures below.

On December 1, 2022, City of Vestavia Hills, Alabama entered into a 36 month subscription for the use of Open Gov Budgeting and Planning Software. An initial subscription liability was recorded in the amount of $53,883. As of September 30, 2023, the value of the subscription liability is $48,883. City of Vestavia Hills, Alabama is required to make annual fixed payments of $5,000. The subscription has an interest rate of 3.1213%. The value of the right to use asset as of September 30, 2023 of $95,138 with accumulated amortization of $26,427 is included with Software on the Subscription Class activities table found below.

On October 1, 2022, City of Vestavia Hills, Alabama entered into a 24 month subscription for the use of Vertosoft Software. An initial subscription liability was recorded in the amount of $117,416. As of September 30, 2023, the value of the subscription liability is $57,880. City of Vestavia Hills, Alabama is required to make annual fixed payments of $59,678. The subscription has an interest rate of 3.1070%. The value of the right to use asset as of September 30, 2023 of $117,416 with accumulated amortization of $58,708 is included with Software on the Subscription Class activities table found below.

Note 6: LONG-TERM DEBT AND LIABILITIES (Continued)

Subscription-Based Information Technology Arrangements (Continued)

On October 1, 2022, City of Vestavia Hills, Alabama entered into a 28 month subscription for the use of Debtbook Platform. An initial subscription liability was recorded in the amount of $14,983. As of September 30, 2023, the value of the subscription liability is $7,638. City of Vestavia Hills, Alabama is required to make annual fixed payments of $7,500. The subscription has an interest rate of 3.1067%. The value of the right to use asset as of September 30, 2023 of $14,983 with accumulated amortization of $6,421 is included with Software on the Subscription Class activities table found below.

On December 6, 2022, City of Vestavia Hills, Alabama entered into a 24 month subscription for the use of CivicPlus Software. An initial subscription liability was recorded in the amount of $11,551. As of September 30, 2023, the value of the subscription liability is $4,441. City of Vestavia Hills, Alabama is required to make annual fixed payments of $7,110. The subscription has an interest rate of 3.0740%. The value of the right to use asset as of September 30, 2023 of $11,551 with accumulated amortization of $4,813 is included with Software on the Subscription Class activities table found below.

On October 1, 2022, City of Vestavia Hills, Alabama entered into a 33 month subscription for the use of Aladtec Software. An initial subscription liability was recorded in the amount of $15,343. As of September 30, 2023, the value of the subscription liability is $7,749. City of Vestavia Hills, Alabama is required to make annual fixed payments of $7,991. The subscription has an interest rate of 3.1213%. The value of the right to use asset as of September 30, 2023 of $15,343 with accumulated amortization of $5,579 is included with Software on the Subscription Class activities table found below. City of Vestavia Hills, Alabama has 1 extension option(s), each for 12 months.

On October 1, 2022, City of Vestavia Hills, Alabama entered into a 36 month subscription for the use of Business Information Solutions. An initial subscription liability was recorded in the amount of $22,649. As of September 30, 2023, the value of the subscription liability is $21,689. City of Vestavia Hills, Alabama is required to make monthly fixed payments of $960. The subscription has an interest rate of 3.1213%. The value of the right to use asset as of September 30, 2023 of $22,649 with accumulated amortization of $7,550 is included with Software on the Subscription Class activities table found below.

On October 1, 2022, City of Vestavia Hills, Alabama entered into a 137 month subscription for the use of Dashboard License. An initial subscription liability was recorded in the amount of $30,599. As of September 30, 2023, the value of the subscription liability is $27,758. City of Vestavia Hills, Alabama is required to make annual fixed payments of $3,266. The subscription has an interest rate of 3.0740%. The value of the right to use asset as of September 30, 2023 of $30,599 with accumulated amortization of $2,680 is included with Software on the Subscription Class activities table found below. City of Vestavia Hills, Alabama has 1 extension option(s), each for 120 months.

Note 6: LONG-TERM DEBT AND LIABILITIES (Continued)

Subscription-Based Information Technology Arrangements (Continued)

On October 1, 2022, City of Vestavia Hills, Alabama entered into a 26 month subscription for the use of Vector Solutions. An initial subscription liability was recorded in the amount of $45,849. As of September 30, 2023, the value of the subscription liability is $22,691. City of Vestavia Hills, Alabama is required to make annual fixed payments of $23,395.76. The subscription has an interest rate of 3.1067%. The value of the right to use asset as of September 30, 2023 of $45,849 with accumulated amortization of $21,161 is included with Software on the Subscription Class activities table found below.

On October 1, 2022, City of Vestavia Hills, Alabama entered into a 32 month subscription for the use of Proflex Software. An initial subscription liability was recorded in the amount of $19,712. As of September 30, 2023, the value of the subscription liability is $12,781. City of Vestavia Hills, Alabama is required to make monthly fixed payments of $609. The subscription has an interest rate of 3.1213%. The value of the right to use asset as of September 30, 2023 of $19,712 with accumulated amortization of $7,392 is included with Software on the Subscription Class activities table found below.

On October 1, 2022, City of Vestavia Hills, Alabama entered into a 132 month subscription for the use of SAN Server Platform. An initial subscription liability was recorded in the amount of $7,704. As of September 30, 2023, the value of the subscription liability is $7,088. City of Vestavia Hills, Alabama is required to make monthly fixed payments of $69. The subscription has an interest rate of 3.0740%. The value of the right to use asset as of September 30, 2023 of $7,704 with accumulated amortization of $700 is included with Software on the Subscription Class activities table found below. City of Vestavia Hills, Alabama has 120 extension option(s), each for 120 months.

On October 1, 2022, City of Vestavia Hills, Alabama entered into a 156 month subscription for the use of Summer Reading App. An initial subscription liability was recorded in the amount of $15,148. As of September 30, 2023, the value of the subscription liability is $13,755. City of Vestavia Hills, Alabama is required to make annual fixed payments of $1,392. The subscription has an interest rate of 3.1213%. The value of the right to use asset as of September 30, 2023 of $15,148 with accumulated amortization of $1,166 is included with Software on the Subscription Class activities table found below. City of Vestavia Hills, Alabama has 1 extension option(s), each for 120 months.

Below is a summary of the right-to-use assets included in the accompanying statement of net position:

Asset Class	Subscription Asset Value	Accumulated Amortization
Software	$ 396,091	$ 142,597
Total subscriptions	$ 396,091	$ 142,597

Note 6: LONG-TERM DEBT AND LIABILITIES (Continued)

Subscription-Based Information Technology Arrangements (Continued)

The following is a schedule of minimum future payments from SBITA's as of September 30, 2023:

For the years ending September 30,	Interest	Principal	Total Payment
2024	$ 7,589	$ 145,675	$ 153,264
2025	2,417	46,181	48,598
2026	1,241	4,241	5,482
2027	1,110	4,372	5,482
2028	975	4,508	5,483
2029-2033	2,696	24,717	27,413
2034-2035	125	2,659	2,784
Total	$ 16,153	$ 232,353	$ 248,506

Changes in Long-Term Liabilities

The following is a summary of the changes in long-term debt of the City for the year ended September 30, 2023:

	Balance 9/30/2022	Additions	Reductions	Balance 9/30/2023	Due Within One Year
Warrants Payable:					
General Obligation Warrants, QECB Series 2013	$ 4,245,000	$ -	$ -	$ 4,245,000	$ -
General Obligation Warrants, Series 2014	285,000	-	285,000	-	-
General Obligation Warrants, Series 2014 (CWSRF-DL)	625,000	-	45,000	580,000	45,000
General Obligation Warrants, Series 2016	9,365,000	-	1,320,000	8,045,000	1,485,000
General Obligation Warrants, Series 2018	51,605,000	-	1,140,000	50,465,000	1,195,000
General Obligation Warrants, Series 2020A	3,525,000	-	565,000	2,960,000	565,000
General Obligation Warrants, Series 2020B	19,255,000	-	325,000	18,930,000	350,000
General Obligation Warrants, Series 2021	5,265,000	-	805,000	4,460,000	830,000
Unamortized bond premium	3,194,304	-	328,590	2,865,714	-
Unamortized bond issuance discount	(64,075)	-	(8,018)	(56,057)	-
Total warrants outstanding	97,300,229	-	4,805,572	92,494,657	4,470,000
Other Liabilities:					
Compensated absences	3,085,774	1,397,659	1,090,225	3,393,208	508,981
Net pension liability	27,835,497	18,104,657	-	45,940,154	-
OPEB liability	1,699,986	-	10,641	1,689,345	-
Subscription liability	-	354,837	122,484	232,353	145,675
Lease liability	-	1,596,956	83,270	1,513,686	136,217
Direct - vehicle and equipment financing arrangements	8,028,504	2,844,775	2,363,697	8,509,582	2,418,992
Total long-term liabilities	$ 137,949,990	$ 24,298,884	$ 8,475,889	$ 153,772,985	$ 7,679,865

Note 6: LONG-TERM DEBT (Continued)

Outstanding principal of warrant obligations of the City at September 30, 2023 consist of the following:

General Obligation Warrants, Qualified Energy Conservation Bonds (QECB) Series 2013 were issued in the principal amount of $4,245,000 in May 2013. The warrants bear interest at an average of 2.20%, payable semiannually on February 1 and August 1. The warrants mature serially with a final maturity in 2033 and are callable at any time without penalty. (Net of $1,911,965 held in sinking fund for repayment).	$ 2,333,035
General Obligation Warrants, Series 2014 (CWSRF-DL) were issued in the principal amount of $960,000 in September 2014. The warrants bear interest at an average of 2.00%, payable semiannually on February 1 and August 1. The warrants mature serially with a final maturity in 2034 and are callable at any time without penalty.	580,000
General Obligation Warrants, Series 2016 were issued in the principal amount of $11,810,000 in June 2016. The warrants bear interest at an average of 3.00%, payable semiannually on February 1 and August 1. The warrants mature serially with a final maturity in 2028 and are callable at any time without penalty.	8,045,000
General Obligation Warrants, Series 2018 was issued in the principal amount of $55,770,000 in August 2018. The warrants bear interest at an average of 3.75%, payable semiannually on February 1 and August 1. The warrants mature serially with a final maturity in 2048 and are callable at any time without penalty.	50,465,000
General Obligation Warrants, Series 2020A was issued in the principal amount of $4,175,000 in June 2020. The warrants bear interest at an average of 3.625%, payable semiannually on February 1 and August 1. The warrants mature serially with a final maturity in 2028 and are callable at any time without penalty.	2,960,000
General Obligation Warrants, Series 2020B was issued in the principal amount of $19,885,000 in June 2020. The warrants bear interest at an average of 1.4%, payable semiannually on February 1 and August 1. The warrants mature serially with a final maturity in 2033 and are callable at any time without penalty.	18,930,000
General Obligation Warrants, Series 2021 was issued in the principal amount of $5,265,000 in November 2021. The warrants bear interest at an average of 3.5%, payable semiannually on February 1 and August 1. The warrants mature serially with a final maturity in 2028 and are callable at any time without penalty.	4,460,000
Total outstanding	87,773,035
Amount held in sinking fund for QECB payment	1,911,965
Total warrants outstanding	$ 89,685,000

Note 6: LONG-TERM DEBT (Continued)

The following schedule shows the debt service requirements at September 30, 2023:

For the years ending September 30,	Debt Service Related to Principal	Debt Service Related to Interest	Total Debt Service
2024	$ 4,470,000	$ 2,950,518	$ 7,420,518
2025	4,650,000	2,777,010	7,427,010
2026	4,840,000	2,591,202	7,431,202
2027	5,020,000	2,409,571	7,429,571
2028	5,190,000	2,237,356	7,427,356
2029-2033	29,840,000	9,133,274	38,973,274
2034-2038	9,830,000	6,064,588	15,894,588
2039-2043	11,750,000	4,081,100	15,831,100
2044-2048	14,095,000	1,735,400	15,830,400
Total	$ 89,685,000	$ 33,980,019	$ 123,665,019

The total interest paid by the City during 2023 relative to the above warrants was $3,032,861.

The City makes annual contributions into an invested sinking fund in the amount of $171,051 each fiscal year to pay the principal payment on the QECB warrants. This amount is included in the table above as debt service requirements. These amounts are held in the sinking fund and applied to the payment of the principal of the warrants at maturity on February 1, 2033. The balance in the sinking fund is $1,911,965 as of September 30, 2023.

As a result of the refunding debts in prior years, the City recorded deferred charges in the government-wide statement of net position. These charges represent the difference between the reacquisition price and the net carrying amounts of the refunded warrants. These costs are being amortized over the average remaining life of the refunded warrants. The unamortized portion of these costs as of September 30, 2023 was $1,297,476.

Note 7: PENSION PLAN

Plan Description

The City contributes to the Employees' Retirement System of Alabama (ERS), an agent multiple-employee retirement system, which acts as a common investment and administrative agent for the various state agencies and departments.

The ERS, an agent multiple-employer public employee retirement plan, was established as of October 1, 1945, pursuant to the *Code of Alabama 1975, Title 36, Chapter* 27 (Act 515 of the Legislature of 1945). The purpose of the ERS is to provide retirement allowances and other specified benefits for state employees, State Police, and on an elective basis, to all cities, counties, towns, and quasi-public organizations. The responsibility for the general administration and operation of ERS is vested in its Board of Control which consists of 13 trustees. Effective October 1, 2021 Act 390 of the Legislature of 2021 will create two additional representatives and change the composure of representatives within the ERS Board of Control. The Plan is administered by the Retirement Systems of Alabama (RSA). The *Code of Alabama 1975, Title 36, Chapter 27* grants the authority to establish and amend the benefit terms to the ERS Board of Control. The Plan issues a publicly available financial report that can be obtained at www.rsa-al.gov.

The ERS Board of Control consists of 15 trustees as follows:

1) The Governor, ex officio.
2) The State Treasurer, ex officio.
3) The State Personnel Director, ex officio.
4) The State Director of Finance, ex officio.
5) Three vested members of ERS appointed by the Governor for a term of four years, no two of whom are from the same department of state government nor from any department of which an ex officio trustee is the head.
6) Eight members of ERS who are elected by members from the same category of ERS for a term of four years as follows:
    a. Two retired members with one from the ranks of retired state employees and one from the ranks of retired employees of a city, county, or a public agency each of whom is an active beneficiary of ERS.
    b. Two vested active state employees.
    c. One vested active employee of a participating municipality or city in ERS pursuant to the *Code of Alabama 1975, Section 36-27-6.*
    d. One vested active employee of a participating county in ERS pursuant to the *Code of Alabama 1975, Section 36-27-6.*
    e. One vested active employee or retiree of a participating employer in ERS pursuant to the *Code of Alabama 1975, Section 36-27-6.*
    f. One vested active employee of a participating employer other than a municipality, city or county in ERS pursuant to the *Code of Alabama, Section 36-27-6.*

Note 7: PENSION PLAN (Continued)

Benefits Provided

State law establishes retirement benefits as well as death and disability benefits and any ad hoc increase in postretirement benefits for the ERS. Benefits for ERS members vest after 10 years of creditable service. Local employees who retire after age 60 with 10 years or more of creditable service or with 25 or 30 years of service (regardless of age), depending on the particular entity's election, are entitled to an annual retirement benefit, payable monthly for life. Service and disability retirement benefits are based on a guaranteed minimum or a formula method, with the member receiving payment under the method that yields the highest monthly benefit. Under the formula method, members of the ERS are allowed 2.0125% of their average final compensation (highest 3 of the last 10 years) for each year of service.

