



**Vestavia Hills  
City Council Agenda  
June 10, 2024  
6:00 PM**

1. Call to Order
2. Roll Call
3. Invocation - Chaplain David Phillips
4. Pledge Of Allegiance
5. Approval Of The Agenda
6. Proclamation - Flag Day 2024
7. Announcements, Candidates and Guest Recognition
8. City Manager's Report
9. Councilor Reports
10. Financial Reports - Melvin Turner, III, Finance Director
11. Approval Of Minutes - May 20, 2024

**Old Business (Public Hearing)**

**New Business**

**New Business Requesting Unanimous Consent (Public Hearing)**

12. Public Hearing - Ordinance Number 3226 - An Ordinance authorizing the Mayor and City Manager to execute and deliver an Amendment of Memorandum of Lease by and between T-Mobile USA LLC and the City of Vestavia Hills

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

13. Public Hearing - Ordinance Number 3221 - Rezoning - Acreage to the Rear of 3022, 3026 and 3030 Panorama Brook Circle; Lots 10, 11 & 12, Panorama Brook; Rezone from Vestavia Hills Institutional to Vestavia Hills R-6 to incorporate said acreage into the adjacent lots; Harry M. Ezekiel, Et Al, owners

14. Public Hearing - Ordinance Number 3222 - Rezoning - 2303 Pine Crest Lane; Rezone from Vestavia Hills R-2 to Vestavia Hills Institutional with conditions; Shades Mountain Baptist Church, Owner
15. Public Hearing - Resolution Number 5513 - Annexation - 90 day - 3365 Rosemary Lane; Lot 114, Buckhead, 4th Sector; Lalith and Judy Wijayasuriya, Owners
16. Public Hearing - Ordinance Number 3223 - Annexation - Overnight - 3365 Rosemary Lane; Lot 114, Buckhead, 4th Sector; Lalith and Judy Wijayasuriya, Owners
17. Public Hearing - Resolution Number 5514 - Annexation - 90 day - 3509 Pineland Drive; Lot 10, Block 2, Dolly Ridge Estates, 1st Addition; Matthew and Mary Griffin, Owners
18. Public Hearing - Ordinance Number 3224 - Annexation - Overnight - 3509 Pineland Drive; Lot 10, Block 2, Dolly Ridge Estates, 1st Addition; Matthew and Mary Griffin, owners
19. Public Hearing - Resolution Number 5515 - Annexation - 90 day - 2768 Altadena Lake Drive; Lot 5, Block 5, Altadena Valley, 5th Sector; David and Melinda Romine, Owners
20. Public Hearing - Ordinance Number 3225 - Annexation - Overnight - 2768 Altadena Lake Drive; Lot 5, Block 5, Altadena Valley, 5th Sector; David and Melinda Romine, Owner
21. Public Hearing - Resolution Number 5516 - A Resolution authorizing the City Manager to take all actions necessary for the purchase and installation of two new replacement heating boilers for the Library in the Forest.
22. Public Hearing - Resolution Number 5517 to declare certain personal property as surplus and no longer needed for municipal purposes and authorizing the City Manager to take all actions necessary to trade in a used surplus skid steer to mitigate the cost of a new skid steer and to authorize the purchase of a replacement skid steer to operate within the Parks and Leisure Service Department
23. Public Hearing - Ordinance Number 3227 - An Ordinance authorizing the Mayor and City Manager to purchase an OpenGov-Cartegraph Asset Management System and execute any and all documents to implement said system
24. Citizens Comments
25. Executive Session
26. 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.

WHEREAS, by Act of the Continental Congress of the United States dated June 14, 1777, the first official Flag of the United States was adopted; and

WHEREAS, by Act of Congress dated August 3, 1949, June 14 of each year was designated “National Flag Day”; and

WHEREAS, the Congress has requested the President to issue annually a proclamation designating the week in which June 14 occurs as “National Flag Week”; and

WHEREAS, on December 8, 1