Act 377 of the Legislature of 2012 established a new tier of benefits (Tier 2) for members hired on or after January 1, 2013. Tier 2 ERS members are eligible for retirement after age 62 with 10 years or more of creditable service and are entitled to an annual retirement benefit, payable monthly for life. Service and disability retirement benefits are based on a formula method. Under the formula method, Tier 2 members of ERS are allowed 1.65% of their average final compensation (highest 5 of the last 10 years) for each year of service up to 80% of their average final compensation.

Members are eligible for disability retirement if they have 10 years of credible service, are currently in-service, and determined by the RSA Medical Board to be permanently incapacitated from further performance of duty. Preretirement death benefits equal to the annual earnable compensation of the member as reported to the Plan for the preceding year ending September 30 are paid to the beneficiary.

Act 132 of the Legislature of 2019 allowed employers who participate in the ERS pursuant to *Code of Alabama 1975, Section 36-27-6* to provide Tier I retirement benefits to their Tier 2 members. Tier 2 members of employers adopting Act 2019-132 will contribute 7.5% of earnable compensation for regular employees and 8.5% for firefighters and law enforcement officers. A total of 608 employers adopted Act 2019-132 as of September 30, 2022.

Act 316 of the Legislature of 2019 allows employees at the time of retirement to receive a partial lump sum (PLOP) distribution as a single payment not to exceed the sum of 24 months of the maximum monthly retirement allowance the member could receive. This option may be selected in addition to the election of another retirement allowance option at a reduced amount based upon the amount of partial lump sum distribution selected.

Note 7: PENSION PLAN (Continued)

Benefits Provided (Continued)

The ERS serves approximately 886 local participating employers. The ERS membership includes approximately 108,890 participants. As of September 30, 2022, membership consisted of:

Retirees and beneficiaries currently receiving benefits	30,598
Terminated employees entitled to but not yet receiving benefits	2,286
Terminated employees not entitled to a benefit	18,689
Active members	57,278
Post-DROP participants who are still in active service	39
Total	108,890

Contributions

Tier I covered members of the ERS contributed 5% of earnable compensation to the ERS as required by statute until September 30, 2011. From October 1, 2011 to September 30, 2012, covered members of the ERS were required by statute to contribute 7.25% of earnable compensation. Effective October 1, 2012, Tier I covered members of the ERS are required by statute to contribute 7.50% of earnable compensation. Tier I certified law enforcement, correctional officers, and firefighters of the ERS contributed 6% of earnable compensation as required by statute until September 30, 2011. From October 1, 2011, to September 30, 2012, Tier I certified law enforcement, correctional officers, and firefighters of the ERS were required by statute to contribute 8.25% of earnable compensation. Effective October 1, 2012, Tier I certified law enforcement, correctional officers, and firefighters of the ERS are required by statute to contribute 8.50% of earnable compensation.

Employers participating in the ERS pursuant to *Code of Alabama 1975, Section 36-27-6* were not required by statute to increase contribution rates but were provided the opportunity to do so through Act 2011-676. By adopting Act 2011-676 Tier I regular member contribution rates increased from 5% to 7.5% of earnable compensation and Tier I firefighters and law enforcement officers increased from 6% to 8.5% of earnable compensation.

Tier 2 covered members of the ERS contribute 6% of earnable compensation to the ERS as required by statute. Tier 2 certified law enforcement, correctional officers, and firefighters of the ERS contribute 7% of earnable compensation.

The ERS establishes rates based upon an actuarially determined rate recommended by an independent actuary. The actuarially determined rate is the estimated amount necessary to finance the costs of benefits earned by employees during the year, with additional amounts to finance any unfunded accrued liability, the pre-retirement death benefit and administrative expenses of the Plan. For the year ended September 30, 2023, the City's active employee contribution rate was 14.40% of covered employee payroll and the City's average contribution rate to fund the normal and accrued liability costs was 14.29% of pensionable payroll.

Note 7: PENSION PLAN (Continued)

Contributions (Continued)

The City's contractually required contribution rate for the year ended September 30, 2023 was 15.02% of pensionable pay for Tier 1 employees and 13.56% of pensionable pay for Tier 2 employees. These required contribution rates are based upon the actuarial valuation dated September 30, 2020, a percent of annual pensionable payroll, and actuarially determined as an amount that, when combined with member contributions, is expected to finance the costs of benefits earned by members during the year, with an additional amount to finance any unfunded accrued liability. Total employer contributions to the pension plan were $3,229,299 for the year ended September 30, 2023.

Net Pension Liability

The City's net pension liability was measured as of September 30, 2022, and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation as September 30, 2021 rolled forward to September 30, 2022 using standard roll-forward techniques as shown in the following table:

	Expected	Actual Before Plan Changes	Actual After Plan Changes
Total Pension Liability			
as of September 30, 2021 (a)	$ 105,921,596	$ 108,641,638	$ 108,696,702
Discount Rate (b)	7.45%	7.45%	7.45%
Entry Age Normal Cost for			
October 1, 2021 – September 30, 2022 (c)	2,154,797	2,154,797	2,156,297
Transfers Among Employers (d)	-	1,008,620	1,008,620
Actual Benefit Payment and Refunds for			
October 1, 2021 – September 30, 2022 (e)	(5,908,295)	(5,908,295)	(5,908,295)
Total Pension Liability			
as of September 30, 2022			
[(a) x (1+(b))] + (c) + (d) + [(e)x(1+0.5*(b))]	$ 109,839,173	$ 113,770,478	$ 113,831,144
Difference between Expected and Actual		$ 3,931,305	
Less liability transferred for immediate recognition		$ 1,251,270	
Difference between Expected and			
Actual Experience (Gain)/Loss		$ 2,680,035	
Difference between Actual TPL Before and After			
Plan Changes - Benefit Change (Gain)/Loss			$ 60,666

Note 7: PENSION PLAN (Continued)

Actuarial Assumptions

The total pension liability as of September 30, 2022 was determined based on the annual actuarial funding valuation report prepared as of September 30, 2021. The key actuarial assumptions are summarized below:

Inflation	2.50%
Projected salary increases	3.25%-6.00%
Investment rate of return*	7.45%

*Net of pension plan investment expense.

Mortality rates were based on the Pub-210 Below-Median Tables, projected generationally using the MP-2020 scale, which is adjusted by 66-2/3% beginning with year 2019:

Group	Membership Table	Set Forward (+)/Setback (-)	Adjustment to Rates
Non-FLC Service Retirees	General Health Below Medium	Male: +2, Female: +2	Male: 90% ages < 65, 96% ages > = 65, Female: 96% all ages
FLC/State Police Service Retirees	Public Safety Healthy Below Median	Male: +1, Female: none	None
Beneficiaries	Contingent Survivor Below Median	Male: +2, Female: +2	None
Non-FLC Disabled Retirees	General Disability	Male: +7, Female: +3	None
FLC/State Police Disabled Retirees	Public Safety Disability	Male: +7, Female: none	None

The actuarial assumptions used in the September 30, 2021 valuation were based on the results of an actuarial experience study for the period October 1, 2015 – September 30, 2020.

The long-term expected rate of return on pension plan investments was determined using a log-normal distribution analysis in which best-estimate ranges of expected future real rates of return (expected returns, net of pension plan investment expense and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation. The target asset allocation and best estimates of geometric real rates of return for each major asset class are as follows:

Note 7: PENSION PLAN (Continued)

Actuarial Assumptions (Continued)

Asset Class	Target Allocation	Long-term Expected Rate of Return*
Fixed Income	15.00%	2.80%
U.S. Large Stocks	32.00%	8.00%
U.S. Mid Stocks	9.00%	10.00%
U.S. Small Stocks	4.00%	11.00%
International Developed Market Stocks	12.00%	9.50%
International Emerging Market Stocks	3.00%	11.00%
Alternatives	10.00%	9.00%
Real Estate	10.00%	6.50%
Cash	5.00%	1.50%
Total	100.00%	

*Includes assumed rate of inflation of 2.00%.

Discount Rate

The discount rate used to measure the total pension liability was the long-term rate of return, 7.45%. The projection of cash flows used to determine the discount rate assumed that plan member contributions will be made at the current contribution rate and that the employer contributions will be made in accordance with the funding policy adopted by the ERS Board of Control. Based on those assumptions, components of the pension plan's fiduciary net position were projected to be available to make all projected future benefit payments of current plan members. Therefore, the long-term expected rate of return on pension plan investments was applied to all periods of projected benefit payments to determine the total pension liability.

Note 7: PENSION PLAN (Continued)

Changes in Net Pension Liability

	Total Pension Liability (a)	Plan Fiduciary Net Position (b)	Net Pension Liability (a)-(b)
Balances at September 30, 2021	$ 105,921,596	$ 78,086,099	$ 27,835,497
Changes for the year			
Service cost	2,154,797	-	2,154,797
Interest	7,671,075	-	7,671,075
Changes in benefit terms	60,666		60,666
Changes in assumptions	-	-	-
Difference between expected and actual experience	2,680,035	-	2,680,035
Contributions – employer	-	2,980,007	(2,980,007)
Contributions – employee	-	1,696,679	(1,696,679)
Net investment income	-	(9,972,120)	9,972,120
Benefit payments, including refunds			-
of employee contributions	(5,908,295)	(5,908,295)	-
Transfers among employers	1,251,270	1,008,620	242,650
			-
Net changes	7,909,548	(10,195,109)	18,104,657
			-
Balances at September 30, 2022	$ 113,831,144	$ 67,890,990	$ 45,940,154

Sensitivity of the Net Pension Liability to Changes in the Discount Rate

The following table presents the City's net pension liability calculated using the discount rate of 7.45%, as well as what the City's proportionate share of the net pension liability would be if it were calculated using a discount rate that is 1-percentage point lower (6.45%) or 1-percentage-point higher (8.45%) than the current rate:

	1% Decrease (6.45)	Current Discount Rate (7.45)	1% Increase (8.45)
Net Pension Liability	$ 59,583,057	$ 45,940,154	$ 34,479,294

Note 7: PENSION PLAN (Continued)

Pension Plan Fiduciary Net Position

Detailed information about the pension plan's fiduciary net position is available in the separately issued RSA Comprehensive Annual Report for the fiscal year ended September 30, 2022. The supporting actuarial information is included in the GASB Statement No. 68 Report for the ERS prepared as of September 30, 2022. The auditor's report on the Schedule of Changes in Fiduciary Net Position by Employer and accompanying notes are also available. The additional financial and actuarial information is available at http://www.rsa-al.gov/ index.php/ employers/financial-reports/gasb-68-reports/.

Pension Expense and Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions

For the year ended September 30, 2023, the City recognized pension expense of $3,399,999. At September 30, 2023, the reported deferred outflows of resources and deferred inflows of resources related to pensions of the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences between expected and actual experience	$ 3,787,109	$ 175,920
Changes of assumptions	3,125,941	-
Net differences between projected and actual earnings on pension plan investments	8,161,820	-
Employer contributions subsequent to the measurement date	3,229,299	-
Total	$ 18,304,169	$ 175,920

Note 7: PENSION PLAN (Continued)

Pension Expense and Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions (Continued)

The City reported $3,229,299 as deferred outflows of resources related to pensions resulting from City contributions subsequent to the measurement date, which will be recognized as a reduction of the net pension liability in the year ended September 30, 2024. Other amounts reported as deferred outflows of resources and deferred inflows of resources to pensions will be recognized in pension expense as follows:

For the years ending September 30,	
2024	$ 3,690,247
2025	3,006,384
2026	2,684,329
2027	4,434,736
2028	839,615
Thereafter	243,639
Total	$ 14,898,950

Note 8: ACCUMULATED COMPENSATED ABSENCES

For vacation leave and other compensated absences with similar characteristics, GASB Statement No. 16 requires the accrual of a liability as the benefits are earned by the employees if both of these conditions are met:

a. The employee's right to receive compensation is attributable to services already rendered.
b. It is probable that the employer will compensate the employees for the benefits through paid time off or some other means, such as cash payments at termination or retirement.

A City employee receives twelve days of annual vacation for the first twelve years of service; eighteen days of annual vacation during years twelve to twenty-five; and twenty-four days of annual vacation leave after twenty-five years of satisfactory employment. Annual vacation leave can accumulate up to forty days or 320 hours and an employee cannot be paid for annual leave in lieu of time off. At year-end, any annual vacation leave over 320 hours is converted hour for hour to sick leave. Employees also earn other compensatory time off for working on city holidays, and other approved circumstances over their normal work week. This compensatory time off accrues in the same manner as overtime pay at a rate of time and a half. There is no annual maximum limit for this compensatory time off and an employee can use it as other time off or is paid for the balance upon separation from the City. Sick leave can be accumulated, but upon separation from service all sick leave is canceled and is not transferable to annual leave. Sick leave can be converted as years of service upon retirement in the Retirement Systems of Alabama.

Note 8: ACCUMULATED COMPENSATED ABSENCES (Continued)

A liability for vacation pay is reported in the governmental funds only if the obligation has matured, for example, as a result of an employee's resignation or retirement. All vacation pay is accrued when incurred in the government-wide statements. The estimated current portion of accrued vacation at September 30, 2023 reported in the government-wide financial statements is $508,981. The remaining long-term incurred portion of the accrued vacation of the governmental activities at September 30, 2023 totaled $2,884,227.

Note 9: OTHER POSTEMPLOYMENT BENEFITS

Plan Description

The City provides certain continuing health care and life insurance benefits for its retired employees. The City of Vestavia Hills' OPEB Plan (the OPEB Plan) is a single-employer defined benefit OPEB plan administered by the City. The authority to establish and/or amend the obligation of the employer, employees and retirees rests with the City. No assets are accumulated in a trust that meets the criteria in Governmental Accounting Standards Board (GASB).

Benefits Provided

Medical benefits are provided through a comprehensive medical plan and are made available to employees upon actual retirement. The earliest retirement eligibility provisions are as follows: 25 years of service at any age; or, age 60 and 10 years of service (called Tier 1 members). Employees hired on and after January 1, 2013 (called Tier 2 members) are eligible to retire only after attainment of age 62 or later completion of 10 years of service. Effective October 1, 2021, Tier I retirement eligibility was extended to Tier II employees.

Employees Covered by Benefit Terms

At September 30, 2022 the following employees were covered by the benefit terms:

Inactive employees or beneficiaries currently receiving benefit payments	13
Active employees	274
Total	287

Total OPEB Liability

The City's total OPEB liability of $1,689,345 was measured as of September 30, 2023 and was determined by an actuarial valuation as of that date.

Note 9: OTHER POSTEMPLOYMENT BENEFITS (Continued)

Actuarial Assumptions and Other Inputs

The total OPEB liability in the September 30, 2023 actuarial valuation was determined using the following actuarial assumptions and other inputs, applied to all periods included in the measurement, unless otherwise specified:

Inflation	2.50%
Salary increases	4.00%, including inflation
Discount rate	4.02% annually (Beginning of Year to Determine ADC)
	4.09%, annually (As of End of Year Measurement Date)
Healthcare cost trend rates	Flat 5.5% annually (Old Plan Only)
Mortality	RP-2000 Table

The discount rate was based on the Bond Buyers' 20 Year General Obligation municipal bond index as of September 30, 2023, the end of the applicable measurement period.

The actuarial assumptions used in the September 30, 2023 valuation were based on the results of ongoing evaluations of the assumptions from October 1, 2009 to September 30, 2023.

Changes in the Total OPEB Liability

Balance at September 30, 2022	$ 1,699,986
Changes for the year	
Service cost	29,781
Interest	65,527
Differences between expected and actual experience	44,304
Changes of assumptions	(10,318)
Benefit payments and net transfers	(139,935)
Net changes	(10,641)
Balance at September 30, 2023	$ 1,689,345

Note 9: OTHER POSTEMPLOYMENT BENEFITS (Continued)

Sensitivity of the Total OPEB Liability to Changes in the Discount Rate

The following presents the total OPEB liability of the City, as well as what the City's total OPEB liability would be if it were calculated using a discount rate that is 1-percentage-point lower (4.09%) or 1-percentage-point higher (5.09%) than the current discount rate:

	1.00% Decrease (3.09%)	Current Discount Rate (4.09%)	1.00% Increase (5.09%)
Total OPEB liability	$ 2,041,663	$ 1,689,345	$ 1,417,401

Sensitivity of the Total OPEB Liability to Changes in the Healthcare Cost Trend Rates

The following presents the total OPEB liability of the City, as well as what the City's total OPEB liability would be if it were calculated using healthcare cost trend rates that are 1-percentage-point lower (4.5%) or 1-percentage-point higher (6.5%) than the current healthcare trend rates:

	1.00% Decrease (4.5%)	Current Trend (5.5%)	1.00% Increase (6.5%)
Total OPEB liability	$ 1,451,608	$ 1,689,345	$ 2,000,143

OPEB Expense and Deferred Outflows of Resources and Deferred Inflows of Resources Related to OPEB

For the year ended September 30, 2023, the City recognized OPEB expense of $87,316. At September 30, 2023, the City reported deferred outflows of resources and deferred inflows of resources related to OPEB from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences between expected and actual experience	$ 435,645	$ -
Changes of assumptions	382,808	306,331
Total	$ 818,453	$ 306,331

Note 9: OTHER POSTEMPLOYMENT BENEFITS (Continued)

OPEB Expense and Deferred Outflows of Resources and Deferred Inflows of Resources Related to OPEB (Continued)

Amounts reported as deferred outflows of resources and deferred inflows of resources related to OPEB will be recognized in OPEB expense as follows:

For the years ending September 30,	Cumulative Net Amount Amount to be Recognized
2024	$ 132,243
2025	132,243
2026	132,243
2027	14,518
2028	21,597
Thereafter	79,278
Total	$ 512,122

Note 10: DEFERRED COMPENSATION PLAN

The City offers its employees deferred compensation plans created in accordance with Internal Revenue Code (IRC) Section 457. The plans, available to all City employees, permit them to defer a portion of their salary until future years. The deferred compensation is payable to employees upon termination, retirement, death, or unforeseen emergency.

It is the opinion of the City's legal counsel that the City has no liability for losses under the plans. Under the plans, participants select investments from alternatives offered by the plan administrators, who are under contract with the City to manage the plans. Investment selection by a participant may be changed from time to time. The City manages none of the investment selections. By making the selection, enrollees accept and assume all risks that pertain to the particular plan and its administration.

The City placed the deferred compensation plans' assets into trust for the exclusive benefit of the plans participants' and beneficiaries' in accordance with Governmental Accounting Standards Board (GASB) Statement No. 32, Accounting and Financial Reporting for Internal Revenue Code Section 457 Deferred Compensation Plans.

The City has little administrative involvement and does not perform the investing function for the plans. The City does not hold the assets in a trustee capacity and does not perform fiduciary accountability for the plans. Therefore, the City employees' deferred compensation plans created in accordance with IRC 457 are not reported in the financial statements of the City.

Note 11: CONTINGENCIES AND COMMITMENTS

Litigation

Several suits have been filed and are pending against the City. In the opinion of management and the City's attorney, these matters are either without merit, are covered by insurance or involve amounts that would not have a material adverse effect on the City's financial statements.

Project Commitments

As of September 30, 2023, the City had executed contracts for various project commitments in the amount of $32,064,870. At September 30, 2023, $26,195,763 had been expended on these construction contracts.

Note 12: TAX ABATEMENTS

The City has entered into various tax abatements with property owners, businesses and real estate developers for the purpose of a) recruiting new business development and b) promoting the development of commercial parcels within the City. The agreements have limited terms and are entered into by the City as they are expected to benefit the City to increase revenue. These incentive agreements require approval by the City Council and are authorized by Amendment 772 to the Constitution of Alabama (1901) (Article 94.01 of the Recompiled Constitution of Alabama).

The incentive agreements generally expire upon the earlier of a specified term of years or the satisfaction of the agreed upon incentive amount. Following is a summary of such agreements:

Nature of Incentive	Type of Tax	% of City Taxes Abated	FYE September 30, 2023 Abatement Amount	Expiration of Incentive[1]	Maximum Incentive Amount
Restaurant development	Sales tax[4]	50%	67,477	December 31, 2027	$575,000
Commercial development[3]	Ad Valorem tax[2]	100%	74,656	August 31, 2034	$5,150,000
Retail development	Sales tax[4]	50%	44,299	November 30, 2024	$232,372
Restaurant development	Sales tax[4]	50%	33,872	July 31, 2026	$325,000
Restaurant development	Sales tax[4]	50%	53,260	October 31, 2028	$500,000
Commercial development	Sales tax[4]	50%	1,924	March 31, 2027	$575,000
Commercial development	Sales tax[4]	50%	93,077	December 31, 2026	$475,000
Restaurant development	Sales tax[4]	50%	73,334	August 31, 2029	$750,000
Restaurant development	Sales tax[4]	50%	31,939	September 30, 2029	$250,000
Commercial development	Sales tax[4]	50%	369,179	August 1, 2028	$4,247,808
Commercial development	Permit fees	50%	21,110	September 30, 2042	$12,000,000
		Total	864,127		

1 Earlier of date below, maximum incentive amount or cessation of operations, if applicable.

2 Non-educational portion only.

3 Of the $5,150,000 Maximum Incentive amount, $3,550,000 was paid directly by the City for building modifications and infrastructure improvements and $1,600,000 will be abated in advalorem taxes.

4 Non-educational portion only and none dedicated to capital reserves.

Note 13: DEVELOPMENT AGREEMENT

In September 2018, the City entered into a development agreement with two other geographically adjoining governments to provide infrastructure improvements. As part of this development agreement, the City has entered into a funding agreement to provide annual payments of $75,000 beginning in 2019 through 2023 for infrastructure improvements.

NOTE 14: LEASES RECEIVABLE

On October 1, 2021, City of Vestavia Hills, Alabama entered into a 283 month lease as Lessor for the use of Tillman Tower Lease. An initial lease receivable was recorded in the amount of $682,060. As of September 30, 2023, the value of the lease receivable is $638,460.03. The lessee is required to make monthly fixed payments of $1,400. Additionally, there are monthly other reasonably certain payments of $500.00. The lease has an interest rate of 0.0000%. The Land estimated useful life was 0 months as of the contract commencement. The value of the deferred inflow of resources as of September 30, 2023 was $624,217, and City of Vestavia Hills, Alabama recognized lease revenue of $28,921 during the fiscal year. The lessee has 4 extension option(s), each for 60 months. The lessee had a termination period of 2 months as of the lease commencement.

On October 1, 2021, City of Vestavia Hills, Alabama entered into a 40 month lease as Lessor for the use of AT&T Tower Lease. An initial lease receivable was recorded in the amount of $5,856.40. As of September 30, 2023, the value of the lease receivable is $2,343. The lessee is required to make monthly fixed payments of $146.41. The lease has an interest rate of 0.0000%. The Land estimated useful life was 0 months as of the contract commencement. The value of the deferred inflow of resources as of September 30, 2023 was $2,343, and City of Vestavia Hills, Alabama recognized lease revenue of $1,757 during the fiscal year.

On October 1, 2021, City of Vestavia Hills, Alabama entered into a 230 month lease as Lessor for the use of CC Holding 825375. An initial lease receivable was recorded in the amount of $343,226. As of September 30, 2023, the value of the lease receivable is $313,186. The lessee is required to make monthly fixed payments of $1,219. The lease has an interest rate of 0.0000%. The Land estimated useful life was 0 months as of the contract commencement. The value of the deferred inflow of resources as of September 30, 2023 was $307,411, and City of Vestavia Hills, Alabama recognized lease revenue of $17,907 during the fiscal year. The lessee has 1 extension option(s), each for 180 months.

NOTE 14: LEASES RECEIVABLE (Continued)

On October 1, 2021, City of Vestavia Hills, Alabama entered into a 480 month lease as Lessor for the use of CC Holding 874936. An initial lease receivable was recorded in the amount of $2,018,722. As of September 30, 2023, the value of the lease receivable is $1,975,810. The lessee is required to make annual fixed payments of $19,271. Additionally, there are monthly other reasonably certain payments of $200.00. The lease has an interest rate of 0.0000%. The Land estimated useful life was 0 months as of the contract commencement. The value of the deferred inflow of resources as of September 30, 2023 was $1,917,940, and City of Vestavia Hills, Alabama recognized lease revenue of $50,391 during the fiscal year.

	Governmental Activities		
For the years ending September 30,	Principal	Interest	Total Payments
2024	$ 63,272	$ -	$ 63,272
2025	64,294	-	64,294
2026	66,361	-	66,361
2027	67,585	-	67,585
2028	68,851	-	68,851
2029-2033	374,753	-	374,753
2034-2038	429,738	-	429,738
2039-2043	431,778	-	431,778
2044-2048	315,386	-	315,386
2049-2053	312,955	-	312,955
2054-2058	378,157	-	378,157
2059-2062	356,668	-	356,668
Total	$ 2,929,798	$ -	$ 2,929,798

NOTE 15: INTERFUND TRANSFERS

Transfers for the fiscal year ended September 30, 2023 consisted of the following:

	Transfer From			
Transfer to	General Fund	Capital Projects Fund	Capital Projects- Community Spaces Fund	Total
Other Governmental Funds	$ 772,324	$ -	$ -	$ 772,324
Capital Projects Fund	3,113,963	-	-	3,113,963
Capital Projects - Community Spaces Fund	7,149,749	-	-	7,149,749
Debt Service Fund	3,841,446	-	3,166,175	7,007,621
General Fund	-	50,000	-	50,000
Total	$ 14,877,482	$ 50,000	$ 3,166,175	$ 18,093,657

The purpose of the transfer from the General Fund to the Other Governmental Funds is for the operations of Seven Cent Gas Tax, E-911, Municipal Court, and Vehicle Tags.

The purpose of the transfer from the General Fund to the Capital Projects Fund is for the capital reserve allocation and funding of capital projects.

The purpose of the transfer from the General Fund to the Capital Projects – Community Spaces Fund is for funding capital projects.

The purpose of the transfer from the General Fund and Capital Projects – Community Spaces Fund to the Debt Service Fund is to pay debt service obligations.

The purpose of the transfer from the Capital Projects Fund and Other Governmental Funds to the General Fund is to reimburse expenditures paid for by the General Fund.

REQUIRED SUPPLEMENTARY INFORMATION

City of Vestavia Hills, Alabama
Schedule of Revenues, Expenditures, and Changes in Fund Balances
Budget to Actual—General Fund

For the year ended September 30, 2023	Budget - Original and Final	General Fund Actual	Variance
Revenues			
Taxes	$ 45,188,473	$ 51,351,670	$ 6,163,197
Licenses and permits	6,582,969	6,481,012	(101,957)
Charges for services	1,065,300	1,377,440	312,140
Fines and forfeitures	380,000	392,457	12,457
Fees	2,844,753	2,912,364	67,611
Grants	809,760	1,218,454	408,694
Proceeds from sale of assets	15,000	101,654	86,654
Interest revenues	400,500	58,661	(341,839)
Other revenues	792,591	2,097,414	1,304,823
Total revenues	58,079,346	65,991,126	7,911,780
Expenditures			
General government administration	8,812,666	8,901,054	(88,388)
Public safety	24,159,471	24,358,369	(198,898)
Public services	6,213,743	6,057,862	155,881
Library	2,809,928	2,781,297	28,631
Parks and recreation	4,177,501	4,412,300	(234,799)
Debt service	-	1,605	(1,605)
Capital outlay	50,000	581,610	(531,610)
Total expenditures	46,223,309	47,094,097	(870,788)
Excess of revenues over expenditures	11,856,037	18,897,029	7,040,992
Other Financing Sources (Uses)			
Subscription financing	-	301,589	301,589
Operating transfers in	50,000	50,000	-
Operating transfers out	(11,906,037)	(14,877,482)	(2,971,445)
Total other financing sources (uses)	(11,856,037)	(14,525,893)	(2,669,856)
Net change in fund balance	-	4,371,136	4,371,136
Fund balances at beginning of year	24,890,505	24,890,505	-
Fund balances at end of year	$ 24,890,505	$ 29,261,641	$ 4,371,136

City of Vestavia Hills, Alabama
Schedule of Changes in the Net Pension Liability and Related Ratios (As of Measurement Date)

Schedule of Changes in Net Pension Liability	**2022**	2021	2020	2019	2018	2017	2016	2015	2014
Total Pension Liability									
Service cost	**$ 2,154,797**	$ 1,818,139	$ 1,603,626	$ 1,555,575	$ 1,508,540	$ 1,486,956	$ 1,379,763	$ 1,319,081	$ 1,277,907
Interest	**7,671,075**	7,165,205	6,582,779	6,324,319	6,061,114	5,772,185	5,371,641	4,970,899	4,747,042
Changes in benefit terms	**60,666**	-	1,094,328	-	-	-	-	-	-
Differences between expected and actual experience	**2,680,035**	454,784	1,948,016	(418,564)	321,100	529,080	141,280	2,132,828	-
Changes of assumptions	**-**	4,314,245	-	-	449,717	-	3,809,927	-	-
Benefit payments, including refunds of employee contributions	**(5,908,295)**	(4,979,466)	(4,569,754)	(4,157,825)	(4,016,820)	(3,846,705)	(3,436,179)	(3,390,895)	(3,062,574)
Transfers among employees	**1,251,270**	1,604,351	1,109,829	259,081	(327,053)	(128,346)	273,131	-	-
Net change in total pension liability	**7,909,548**	10,377,258	7,768,824	3,562,586	3,996,598	3,813,170	7,539,563	5,031,913	2,962,375
Total pension liability - beginning	**105,921,596**	95,544,338	87,775,514	84,212,928	80,216,330	76,403,160	68,863,597	63,831,684	60,869,309
Total pension liability - ending (a)	**$ 113,831,144**	$ 105,921,596	$ 95,544,338	$ 87,775,514	$ 84,212,928	$ 80,216,330	$ 76,403,160	$ 68,863,597	$ 63,831,684
Plan Fiduciary Net Position									
Contributions - employer	**$ 2,980,007**	$ 2,631,424	$ 2,485,425	$ 2,384,919	$ 2,010,155	$ 2,076,923	$ 1,852,693	$ 1,777,403	$ 1,750,292
Contributions - employee	**1,696,679**	1,433,097	1,109,027	1,251,467	1,006,259	984,086	974,431	916,651	851,524
Net investment income	**(9,972,120)**	14,126,644	3,416,367	1,498,367	5,010,199	6,272,112	4,585,395	532,576	4,842,808
Benefit payments, including refunds of employee contributions	**(5,908,295)**	(4,979,466)	(4,569,754)	(4,157,825)	(4,016,820)	(3,846,705)	(3,436,179)	(3,390,895)	(3,062,574)
Transfers among employers	**1,008,620**	1,604,351	1,109,829	259,081	(327,053)	(128,346)	273,131	235,587	245,477
Net change in plan fiduciary net position	**(10,195,109)**	14,816,050	3,550,894	1,236,009	3,682,740	5,358,070	4,249,471	71,322	4,627,527
Plan net position - beginning	**78,086,099**	63,270,049	59,719,155	58,483,146	54,800,406	49,442,336	45,192,865	45,121,543	40,494,016
Plan net position - ending (b)	**$ 67,890,990**	$ 78,086,099	$ 63,270,049	$ 59,719,155	$ 58,483,146	$ 54,800,406	$ 49,442,336	$ 45,192,865	$ 45,121,543
Net pension liability - ending (a) - (b)	**$ 45,940,154**	$ 27,835,497	$ 32,274,289	$ 28,056,359	$ 25,729,782	$ 25,415,924	$ 26,960,824	$ 23,670,732	$ 18,710,141
Plan fiduciary net position as a percentage of total pension liability	**59.64%**	73.72%	66.22%	68.04%	69.45%	68.32%	64.71%	65.63%	70.69%
Covered payroll*	**$ 20,527,732**	$ 19,299,809	$ 18,449,981	$ 17,823,733	$ 16,890,643	$ 16,582,596	$ 15,839,133	$ 15,248,055	$ 14,710,190
Net pension liability as a percentage of covered employee payroll	**223.80%**	144.23%	174.93%	157.41%	152.33%	153.27%	170.22%	155.24%	127.19%

*City's covered payroll during the measurement period is the total covered payroll. For FY 2023, the measurement period is October 1, 2021 - September 30, 2022.
GASB issued a statement "Pension Issues" in March 2016 to redefine covered payroll beginning with FY2017.

Note: This schedule is intended to show information for 10 years. Additional years will be displayed as the information becomes available.

City of Vestavia Hills, Alabama
Schedule of Employer Pension Contributions
(As of Fiscal Year-end)

	2023	2022	2021	2020	2019	2018	2017	2016	2015
Actuarially Determined Contribution*	**$ 3,229,299**	$ 2,927,638	$ 2,702,938	$ 2,542,889	$ 2,450,447	$ 2,072,633	$ 2,132,174	$ 1,911,298	$ 1,829,808
Employer Contributions to Pension Plan	**3,229,299**	2,927,638	2,702,938	2,542,889	2,450,447	2,072,633	2,132,174	1,911,298	1,829,808
Annual Contribution Deficiency (Excess)	**$ -**	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Covered Payroll**	**$ 22,428,917**	$ 20,527,732	$ 19,299,809	$ 18,449,981	$ 17,823,998	$ 16,890,643	$ 16,582,596	$ 15,839,133	$ 15,248,055
Employer Contributions to Pension Plan as a % of Covered Payroll	**14.40%**	14.26%	14.00%	13.78%	13.75%	12.27%	12.86%	12.07%	12.00%

*The amount of employer contributions related to normal and accrued liability components of employer rate net of any refunds or error service payments.
The Schedule of Employer Contributions is based on the 12-month period of the underlying financial statement.

**City's covered payroll for FY 2023 is the total covered payroll for the 12-month period underlying the financial statement.

Note: This schedule is intended to show information for 10 years. Additional years will be displayed as the information becomes available.

City of Vestavia Hills, Alabama
Schedule of Changes in OPEB Liability and Related Ratios
(As of Measurement Date)

Total OPEB Liability	**2023**	2022	2021	2020	2019	2018
Service cost	**$ 29,781**	$ 37,924	$ 45,525	$ 36,221	$ 19,873	$ 21,139
Interest	**65,527**	37,325	37,333	25,686	31,209	28,260
Differences between expected and actual experience	**44,304**	356,876	22,165	149,569	87,670	41,998
Changes of assumptions	**(10,318)**	(399,349)	50,028	590,285	157,223	(48,684)
Benefit payments	**(139,935)**	(137,645)	(78,931)	(77,319)	(76,604)	(72,610)
Net change in total OPEB liability	**(10,641)**	(104,869)	76,120	724,442	219,371	(29,897)
Total OPEB liability - beginning	**1,699,986**	1,804,855	1,728,735	1,004,293	784,922	814,819
Total OPEB liability - ending	**$ 1,689,345**	$ 1,699,986	$ 1,804,855	$ 1,728,735	$ 1,004,293	$ 784,922
Covered employee payroll*	**$ 18,502,818**	$ 17,791,171	$ 17,332,334	$ 16,665,706	$ 15,820,146	$ 15,211,679
Total OPEB liability as a percentage of covered employee payroll	**9.13%**	9.56%	10.41%	10.37%	6.35%	5.16%

Notes to Schedule:
*The City's covered payroll during the measurement period is the total covered payroll. For FY2023, the measurement period is October 1, 2022 - September 30, 2023.

Benefit changes - There were no changes of benefit terms for the year ended September 30, 2023.
Changes of assumptions - The discount rate as of 9/30/2022 was 4.02% and it changed to 4.09% as of 9/30/2023.

Note: This schedule is intended to show information for 10 years. Additional years will be displayed as they become available.

Schedule of Employer OPEB Contributions
(As of Fiscal Year-end)

	2023	2022	2021	2020	2019	2018
Actuarially determined contribution (ADC)	**$ 128,330**	$ 120,182	$ 124,959	$ 85,233	$ 66,262	$ 66,166
Contributions in relation to the actuarially determined contribution						
Employer paid - expenses	**(139,935)**	(137,645)	(78,931)	(77,319)	(76,604)	(72,610)
Contribution deficiency (excess)	**$ (11,605)**	$ (17,463)	$ 46,028	$ 7,914	$ (10,342)	$ (6,444)
Covered employee payroll*	**18,502,818**	17,791,171	17,332,334	16,665,706	$ 15,820,146	$ 15,211,679
Contributions as a percentage of covered employee payroll	**0.76%**	0.77%	0.46%	0.46%	0.48%	0.48%

*City's covered payroll during the measurement period is the total covered payroll. For FY2023, the measurement period is October 1, 2022 - September 30, 2023.

Note: This schedule is intended to show information for 10 years. Additional years will be displayed as information become available.

Note 1: BUDGETS AND BUDGETARY ACCOUNTING

The City adopts annual budgets for the General Fund, Capital Projects Fund, and Special Revenue Funds and such budgets are prepared on a basis consistent with generally accepted accounting principles. Any revisions that alter the total expenditures must be approved by the City Council. The budget of the General Fund is presented in the Schedule of Revenues, Expenditures and Changes in Fund Balance - Budget and Actual. Revenues collected for and submitted to the Board of Education were not budgeted since they were remitted to the Board as received.

Budget information presented in the financial statements is based on the original budget as adopted by the City Council on August 8, 2022.

Note 2: SCHEDULE OF CHANGES IN NET PENSION LIABILITY

The total pension liabilities presented in these schedules were provided by the Retirement Systems of Alabama's actuarial consultants, Cavanaugh MacDonald Consulting, LLC. The net pension liability is measured as the total pension liability less the components of the plan net position reserved to fund the total pension liability. Those components are annuity savings and pension accumulation. The related ratios show plan net position as a percentage of the total pension liability and the net pension liability as a percentage of covered employee payroll.

Note 3: SCHEDULE OF EMPLOYER PENSION CONTRIBUTIONS

Contributions were made in accordance with actuarially determined contribution requirements. The employer contribution rate expressed as a percent of payroll is determined annually by reviewing a variety of factors including benefits promised, member contributions, investment earnings, mortality, and withdrawal experience. The City's employer contribution rates were 15.02% for Tier 1 employees (hired before January 1, 2013) and 13.56% for Tier 2 employees (hired after January 1, 2013).

Note 4: SCHEDULE OF CHANGES IN TOTAL OPEB LIABILITY

The total OPEB liability presented in these schedules were provided by the City's actuarial consultants, Fontenot Benefits and Actuarial Consulting. The related ratios show the total OPEB liability as a percentage of employee covered payroll.

Note 5: SCHEDULE OF EMPLOYER OPEB CONTRIBUTIONS

There were no contributions to the Plan outside of employer-paid retiree premiums for the year ended September 30, 2023.

Notes to Schedule:

Valuation date	10/1/2022 Actuarially determined contributions are calculated as of the last day of the fiscal year in which contributions are reported.
Actuarial cost method	Individual Entry Age Normal
Amortization method	Level dollar, open
Amortization period	30 years
Asset valuation method	Market value
Inflation	2.5% annually
Health care trend	Flat 5.5% annually (Old Plan Only)
Salary increases	4.0% annually
Discount rate	4.02% annually (beginning of year to determine ADC) 4.09% annually (as of end of year measurement date)
Retirement age	Age 55 and 25 years of service, or, if earlier, age 60 and 10 years of service
Mortality	RP-2000 without projection
Turnover	Age specific table with an average of 10% when applied to the active census
Decline rate	43% of retirees decline medical coverage at retirement and an additional 27% defer retirement until age 65.

SUPPLEMENTARY INFORMATION

September 30, 2023	State Shared Gasoline Tax Funds: Four Cent	Five Cent	Ten Cent	Seven Cent	Court & Corrections	E-911	Library	Vehicle Tags	Capital Projects - Sidewalks	Totals
Assets										
Cash	$ 10,962	$ 113,501	$ 219,867	$ -	$ 10,775	$ 166,280	$ 472,028	$ 244,076	$ 59,412	$ 1,296,901
Accounts receivable, net of allowance for uncollectibles	42,291	20,622	44,929	997,153	-	68,898	-	-	-	1,173,893
Total assets	$ 53,253	$ 134,123	$ 264,796	$ 997,153	$ 10,775	$ 235,178	$ 472,028	$ 244,076	$ 59,412	$ 2,470,794
Liabilities										
Accounts payable	$ -	$ -	$ -	$ 2,181	$ 11,005	$ 147	$ 305	$ 27,959	$ 829	$ 42,426
Other liability - claim on cash	-	-	-	543,376	-	-	-	-	-	543,376
Interfund payable	-	-	-	-	-	-	-	216,117	-	216,117
Total liabilities	-	-	-	545,557	11,005	147	305	244,076	829	801,919
Fund Balances										
Restricted for road maintenance	53,253	134,123	264,796	451,596	-	-	-	-	-	903,768
Assigned	-	-	-	-	-	235,031	471,723	-	58,583	765,337
Unassigned (deficit)	-	-	-	-	(230)	-	-	-	-	(230)
Total fund balances	53,253	134,123	264,796	451,596	(230)	235,031	471,723	-	58,583	1,668,875
Total liabilities and fund balances	$ 53,253	$ 134,123	$ 264,796	$ 997,153	$ 10,775	$ 235,178	$ 472,028	$ 244,076	$ 59,412	$ 2,470,794

City of Vestavia Hills, Alabama
Combining Statement of Revenues, Expenditures, and Changes in Fund Balances—Other Governmental Funds

	State Shared Gasoline Tax Funds									
For the year ended September 30, 2023	Four Cent	Five Cent	Ten Cent	Seven Cent	Court & Corrections	E-911	Library	Vehicle Tags	Capital Projects - Sidewalks	Totals
Revenues										
Taxes	$ 3,325	$ -	$ -	$ 1,002,814	$ -	$ 860,473	$ -	$ -	$ -	$ 1,866,612
License and permits	-	-	-	90,349	-	-	-	224,537	-	314,886
Intergovernmental	231,985	114,712	263,424	359,066	-	-	-	-	-	969,187
Fines and forfeitures	-	-	-	-	568,634	-	-	-	-	568,634
Grants	-	-	-	-	-	-	46,687	-	-	46,687
Interest revenues	2,333	2,484	4,637	-	24	213	898	5,301	1,804	17,694
Library revenues	-	-	-	-	-	-	164,068	-	-	164,068
Other revenues	-	-	-	-	-	-	-	-	20,000	20,000
Total revenues	237,643	117,196	268,061	1,452,229	568,658	860,686	211,653	229,838	21,804	3,967,768
Expenditures										
General government administration	-	-	-	-	645,659	-	-	246,414	-	892,073
Public safety	-	-	-	-	108,555	725,167	-	-	-	833,722
Public services	147,236	100,000	220,320	1,571,173	-	-	-	-	10,341	2,049,070
Library	-	-	-	-	-	-	77,127	-	-	77,127
Debt service	-	-	-	-	-	148,066	-	-	-	148,066
Capital outlay	-	-	-	-	22,649	45,574	-	-	35,563	103,786
Total expenditures	147,236	100,000	220,320	1,571,173	776,863	918,807	77,127	246,414	45,904	4,103,844
Excess of revenues over (under) expenditures	90,407	17,196	47,741	(118,944)	(208,205)	(58,121)	134,526	(16,576)	(24,100)	(136,076)
Other Financing Sources (Uses)										
Subscription financing	-	-	-	-	22,649	30,599	-	-	-	53,248
Operating transfers in	-	-	-	462,743	185,326	107,679	-	16,576	-	772,324
Operating transfers out	-	-	-	-	-	-	-	-	-	-
Total other financing sources (uses)	-	-	-	462,743	207,975	138,278	-	16,576	-	825,572
Net change in fund balances	90,407	17,196	47,741	343,799	(230)	80,157	134,526	-	(24,100)	689,496
Fund balances (deficit) at beginning of year	(37,154)	116,927	217,055	107,797	-	154,874	337,197	-	82,683	979,379
Fund balances (deficit) at end of year	$ 53,253	$ 134,123	$ 264,796	$ 451,596	$ (230)	$ 235,031	$ 471,723	$ -	$ 58,583	$ 1,668,875

REPORT ON COMPLIANCE AND INTERNAL CONTROL

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INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH *GOVERNMENT AUDITING STANDARDS*

To the Mayor and City Council
City of Vestavia Hills, Alabama

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities, each major fund, and the aggregate remaining fund information of the City of Vestavia Hills, Alabama (the City), as of and for the year ended September 30, 2023, and the related notes to the financial statements, which collectively comprise the City's basic financial statements and have issued our report thereon dated March 21, 2024.

Report on Internal Control over Financial Reporting

In planning and performing our audit of the financial statements, we considered the City's internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, we do not express an opinion on the effectiveness of the City's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or, significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses or significant deficiencies may exist that were not identified.

Report on Compliance and Other Matters

As part of obtaining reasonable assurance about whether the City's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the financial statements. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards.*

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

Carr, Riggs & Ingram, L.L.C.

CARR, RIGGS & INGRAM, LLC

Birmingham, Alabama
March 21, 2024

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INDEPENDENT AUDITOR'S REPORT ON COMPLIANCE FOR EACH MAJOR PROGRAM AND ON INTERNAL CONTROL OVER COMPLIANCE REQUIRED BY THE UNIFORM GUIDANCE

To the Mayor and City Council
City of Vestavia Hills, Alabama

Report on Compliance for Each Major Federal Program

Opinion on Each Major Federal Program

We have audited the City of Vestavia Hills's (the City's) compliance with the types of compliance requirements identified as subject to audit in the OMB *Compliance Supplement* that could have a direct and material effect on each of City's major federal programs for the year ended September 30, 2023. The City's major federal programs are identified in the summary of auditor's results section of the accompanying schedule of findings and questioned costs.

In our opinion, the City complied, in all material respects, with the types of compliance requirements referred to above that could have a direct and material effect on each of its major federal programs for the year ended September 30, 2023.

Basis for Opinion on Each Major Federal Program

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and the audit requirements of Title 2 U.S. *Code of Federal Regulations* Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance). Our responsibilities under those standards and the Uniform Guidance are further described in the Auditor's Responsibilities for the Audit of Compliance section of our report.

We are required to be independent of the City and to meet our other ethical responsibilities, in accordance with relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion on compliance for each major federal program. Our audit does not provide a legal determination of City's compliance with the compliance requirements referred to above.

Responsibilities of Management for Compliance

Management is responsible for compliance with the requirements referred to above and for the design, implementation, and maintenance of effective internal control over compliance with the requirements of laws, statutes, regulations, rules, and provisions of contracts or grant agreements applicable to the City's federal programs.

Auditor's Responsibilities for the Audit of Compliance

Our objectives are to obtain reasonable assurance about whether material noncompliance with the compliance requirements referred to above occurred, whether due to fraud or error, and express an opinion on the City's compliance based on our audit. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with generally accepted auditing standards, *Government Auditing Standards*, and the Uniform Guidance will always detect material noncompliance when it exists. The risk of not detecting material noncompliance resulting from fraud is higher than for that resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Noncompliance with the compliance requirements referred to above is considered material if there is a substantial likelihood that, individually or in the aggregate, it would influence the judgment made by a reasonable user of the report on compliance about the City's compliance with the requirements of each major federal program as a whole.

In performing an audit in accordance with generally accepted auditing standards, *Government Auditing Standards*, and the Uniform Guidance, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material noncompliance, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the City's compliance with the compliance requirements referred to above and performing such other procedures as we considered necessary in the circumstances.
- Obtain an understanding of the City's internal control over compliance relevant to the audit in order to design audit procedures that are appropriate in the circumstances and to test and report on internal control over compliance in accordance with the Uniform Guidance, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control over compliance. Accordingly, no such opinion is expressed.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and any significant deficiencies and material weaknesses in internal control over compliance that we identified during the audit.

Report on Internal Control over Compliance

A *deficiency in internal control over compliance* exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal program on a timely basis. A *material weakness in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the Auditor's Responsibilities for the Audit of Compliance section above and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies in internal control over compliance. Given these limitations, during our audit we did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses, as defined above. However, material weaknesses or significant deficiencies in internal control over compliance may exist that were not identified.

Our audit was not designed for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, no such opinion is expressed.

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Accordingly, this report is not suitable for any other purpose.

Carr, Riggs & Ingram, L.L.C.

CARR, RIGGS & INGRAM, LLC

Birmingham, Alabama
March 21, 2024

For the year ended September 30, 2023

Description	Assistance Listing Number	Pass Through Entity Identifying Number	Total Grant Award	Revenue Recognized	Expenditures	Passed Through to Subrecipients
U.S. Department of Transportation						
Passed through the Alabama Department of Transportation						
Highway Planning and Construction	20.205	CMAQ-7030(600)	2,136,891	100,962	100,962	-
Highway Planning and Construction	20.205			175,189	175,189	
Total U.S. Department of Transportation			2,136,891	276,151	276,151	-
Institute of Museum and Library Services						
Passed through the Alabama Public Library Service						
LSTA Grants to States	45.310	23-4-22	15,000	15,000	15,000	-
Total Institute of Museum and Library Services			15,000	15,000	15,000	-
U.S. Department of Treasury						
COVID-19 Coronavirus State and Local Fiscal Recovery Funds	21.027		8,180,928	1,850,532	1,850,532	-
Total U.S. Department of Treasury			8,180,928	1,850,532	1,850,532	-
Total Federal Awards			10,332,819	2,141,683	2,141,683	-

Note 1: GENERAL

The accompanying Schedule of Expenditures of Federal Awards presents the activity of all federal financial assistance programs of the City of Vestavia Hills, Alabama. All federal financial assistance received directly from federal agencies, as well as federal financial assistance passed through other state and local government agencies, is included in the schedule.

Note 2: BASIS OF ACCOUNTING

The accompanying Schedule of Expenditures of Federal Awards is presented using the modified accrual basis of accounting, which is described in Note 1 to the City's financial statements.

Note 3: INDIRECT COST

The City does not utilize the 10 percent de minimis indirect cost allowed under the Uniform Guidance.

Note 4: FEDERALLY FUNDED INSURANCE AND FEDERALLY FUNDED LOANS

The City had no federally funded insurance and no federally funded loans or loan guarantee for the fiscal year ended September 30, 2023.

Note 5: NON-CASH AWARDS

During the year ended September 30, 2023, the City did not receive any non-cash federal assistance.

Section I - Summary of Auditor's Results

Financial Statements

Type of auditor's report issued:	Unmodified			
Internal control over financial reporting:				
Material weakness(es) identified?		yes	X	no
Significant deficiency(ies) identified?		yes	X	none reported
Noncompliance material to financial statements noted?		yes	X	no

Federal Awards

Internal control over major programs:				
Material weakness(es) identified?		yes	X	no
Significant deficiency(ies) identified?		yes	X	none reported
Type of auditor's report issued on compliance for major programs:	Unmodified			
Any audit findings disclosed that are required to be reported in accordance with 2 CFR Part 200.516(a)		yes	X	no

Identification of major programs:

Assistance Listing Number(s)	Name of Federal Program or Cluster
21.027	COVID-19 Coronavirus State and Local Fiscal Recovery Fund

Dollar threshold used to distinguish between type A and type B programs:	$ 750,000			
Auditee qualified as low-risk auditee?		yes	X	no

Section II - Financial Statement Finding

There were no matters to be reported.

Section III - Federal Awards Findings and Questioned Costs

There were no matters to be reported.

REQUIRED COMMUNICATIONS

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March 21, 2024

To the City Council
City of Vestavia Hills, Alabama

Dear City of Vestavia Hill's Council Members:

We are pleased to present the results of our audit of the September 30, 2023 financial statements of the City of Vestavia Hill's (the City).

This report to the City Council summarizes our audit, the reports issued and various analyses and observations related to the City's accounting and reporting. The document also contains the communications required by our professional standards.

Our audit was designed, primarily, to express an opinion on the City's September 30, 2023 financial statements. We considered the City's current and emerging business needs, along with an assessment of risks that could materially affect the financial statements, and aligned our audit procedures accordingly. We conducted the audit with the objectivity and independence that you expect. We received the full support and assistance of the City's personnel.

At Carr, Riggs & Ingram, LLC (CRI), we are continually evaluating the quality of our professionals' work in order to deliver audit services of the highest quality that will meet or exceed your expectations. We encourage you to provide any feedback you believe is appropriate to ensure that we do not overlook a single detail as it relates to the quality of our services.

This report is intended solely for the information and use of the City Council, management, and others within the City and is not intended to be, and should not be, used by anyone other than these specified parties.

We appreciate this opportunity to meet with you.

Very truly yours,

Carr, Riggs & Ingram, L.L.C.

CARR, RIGGS & INGRAM, LLC
Birmingham, Alabama

As discussed with the City Council and management during our planning process, our audit plan represented an approach responsive to the assessment of risk for the City. Specifically, we planned and performed our audit to:

- Perform audit services as requested by the City Council, in accordance with auditing standards generally accepted in the United States of America, and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, in order to express an opinion on the City's financial statements for the year ending September 30, 2023;

- Report on internal control over financial reporting and on compliance and other matters based on an audit of financial statements performed in accordance with *Government Auditing Standards;* and Uniform Guidance 2 CFR Part 200 in order to express an opinion on compliance with requirements applicable to each major federal program;

- Report on internal control over compliance with the types of compliance requirements described in Uniform Guidance 2 CFR Part 200 and the OMB Compliance Supplement;

- Communicate directly with the City Council and management regarding the results of our procedures;

- Address with the City Council and management any accounting and financial reporting issues;

- Anticipate and respond to concerns of the City Council and management; and

- Address other audit-related projects as they arise and upon request.

We have audited the financial statements of the City for the year ended September 30, 2023, and have issued our report thereon dated March 21, 2024. Professional standards require that we provide you with the following information related to our audit:

MATTER TO BE COMMUNICATED	AUDITOR'S RESPONSE
Auditor's responsibility under Generally Accepted Auditing Standards and *Government Auditing Standards* and the Uniform Guidance	As stated in our engagement letter dated October 17 ,2023, our responsibility, as described by professional standards, is to express an opinion about whether the financial statements prepared by management with your oversight are fairly presented, in all material respects, in conformity with accounting principles generally accepted in the United States of America (GAAP). Our audit of the financial statements does not relieve you or management of your responsibilities. As part of our audit, we considered the internal control of the City over financial reporting. Such considerations were solely for the purpose of determining our audit procedures and not to provide any assurance concerning such internal control.
Client's responsibility	Management, with oversight from those charged with governance, is responsible for establishing and maintaining internal controls, including monitoring ongoing activities; for the selection and application of accounting principles; and for the fair presentation in the financial statements of financial position, results of operations, and cash flows in conformity with the applicable framework. Management is responsible for the design and implementation of programs and controls to prevent and detect fraud. Management is responsible for overseeing nonaudit services by designating an individual, preferably from senior management, with suitable skill, knowledge, or experience; evaluate the adequacy and results of those services; and accept responsibility for them.
Planned scope and timing of the audit	Our initial audit plan was not significantly altered during our fieldwork.
Significant accounting policies, including critical accounting policies and alternative treatments within generally accepted accounting principles and the auditor's judgment about the quality of accounting principles	The significant accounting policies used by the City are described in Note 1 to the financial statements. New accounting policies were adopted during the fiscal year as a result of the following recently issued accounting pronouncements: • Statement No. 91, Conduit Debt Obligations (GASB 91)

MATTER TO BE COMMUNICATED	AUDITOR'S RESPONSE
	• Statement No. 93, Replacement of Interbank Offered Rates (GASB 93) • Statement No. 96, Subscription-Based Information Technology Arrangements (GASB 96) The adoption of GASB statements 91, and 93 had no impact on the financial statements. The adoption of GASB Statement No. 96 had an impact on the financial statements. See Note 6 in the financial statements. We noted no transactions entered into by the City during the fiscal year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period. Further, the disclosures in the City's financial statements are neutral, consistent, and clear.
Management judgments and accounting estimates	Please see the following section titled "Accounting Policies, Judgments and Sensitive Estimates and CRI Comments on Quality".
Potential effect on the financial statements of any significant risks and exposures	No such risks or exposures were noted.
Significant difficulties encountered in the audit	We encountered no significant difficulties in dealing with management in performing and completing our audit.
Corrected and Uncorrected Misstatements	See "Summary of Audit Adjustments" section.
Other information in documents containing audited financial statements	Our responsibility related to documents (including annual reports, websites, etc.) containing the financial statements is to read the other information to consider whether: • Such information is materially inconsistent with the financial statements; and • We believe such information represents a material misstatement of fact. We have not been provided any such items to date and are unaware of any other documents that contain the audited financial statements.
Disagreements with management	We are pleased to report that no such disagreements arose during the course of our audit.
Other findings or issues	None noted.

MATTER TO BE COMMUNICATED	AUDITOR'S RESPONSE
Matters arising from the audit that were discussed with, or the subject of correspondence with, management	None noted.
Consultation with other accountants	To our knowledge, there were no such consultation with other accountants.
Major issues discussed with management prior to retention	Discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.
Internal control deficiencies	See report titled Independent Auditor's Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of the Financial Statement Performed in Accordance with *Government Auditing Standard*.
Fraud and illegal acts	We are unaware of any fraud or illegal acts involving management or causing material misstatement of the financial statements.
Written representations	See "Management Representation Letter" section.
Significant unusual accounting transactions	No significant unusual accounting transactions were noted during the fiscal year.
Supplementary Information in relation to the financial statements as a whole.	We made certain inquiries of management and evaluated the form, content, and methods of preparing the information to determine that the information complies with U.S. generally accepted accounting principles, the method of preparing it has not changed from the prior period, and the information is appropriate and complete in relation to our audit of the financial statements. We compared and reconciled the supplementary information to the underlying accounting records used to prepare the financial statements or to the financial statements themselves.
Required Supplementary Information	We applied certain limited procedures to the required supplementary information (RSI) that supplements the basic financial statements. Our procedures consisted of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We did not audit the RSI and do not express an opinion or provide any assurance on the RSI.

We are required to communicate our judgments about the quality, not just the acceptability, of the City's accounting principles as applied in its financial reporting. We are also required to communicate critical accounting policies and sensitive accounting estimates. Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significant to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The City may wish to monitor throughout the year the process used to compute and record these accounting estimates. The table below summarizes our communications regarding these matters.

AREA	ACCOUNTING POLICY	CRITICAL POLICY	JUDGMENTS & SENSITIVE ESTIMATE	COMMENTS ON QUALITY OF ACCOUNTING POLICY & APPLICATION
Investments	The City follows the provisions of Section I50: Investments, of the GASB Codification when reporting investments.	X	The City relies on investment valuation information from the bank or investment manager based upon financial market information to determine current or fair value.	The City's policies are in accordance with all applicable accounting guidelines and GASB.
Depreciation of property and equipment	The City depreciates property and equipment using the straight-line method.	X	The City depreciates property and equipment over their estimated useful lives, which are based on the experience with similar assets and guidance provided by ASC 360.	The City's recognition methods and disclosures appear appropriate.
Accounts receivable	The City estimates the receivable due from the State of Alabama for Capital Improvement monies.	X	The City estimates the receivable due from the State of Alabama for Capital Improvement monies.	We evaluated key factors and assumptions used to develop the balance in determining that it is reasonable in relation the financial statements taken as a whole.
Amortization of right-to-use assets, determination of discount rate for lease liability and fair value of underlying asset	The City amortized right-to-use assets using the straight line method and has utilized the incremental borrowing rate to determine the lease liability and the fair value of the underlying assets.	X	The City amortized right-to-use assets over the shorter period of the lease term or the useful life of the asset which is based on the experience with similar assets and guidance provided by GASB Statement No. 87, *Leases.* Similarly, using past	We evaluated key factors and assumptions used to develop the estimated useful lives, discount rate and fair value of assets in determining that they are reasonable in

AREA	ACCOUNTING POLICY	CRITICAL POLICY	JUDGMENTS & SENSITIVE ESTIMATE	COMMENTS ON QUALITY OF ACCOUNTING POLICY & APPLICATION
			experience with similar assets and the guidance provided by GASB Statement No. 87, *Leases* the City has utilized the incremental borrowing rate to determine the measurement of the lease liability, interest payments and fair value of the underlying asset.	relation to the financial statements taken as a whole.
Amortization of right-to-use SBITA assets, determination of discount rate for the SBITA liabilities and fair value of underlying assets	The City amortizes right-to-use SBITA assets using straight-line method and has utilized the incremental borrowing rate to determine the SBITA liability and the fair value of the underlying assets.	X	The City amortizes right-to-use lease and SBITA assets over the shorter period of the subscription term or the useful life of the assets which is based on the experience with similar assets and guidance provided by GASB 96, Subscription-Based Information Technology Arrangements. Similarly, using past experience with similar assets and the guidance provided by GASB Statement No. 96, Subscription-Based Information Technology Arrangements, the City has utilized the incremental borrowing rate to determine the measurement of the SBITA liability, interest payments and fair value of the underlying asset.	We evaluated key factors and assumptions used to develop the estimated lives, incremental borrowing rate and fair value of assets in determining that they are reasonable in relation to the financial statements taken as a whole.
Other postemployment benefit obligation	The City records a liability for its post-employment benefits obligation other than pensions.	X	The OPEB liability is projected using methods and assumptions as provided in the most recent actuarial valuation, in accordance with the provisions of GASB Statement No. 75. Health	We evaluated the assumptions used by the actuary in determining the total OPEB liability and found them to be in accordance with the provisions of GASB 75 and reasonable in

AREA	ACCOUNTING POLICY	CRITICAL POLICY	JUDGMENTS & SENSITIVE ESTIMATE	COMMENTS ON QUALITY OF ACCOUNTING POLICY & APPLICATION
			care cost trend rates were based on market assessments.	relation to the financial statements taken as a whole.
Defined benefit pension plan	The City participates in the Employee Retirement System (ERS), an agent multiple-employer plan administered by RSA. RSA utilizes an independent actuary to provide an actuarial valuation report specific to each participating employer with estimates of the total pension liability, fiduciary net position, related deferred outflows/inflows and actuarially required contributions in accordance with related deferred outflows/inflows and actuarially required contributions in accordance with the provisions of GASB 68.	X	Key assumptions utilized by the actuary in making the estimates in accordance with GASB 68. The total pension liability was determined by an actuarial valuation as of September 30, 2020, with a measurement date of September 30, 2021.	We evaluated the assumptions used by the actuary in estimating the City's total pension liability, the fiduciary net position, and the related deferred outflows/inflows and found them to be in accordance with the provisions of GASB 68 and reasonable in relation to the financial statements taken as a whole.
Compensated absences	Liabilities for compensated absences attributable to services already rendered are accrued as employees earn the rights to those benefits. The City follows the provisions of Section C60: Compensated Absences, of the GASB Codification when reporting these liabilities.	X	The City estimates the accrued liabilities for compensated absences using leave balances accrued at the end of the fiscal year multiplied by the pay rate in effect for each employee as of the end of the fiscal year.	The City's policies are in accordance with all applicable accounting guidelines and GASB.

During the course of our audit, we accumulate differences between amounts recorded by the City and amounts that we believe are required to be recorded under GAAP reporting guidelines. Those adjustments are either recorded (corrected) by the City or passed (uncorrected). Uncorrected misstatements or the matters underlying them could potentially cause future period financial statements to be materially misstated, even if, in the auditor's judgement, such uncorrected misstatements are immaterial to the financial statements under audit. See below for the passed adjustment:

To adjust lease receivables for GASB87 increment borrowing rate present value computation.

Lease tower revenue	($48,493)
Deferred inflow of resources - leases	$11,985
Lease tower receivable	$36,508

QUALITATIVE MATERIALITY CONSIDERATIONS

In evaluating the materiality of audit differences when they do arise, we consider both quantitative and qualitative factors, for example:

- Whether the difference arises from an item capable of precise measurement or whether it arises from an estimate, and, if so, the degree of imprecision inherent in the estimate.
- Whether the difference masks a change in earnings or other trends.
- Whether the difference changes a net decrease in assets to addition, or vice versa.
- Whether the difference concerns an area of the City's operating environment that has been identified as playing a significant role in the City's operations or viability.
- Whether the difference affects compliance with regulatory requirements.
- Whether the difference has the effect of increasing management's compensation – for example, by satisfying requirements for the award of bonuses or other forms of incentive compensation.
- Whether the difference involves concealment of an unlawful transaction.

March 21, 2024

Carr, Riggs and Ingram, LLC
3700 Colonnade Parkway, Suite 300
Birmingham, AL 35243

This representation letter is provided in connection with your audit(s) of the financial statements of City of Vestavia Hills (the City), which comprise the respective financial position of the governmental activities, each major fund, and the aggregate remaining fund information as of September 30, 2023, and the respective changes in financial position, and the disclosures (collectively, the "financial statements"), for the purpose of expressing opinions as to whether the financial statements are presented fairly, in all material respects, in accordance with accounting principles generally accepted in the United States of America (U.S. GAAP).

Certain representations in this letter are described as being limited to matters that are material. Items are considered to be material, regardless of size, if they involve an omission or misstatement of accounting information that, in light of surrounding circumstances, makes it probable that the judgment of a reasonable person relying on the information would be changed or influenced by the omission or misstatement. An omission or misstatement that is monetarily small in amount could be considered material as a result of qualitative factors.

We confirm, to the best of our knowledge and belief, as of March 21, 2024, the following representations made to you during your audit.

Financial Statements

1) We have fulfilled our responsibilities, as set out in the terms of the audit engagement letter dated October 17, 2023, including our responsibility for the preparation and fair presentation of the financial statements in accordance with U.S. GAAP and for preparation of the supplementary information in accordance with the applicable criteria.

2) The financial statements referred to above are fairly presented in conformity with U.S. GAAP and include all properly classified funds and other financial information of the primary government and all component units required by generally accepted accounting principles to be included in the financial reporting entity.

3) We acknowledge our responsibility for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

4) We acknowledge our responsibility for the design, implementation, and maintenance of internal control to prevent and detect fraud.

5) The methods, significant assumptions, and data used in making accounting estimates and their related disclosures are appropriate to achieve recognition, measurement, or disclosure that is reasonable in accordance with U.S. GAAP.

6) Related party relationships and transactions, including revenues, expenditures/expenses, loans, transfers, leasing arrangements, and guarantees, and amounts receivable from or payable to related parties have been appropriately accounted for and disclosed in accordance with U.S. GAAP.

7) Adjustments or disclosures have been made for all events, including instances of noncompliance, subsequent to the date of the financial statements that would require adjustment to or disclosure in the financial statements or in the schedule of findings and questioned costs.

8) The effects of the uncorrected misstatement is immaterial to the financial statements as a whole for each opinion unit. The uncorrected misstatement is attached to the representation letter.

9) The effects of all known actual or possible litigation, claims, and assessments have been accounted for and disclosed in accordance with U.S. GAAP.

10) Guarantees, whether written or oral, under which the City is contingently liable, if any, have been properly recorded or disclosed.

11) We believe that the actuarial assumptions and methods used to measure pension and OPEB liabilities for costs for financial accounting purposes are appropriate in the circumstances.

12) Tax abatement agreements have been properly disclosed in the notes to the financial statements, including the names of all governments involved, the gross amount and specific taxes abated, and additional commitments.

Information Provided

13) We have provided you with:

    a) Access to all information, of which we are aware, that is relevant to the preparation and fair presentation of the financial statements, such as records (including information obtained from outside of the general and subsidiary ledgers), documentation, and other matters and all audit or relevant monitoring reports, if any, received from funding sources.

    b) Additional information that you have requested from us for the purpose of the audit.

    c) Unrestricted access to persons within the City from whom you determined it necessary to obtain audit evidence.

    d) Minutes of the meetings of the City Council or summaries of actions of recent meetings for which minutes have not yet been prepared.

14) All material transactions have been recorded in the accounting records and are reflected in the financial statements and the schedule of expenditures of federal awards.

15) We have disclosed to you the results of our assessment of the risk that the financial statements may be materially misstated as a result of fraud.

16) We have no knowledge of any fraud or suspected fraud that affects the City and involves—

    a) Management,

    b) Employees who have significant roles in internal control, or

    c) Others where the fraud could have a material effect on the financial statements.

17) We have no knowledge of any allegations of fraud or suspected fraud affecting the City's financial statements communicated by employees, former employees, regulators, or others.

18) We have no knowledge of instances of noncompliance or suspected noncompliance with provisions of laws, regulations, contracts, or grant agreements, or waste or abuse, whose effects should be considered when preparing financial statements.

19) We have disclosed to you all known actual or possible litigation, claims, and assessments whose effects should be considered when preparing the financial statements.

20) We have disclosed to you the names of the City's related parties and all the related party relationships and transactions, including any side agreements.

Government-specific

19) There have been no communications from regulatory agencies concerning noncompliance with, or deficiencies in, financial reporting practices.

20) We have identified to you any previous audits, attestation engagements, and other studies related to the objectives of the audit and whether related recommendations have been implemented.

21) We have identified to you any investigations or legal proceedings that have been initiated with respect to the period under audit.

22) The City has no plans or intentions that may materially affect the carrying value or classification of assets, deferred outflows of resources, liabilities, deferred inflows of resources, and fund balance or net position.

23) We are responsible for compliance with the laws, regulations, and provisions of contracts and grant agreements applicable to us, including tax or debt limits and debt contracts, and legal and contractual provisions for reporting specific activities in separate funds.

24) We have appropriately disclosed all information for conduit debt obligations in accordance with GASBS No. 91 .

25) We have identified and disclosed to you all instances of identified and suspected fraud and noncompliance with provisions of laws, regulations, contracts, and grant agreements that we believe have a material effect on the financial statements.

26) There are no violations or possible violations of budget ordinances, laws and regulations (including those pertaining to adopting, approving, and amending budgets), provisions of contracts and grant agreements, tax or debt limits, and any related debt covenants whose effects should be considered for disclosure in the financial statements, or as a basis for recording a loss contingency, or for reporting on noncompliance.

27) As part of your audit, you assisted with preparation of the financial statements and disclosures, schedule of expenditures of federal awards and related notes, OMB data collection form, and any other nonattest services. We acknowledge our responsibility as it relates to those nonaudit services, including that we assume all management responsibilities; oversee the services by designating an individual, preferably within senior management, who possesses suitable skill, knowledge, or experience; evaluate the adequacy and results of the services performed; and accept responsibility for the results of the services. We have reviewed, approved, and accepted responsibility for those financial statements and disclosures, schedule of expenditures of federal awards and related notes, OMB data collection form, and any other nonattest services.

28) In regard to the assistance with preparation of the financial statements and disclosures, schedule of expenditures of federal awards and related notes, OMB data collection form, and any other nonattest services performed by you, we have –

    a) Assumed all management responsibilities.

    b) Designated Melvin Turner and Zach Clifton, who has suitable skill, knowledge, or experience to oversee the services.

c) Evaluated the adequacy and results of the services performed.

d) Accepted responsibility for the results of the services.

e) Ensured that the data and record are complete, and we have sufficient information to oversee the services.

29) The City has satisfactory title to all owned assets, and there are no liens or encumbrances on such assets nor has any asset been pledged as collateral.

30) The City has complied with all aspects of contractual agreements that would have a material effect on the financial statements in the event of noncompliance.

31) The financial statements include all component units, appropriately present majority equity interests in legally separate organizations and joint ventures with an equity interest, and properly disclose all other joint ventures and other related organizations.

32) The financial statements include all fiduciary activities required by GASBS No. 84 , as amended.

33) The financial statements properly classify all funds and activities in accordance with GASBS No. 34 , as amended.

34) All funds that meet the quantitative criteria in GASBS Nos. 34 and 37 for presentation as major are identified and presented as such and all other funds that are presented as major are particularly important to financial statement users.

35) Components of net position (net investment in capital assets; restricted; and unrestricted) and classifications of fund balance (nonspendable, restricted, committed, assigned, and unassigned) are properly classified and, if applicable, approved.

36) Investments, derivative instrument transactions, and land and other real estate held by endowments are properly valued.

37) Provisions for uncollectible receivables have been properly identified and recorded.

38) Expenses have been appropriately classified in or allocated to functions and programs in the statement of activities, and allocations have been made on a reasonable basis.

39) Revenues are appropriately classified in the statement of activities within program revenues, general revenues, contributions to term or permanent endowments, or contributions to permanent fund principal.

40) Interfund, internal, and intra-entity activity and balances have been appropriately classified and reported.

41) Deposits and investment securities and derivative instrument transactions are properly classified as to risk and are properly disclosed.

42) Capital assets, including infrastructure and intangible assets, are properly capitalized, reported, and, if applicable, depreciated or amortized.

43) We have appropriately disclosed the City's policy regarding whether to first apply restricted or unrestricted resources when an expense is incurred for purposes for which both restricted and unrestricted net position is available and have determined that net position is properly recognized under the policy.

44) We are following our established accounting policy regarding which resources (that is, restricted, committed, assigned, or unassigned) are considered to be spent first for expenditures for which

more than one resource classification is available. That policy determines the fund balance classifications for financial reporting purposes.

45) We acknowledge our responsibility for the required supplementary information (RSI). The RSI is measured and presented within prescribed guidelines and the methods of measurement and presentation have not changed from those used in the prior period. We have disclosed to you any significant assumptions and interpretations underlying the measurement and presentation of the RSI.

46) With respect to the combining balance sheet – other governmental funds and combining statement of revenues, expenditures, and changes in fund balances – other governmental funds:

  a) We acknowledge our responsibility for presenting the combining balance sheet – other governmental funds and combining statement of revenues, expenditures, and changes in fund balances – other governmental funds in accordance with accounting principles generally accepted in the United States of America, and we believe the combining balance sheet – other governmental funds and combining statement of revenues, expenditures, and changes in fund balances – other governmental funds, including its form and content, is fairly presented in accordance with accounting principles generally accepted in the United States of America. The methods of measurement and presentation of the combining balance sheet – other governmental funds and combining statement of revenues, expenditures, and changes in fund balances – other governmental funds have not changed from those used in the prior period, and we have disclosed to you any significant assumptions or interpretations underlying the measurement and presentation of the supplementary information.

  b) If the combining balance sheet – other governmental funds and combining statement of revenues, expenditures, and changes in fund balances – other governmental funds is not presented with the audited financial statements, we will make the audited financial statements readily available to the intended users of the supplementary information no later than the date we issue the supplementary information and the auditor's report thereon.

47) With respect to federal award programs:

  a) We are responsible for understanding and complying with and have complied with, the requirements of Title 2 U.S. *Code of Federal Regulations* (CFR) Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance), including requirements relating to preparation of the schedule of expenditures of federal awards.

  b) We acknowledge our responsibility for preparing and presenting the schedule of expenditures of federal awards (SEFA) and related disclosures in accordance with the requirements of the Uniform Guidance, and we believe the SEFA, including its form and content, is fairly presented in accordance with the Uniform Guidance. The methods of measurement or presentation of the SEFA have not changed from those used in the prior period and we have disclosed to you any significant assumptions and interpretations underlying the measurement or presentation of the SEFA.

  c) If the SEFA is not presented with the audited financial statements, we will make the audited financial statements readily available to the intended users of the SEFA no later than the date we issue the SEFA and the auditor's report thereon.

  d) We have identified and disclosed to you all of our government programs and related activities subject to the Uniform Guidance compliance audit, and have included in the SEFA, expenditures made during the audit period for all awards provided by federal agencies in the form of federal awards, federal cost-reimbursement contracts, loans, loan guarantees, property (including donated surplus property), cooperative agreements, interest subsidies, insurance, food commodities, direct appropriations, and other direct assistance.

e) We are responsible for understanding and complying with, and have complied with, the requirements of federal statutes, regulations, and the terms and conditions of federal awards related to each of our federal programs and have identified and disclosed to you the requirements of federal statutes, regulations, and the terms and conditions of federal awards that are considered to have a direct and material effect on each major program.

f) We are responsible for establishing, designing, implementing, and maintaining, and have established, designed, implemented, and maintained, effective internal control over compliance for federal programs that provides reasonable assurance that we are managing our federal awards in compliance with federal statutes, regulations, and the terms and conditions of federal awards that could have a material effect on our federal programs. We believe the internal control system is adequate and is functioning as intended.

g) We have made available to you all federal awards (including amendments, if any) and any other correspondence with federal agencies or pass-through entities relevant to federal programs and related activities.

h) We have received no requests from a federal agency to audit one or more specific programs as a major program.

i) We have complied with the direct and material compliance requirements (except for noncompliance disclosed to you), including when applicable, those set forth in the *OMB Compliance Supplement* relating to federal awards and [have identified and disclosed to you all amounts questioned and all known noncompliance with the direct and material compliance requirements of federal awards OR confirm that there were no amounts questioned and no known noncompliance with the direct and material compliance requirements of federal awards].

j) We have disclosed any communications from federal awarding agencies and pass-through entities concerning possible noncompliance with the direct and material compliance requirements, including communications received from the end of the period covered by the compliance audit to the date of the auditor’s report.

k) We have disclosed to you the findings received and related corrective actions taken for previous audits, attestation engagements, and internal or external monitoring that directly relate to the objectives of the compliance audit, including findings received and corrective actions taken from the end of the period covered by the compliance audit to the date of the auditor’s report.

l) Amounts claimed or used for matching were determined in accordance with relevant guidelines in OMB‘s Uniform Guidance (2 CFR part 200, subpart E).

m) We have disclosed to you our interpretation of compliance requirements that may have varying interpretations.

n) We have made available to you all documentation related to compliance with the direct and material compliance requirements, including information related to federal program financial reports and claims for advances and reimbursements.

o) We have disclosed to you the nature of any subsequent events that provide additional evidence about conditions that existed at the end of the reporting period affecting noncompliance during the reporting period.

p) There are no such known instances of noncompliance with direct and material compliance requirements that occurred subsequent to the period covered by the auditor's report.

q) No changes have been made in internal control over compliance or other factors that might significantly affect internal control, including any corrective action we have taken regarding significant deficiencies or material weaknesses in internal control over compliance, subsequent to the period covered by the auditor's report.

r) Federal program financial reports and claims for advances and reimbursements are supported by the books and records from which the financial statements have been prepared.

s) The copies of federal program financial reports provided you are true copies of the reports submitted, or electronically transmitted, to the respective federal agency or pass-through entity, as applicable.

t) We have charged costs to federal awards in accordance with applicable cost principles.

u) We are responsible for and have accurately prepared the summary schedule of prior audit findings to include all findings required to be included by the Uniform Guidance, and we have provided you with all information on the status of the follow-up on prior audit findings by federal awarding agencies and pass-through entities, including all management decisions.

v) We are responsible for and have ensured the reporting package does not contain protected personally identifiable information.

w) We are responsible for and have accurately prepared the auditee section of the Data Collection Form as required by the Uniform Guidance.

x) A Uniform Guidance audit was not required for the fiscal year ended September 30, 2021.

y) We are responsible for taking corrective action on each audit finding of the compliance audit and have developed a corrective action plan that meets the requirements of the Uniform Guidance.

z) We have disclosed to you all contracts or other agreements with service organizations, and we have disclosed to you all communications from the service organizations relating to noncompliance at the service organizations.

Signature: ______________________________ Signature: ______________________________

Title: ______________________________ Title: ______________________________

RESOLUTION NUMBER 5505-A

A RESOLUTION RESCHEDULING REGULAR MEETINGS AND/OR WORK SESSIONS OF THE VESTAVIA HILLS CITY COUNCIL

WHEREAS, on March 11, 2024, the Council adopted Resolution Number 5505 to reschedule certain Council meetings in observance of holidays; and

WHEREAS, it was later determined that one Council meeting which was rescheduled for Monday, May 20, 2024 is the same evening as the Vestavia Hills High School graduation which created a conflict; and

WHEREAS, the Mayor and City Council feel it in the best public interest to again reschedule the time of this meeting in order to avoid any conflict.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VESTAVIA HILLS, ALABAMA, AS FOLLOWS:

1. The regularly scheduled meeting of the Vestavia Hills City Council scheduled for May 27, 2024 is hereby rescheduled for **Monday, May 20, 2024** beginning at **3 PM** in observance of Memorial Day and, if needed, the **regular work session** scheduled for that date will be moved to **2 PM** if it is deemed that a work session is needed; and
2. This Resolution Number 5505 shall become effective immediately upon adoption and approval.

ADOPTED and APPROVED this the 21st day of March, 2024.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CITY OF VESTAVIA HILLS
OFFICE OF THE CITY MANAGER
INTER-DEPARTMENT MEMO

March 21, 2024

To: Mayor and City Council

From: Jeff Downes, City Manager

Cc: Melvin Turner, III, Finance Director
Zach Clifton, Asst. Finance Director
Cinnamon McCulley, Assistant City Manager

RE: Public Hearing - Ordinance Number 3216 - An Ordinance Approving Multi-Year Financial Commitment to Vestavia Hills City Schools for Purposes of Capital Improvements to Shared Facilities

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Background:
As introduced during our 2024 Strategic Planning Work Session and discussed during the March 11, 2024 City Council Work Session, the Vestavia Hills City Schools (VHCS) leadership is proposing a multifaceted series of actions to implement its short-term and long-term goals. These include, but are not limited to, investments in its financial reserves, increased STEM programs utilizing collaborations with community partners, energy utilization efficiency efforts and improvements to its employee compensation plan. Additionally, it was recognized that the City of Vestavia Hills and VHCS mutually benefit from the use of VHCS athletic spaces, many of which are in need of improvements for the safety of all of its users. A preliminary budget has been produced that quantifies these improvements to be approximately $3.5 million. VHCS

requests that a City investment of $3.5mm over three years would offset this financial burden to VHCS and allow those resources to be utilized for direct educational purposes.

Recommendation:
Given the availability of financial resources made a part of the City's Community Spaces Fund, a three-year commitment of $3.5mm is potentially feasible with approval of the City Council.

Fiscal Impact:
The funding disbursement is proposed to occur with the following timeline should the Council grant authority to proceed with this expenditure:
July 1, 2024 - $1.1mm
July 1, 2025- $1.2mm
July 1, 2026- $1.2mm

Attachments:
1. Draft Ordinance for $3.5 Shared Spaces
2. Five-Year Capital Plan - Shared Spaces
3. 2024 Presentations _ BoE Strategic Plannng 2024

ORDINANCE NUMBER 3216

AN ORDINANCE AUTHORIZING A MULTI-YEAR FINANCIAL COMMITMENT TO VESTAVIA HILLS CITY SCHOOLS FOR PURPOSES OF CAPITAL IMPROVEMENTS TO SHARED FACILTIES

WHEREAS, Vestavia Hills City Schools ("School System") is a foundational element of the success of the City of Vestavia Hills ("City") as evidenced by the reliable statistic that nearly 75% of city residents move to Vestavia Hills due to the School System; and

WHEREAS, the financial sustainability of the School System is directly correlated with the long-term economic success of the City thus requiring interorganizational collaboration in areas such as finance, operations and recreation/athletics; and

WHEREAS, the School System and City have both engaged in an unprecedented building program to improve the quality and capacity of its assets and an existing memorandum of understanding outlines mutual benefits to sharing athletic facilities between the two entities; and

WHEREAS, the Mayor and City Council agree that it is in the best public interest that both entities continue its efforts to ensure the safest possible athletic facilities for its users; and

WHEREAS, an evaluation of needed facility improvements has been provided by the School System to the City along with estimated costs for these improvements, a copy of which is marked as Exhibit A, attached to and incorporated into this Ordinance Number 3216 as if written fully therein; and

WHEREAS, the Mayor and the City Council find it is in the best public interest to work in coordination with the leadership of the City School system as detailed.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF VESTAVIA HILLS, ALABAMA, AS FOLLOWS:

1. The City Manager is authorized to provide $3.5mm in funds over three fiscal years to Vestavia Hills City Schools in the following increments: July 1, 2024 - $1.1mm; July 1, 2025 - $1.2mm; July 1, 2026 - $1.2mm; and
2. The Mayor and City Council acknowledge that this funding authorization is

expected to fund the list of projects provided in Exhibit A based upon the expressed funding amounts and not the ultimate actual project expenses; and

3. Any changes to the ability of the School System to complete this entire list of projects shall be presented immediately, upon such determination by the School System, to the Mayor and City Council for funding and/or project reconsiderations if necessary; and
4. This Ordinance Number 3216 is effective immediately upon adoption and posting/publishing as required by Alabama law.

ADOPTED and APPROVED this the 21st day of March, 2024.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CERTIFICATION OF CITY CLERK

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, Rebecca Leavings, City Clerk of the City of Vestavia Hills, Alabama, do hereby certify that the above and foregoing is a true and correct copy of an ordinance duly and legally adopted by the City Council of the City of Vestavia Hills, Alabama, on the 21st day of March, 2024 while in regular session, and the same appears of record in the minute book of said date of said City.

Witness my hand and seal of office this 21st day of March, 2024.

____
Rebecca Leavings, City Clerk

Shared Spaces Capital Needs

Location	**Project**	**Budget**
VHHS	Replace Football/Soccer Turf	$750,000.00
Dolly Ridge	Soccer Field Access/Parking	$150,000.00
Pizitz Middle School	Replace Gym Floor	$140,000.00
Dolly Ridge	Replace Gym Floor	$140,000.00
East	Replace Gym Floor/Goals	$165,000.00
VHELP	Replace Gym Floor	$140,000.00
West	Replace Gym Floor/Goals	$165,000.00
Central	Track Improvements	$100,000.00
PMS	New Football/Soccer/Lacrosse Field Turf	$750,000.00
VHHS	Bathroom/Concession Improvements	$1,000,000.00
Total		**$3,500,000.00**

Facility Improvement Needs

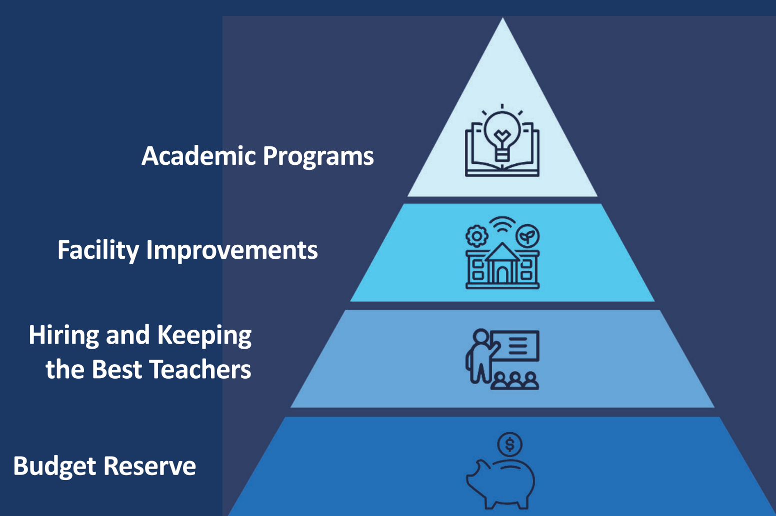
Project	**Budget**	**Estimated Annual Debt Service**
HVAC/Roofing/Building Envelope	$35,000,000.00	$2.5 million for 20 years
General Improvements	$20,000,000.00	$1.5 million for 20 years

VESTAVIA HILLS

CITY SCHOOLS

249

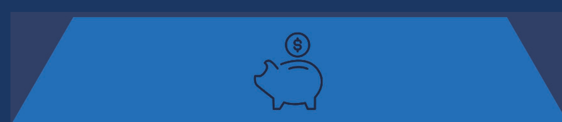
Planning for Future Budgets



250

General Fund Budget

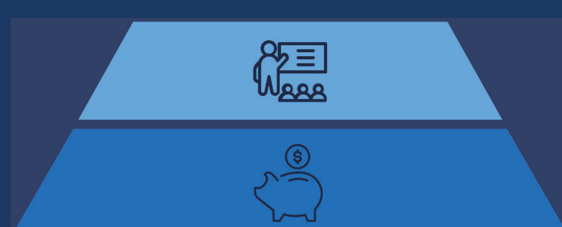
- Achieve a responsible reserve
- Cost savings measures:
  - Personnel (est. $1 million)
  - Energy Savings ($640,000)
  - Pending sale of Central ($1.2 million)
- Forecasting revenue trends
  - 10-year avg. annual growth: 4%
- Forecasting enrollment trends



251

Hiring and Keeping The Best Teachers

- Teacher compensation study



252

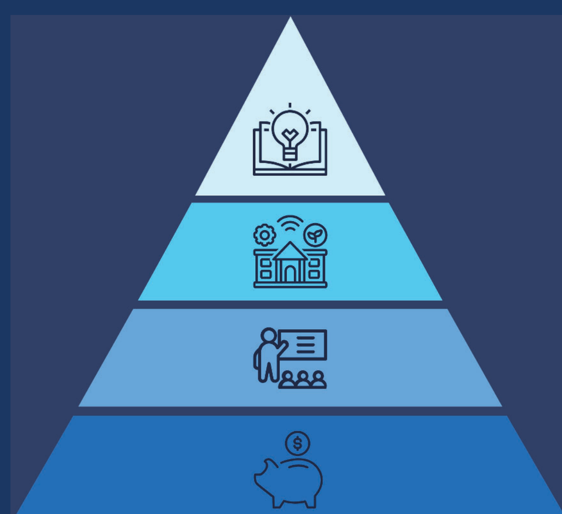
Facility Improvements

- Capacities on campuses have been addressed
- Priority now is on safety, health, and accessibility
- State Grants:
  - Safety/Security ($387,000)
  - Energy Improvements ($10.6 million)
- Additional HVAC, roofing needs (est. $35-40 million)
- Shared Spaces with Vestavia Hills Parks & Recreation
  - Fields
  - Gymnasium floors, goals
  - Accessibility to fields
  - Estimated $3.5 million

253

Academic Programs

- Focus on expanding profound learning experiences (expanded STEM opportunities in K-12)
- Community and Corporate Partnerships



254

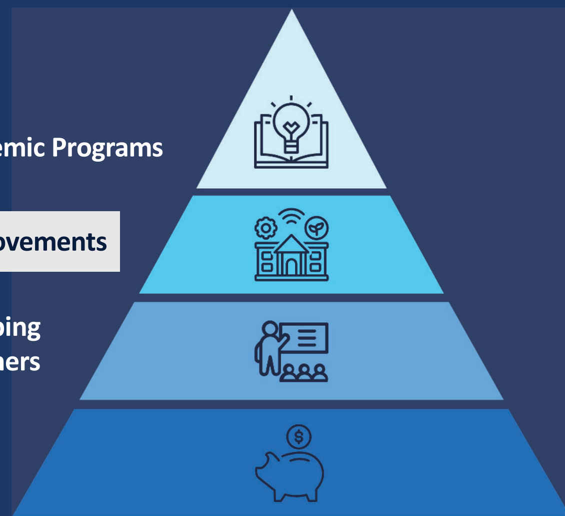
Planning for Future Budgets

Academic Programs

Facility Improvements

Hiring and Keeping the Best Teachers

Budget Reserve



255

VESTAVIA HILLS

CITY SCHOOLS

256

CITY OF VESTAVIA HILLS
CITY CLERK
INTER-DEPARTMENT MEMO

March 21, 2024

To: Jeff Downes, City Manager

From: Rebecca Leavings, City Clerk

Cc:

RE: Public Hearing - Ordinance Number 3211 - Rezoning - 4533 Pine Tree Circle; Lot 20, Topfield Subdivision; Rezone from Vestavia Hills R-1 (low-density residential) to Vestavia Hills O-1 (professional office district) with conditions; Kathryn Gentle, Owner

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Background:
Property located in trending Blue Lake area. This petition is to rezone property for operation of a small legal practice in the existing home.

Recommendation:
Recommendation for approval of zoning subject to: (1) said zoning is limited solely for the use of professional offices only as defined in the Vestavia Hills Zoning Code, as amended; and (2) if the existing building on the property were demolished or destroyed for any reason, any new building shall be limited to two stories and shall be built in a residential style as approved by the City's Design Review Board; and (3) that said zoning shall not become effective until issuance of a Certificate of Occupancy for a professional office building as approved by the City's Building Official, Fire Marshal and Zoning Official and submitted to the Office of the City Clerk.

Fiscal Impact:
na

Attachments:
1. Ordinance 3211

ORDINANCE NUMBER 3211

AN ORDINANCE TO FURTHER AMEND THE ZONING ORDINANCE AND THE ZONING MAP OF THE CITY OF VESTAVIA HILLS, ALABAMA, ADOPTED SEPTEMBER 16, 1985, AND AS LAST AMENDED SO AS TO CHANGE THE CLASS OF DISTRICT ZONING OF PROPERTY FROM VESTAVIA HILLS R-1 TO VESTAVIA HILLS O-1

BE IT ORDAINED by the City Council of the City of Vestavia Hills, Alabama, as follows: That the Zoning Ordinance and Zoning Map of the City of Vestavia Hills, Alabama, adopted September 16, 1985, and as last amended so as to change the class of district zoning of the following described property from Vestavia Hills R-1 (low density residential district) to Vestavia Hills O-1 (office park district):

4533 Pine Tree Circle
Lot 20, Topfield Subdivision (MB 42 PG 72)
Kathryn Gentle, Owner(s)

BE IT FURTHER ORDAINED, that said rezoning is conditioned upon the following: (1) said zoning is limited solely for the use professional office only as defined in the Vestavia Hills Zoning Code, as amended; and (2) if the existing building on the property were demolished or destroyed for any reason, any new building shall be limited to two stories and shall be built in a residential style as approved by the City's Design Review Board; and (3) that said zoning shall not become effective until issuance of a Certificate of Occupancy for a professional office building as approved by the City's Building Official, Fire Marshal and Zoning Official and submitted to the Office of the City Clerk.

APPROVED and ADOPTED this the 8th day of April, 2024.

Ashley C. Curry
Mayor

ATTESTED BY:

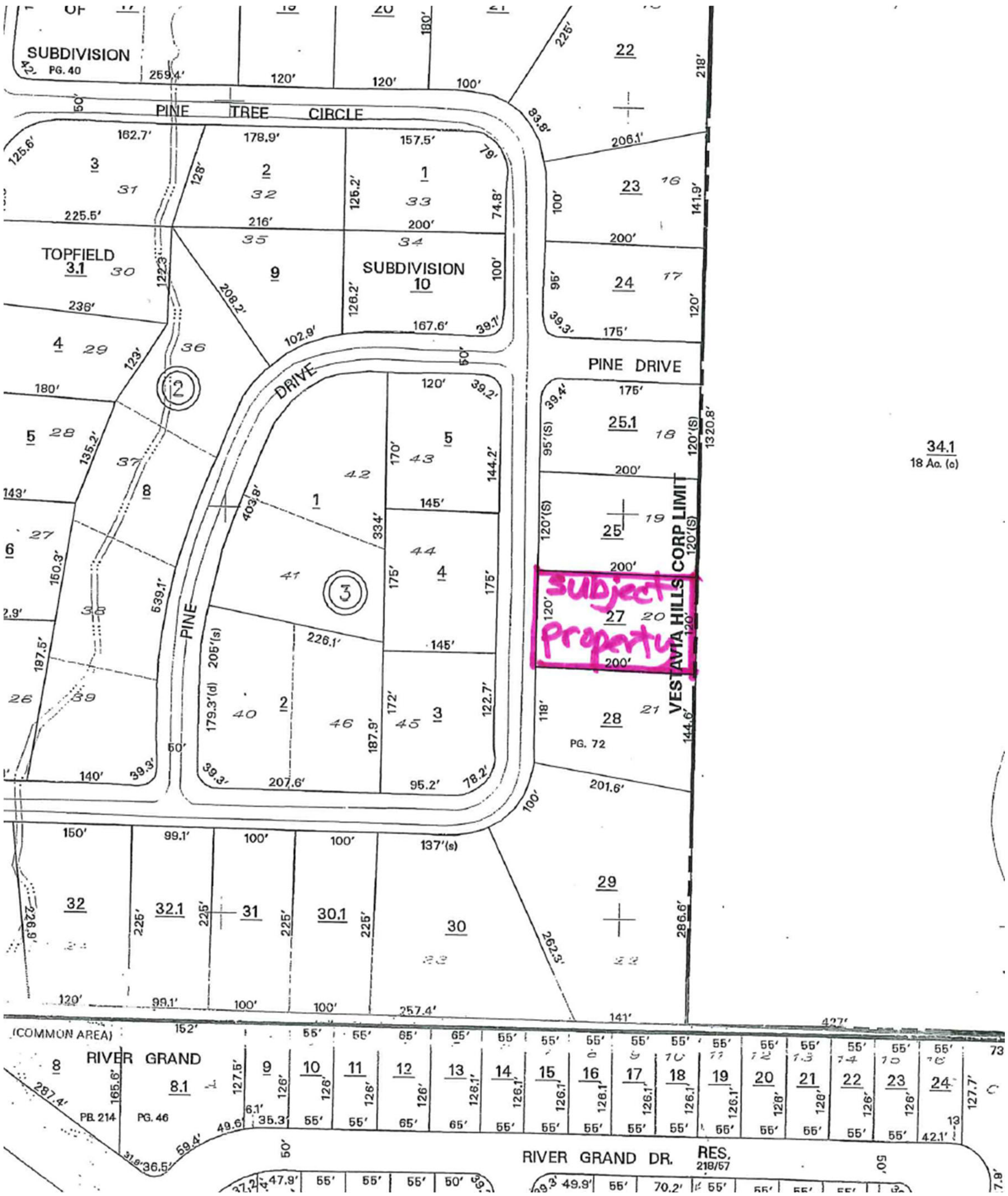
Rebecca Leavings
City Clerk

CERTIFICATION:

I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance # 3211 is a true and correct copy of such Ordinance that was duly adopted by the City Council of the City of Vestavia Hills on the 8^{th} day of April, 2024 as same appears in the official records of said City.

Posted at Vestavia Hills City Hall, Vestavia Hills Library in the Forest, Vestavia Hills Civic Center and Vestavia Hills New Merkel House this the ______ day of _______________, 2024.

Rebecca Leavings
City Clerk


SUBDIVISION
PG. 40
PINE TREE CIRCLE
TOPFIELD
SUBDIVISION
PINE DRIVE
PINE DRIVE
VESTAVIA HILLS CORP LIMIT
subject property
PG. 72
34.1
18 Ac. (c)
(COMMON AREA)
RIVER GRAND
PB. 214
PG. 46
RIVER GRAND DR.
RES.
218/57

City of Vestavia Hills

Planning and Zoning Commission Review and Recommendation

Case Number:	RZ-23-13	Representative:	Kathryn Crawford Gentle
Owner Name:	KCG Property, Inc.	Rep. Address:	3529 Victoria Road
Owner Address:	3529 Victoria Road, Birmingham, Alabama 35223		

Project Address:	4533 Pine Tree Circle
Legal Description:	Lot 20, according to the Survey of Topfield, as recorded in Map Book 42, Page 72, in the Probate Office of Jefferson County, Alabama.
Parcel ID Number:	28-00-27-4-001-027.00
Current Zoning:	R1
Requested Zoning:	O1
Intended Purpose:	To make the exisiting structure/house as for my law office for just myself (1 lawyer) and my paralegal that is part time.

P&Z Recommendation:

MOTION Mr. Weaver made a motion to recommend Rezoning for 4533 Pine Tree Cir. from Vestavia Hills R-1 to Vestavia Hills O-1 with the following conditions:

1. O-1 zoning limited to professional use only;
2. Zoning not complete until Certificate of Occupancy is approved by the Fire Marshall, Chief Building Inspector, Zoning Official and issued;
3. Any new building limited to two stories and constructed in a residential style.

Second was by Mr. Romeo. Motion was carried on a roll call; vote as follows:
Mr. Farrell – yes Ms. Cochran – yes
Mr. Romeo – yes Mr. Weaver– yes
Mr. Maloof – yes Mr. Larson– yes
Motion carried.

Date of P&Z Meeting: February 8, 2024

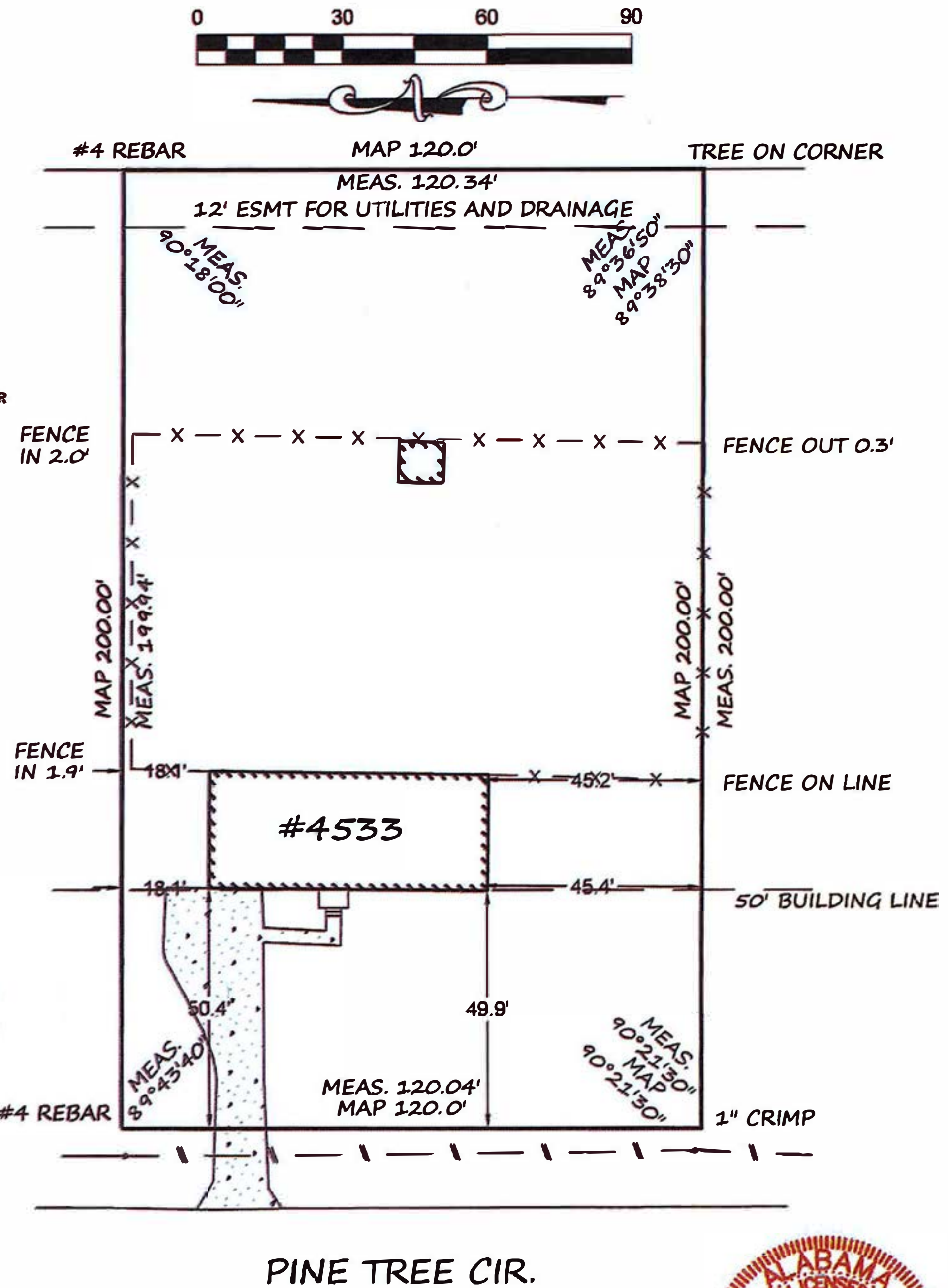
Authorized by: Vestavia Hills Planning and Zoning Commission, Michael Vercher, Chair

Issued by:	Conrad Garrison, City Planner

CURRENT LANDSCAPE DESIGN OF 4533 PINE TREE CIRCLE
EXHIBIT "A"

LEGEND

ASP	ASPHALT
BLDG	BUILDING
CALC	CALCULATED
MEAS	MEASURED
CH	CHORD
LNG	LONG CHORD
d	DEFLECTION
Δ	DELTA
ESMT	EASEMENT
HW	HEADWALL
MIN	MINIMUM
MH	MANHOLE
OH	OVERHANG
POR	PORCH
R	RADIUS
R.O.W.	RIGHT OF WAY
SAN	SANITARY
STM	STORM
UTIL	UTILITY
AC	ACRES
S.F.	SQUARE FEET
℄	CENTERLINE
A/C	AIR CONDITIONER
●	POLE
≻—	ANCHOR
—X—	FENCE
—\\—	POWER LINE
PVMT	PAVEMENT
W/	WITH
TAN	TANGENT
RES	RESIDENCE
oLGT	LIGHT
COV	COVERED
	DECK
	CONCRETE
	WALL



ALABAMA LICENSED PROFESSIONAL No. 24973 LAND SURVEYOR RAY WEYGAND

STATE OF ALABAMA)
JEFFERSON COUNTY)

"Property Boundary Survey"

I, Ray Weygand, a Registered Land Surveyor, hereby certify to the purchaser of this property at this time, that I have surveyed Lot 20, TOPFIELD SUBDIVISION, as recorded in Map Book 42, Page 72 in the Office of the Judge of Probate, Jefferson County, Alabama. I hereby state that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information and belief; according to my survey of MARCH 21, 2023. Survey invalid if not sealed in red.

Order No.: 20230516
Purchaser:
Address: 4533 PINE TREE CIR

Ray Weygand, Reg. L.S. #24973
169 Oxmoor Road Homewood, AL 35209
Phone: (205) 942-0086 Fax: (205) 942-0087

WEYGAND SURVEYORS

Note: (a) No title search of the public records has been performed by this firm and land shown hereon was not abstracted for easements and/or rights-of-way, recorded or unrecorded. The parcel shown hereon is subject to setbacks, easements, zoning, and restrictions that may be found in the public records of said county and/or city. (b) All bearings and/or angles, are deed/record map and actual unless otherwise noted. (c) Underground portions of foundations, footings, and/or other underground structures, utilities, cemeteries or burial sites were not located unless otherwise noted. (d) The shown north arrow is based on deed/record map. (e) This survey is not transferable. (f) Easements not shown on recorded map are not shown above.

KCG Property, Inc.
4533 Pine Tree Circle
Vestavia, Alabama 35243
Re-Zone Application

SITE PLAN

- NO NEW DEVELOPMENT OR RENOVATION
- USE ALL EXISTING STRUCTURES

- Parking already available with 4 spaces [22' x 8' each]; 11 ft from street

- I bought this property in the name of a holding company that I created and established. I am the only owner. I would like to use this existing house as my law office for myself and one employee/paralegal.

- I am also the only owner of the law firm Crawford Gentle Law, P.C.

- I cleaned up the yard, had the outside painted and the dead fallen tree removed and had the fallen power line that was in the yard removed.

PROPOSED BUSINESS SIGNAGE PLAN:

- 10' from edge of payment/road
- 20' from adjacent property
- Non-illuminated
- 4' x 2' sign / 2' off ground
- Containing Logo and name of business as seen below:

CRAWFORD
GENTLE
LAW PC

PROPERTY AT TIME OF PURCHASE:

PROPERTY CURRENTLY:

Vestavia Hills Zoning Map
with ArcGIS Web AppBuilder
Find address or place
Zoning1
PARCELID 2800274001027000
DISTRICT 020
ESN_NUM 62
PROPADD 4533 PINE TREE CIR
TAX_TOWNSH 28
SECTION 27
QSECTION 4
BLOCK 001
PARCEL 027000
VH_ZONING R-1
ZNG_ORD 1981
ZNG_ORD_DT 03/21/2003
ZNG_ORD2
Zoom to
PINE TREE DR
PINE TREE CIR
BLUE LAKE DR
3117
3112
3109
3111
3118
4538
4524
4516
4520
4541
3108
3105
3104
3100
3115
3107

CITY OF VESTAVIA HILLS

INTER-DEPARTMENT MEMO

March 21, 2024

To: Jeff Downes, City Manager

From:

Cc:

RE: Citizens Comments

Background:

Recommendation:

Fiscal Impact:

Attachments:
None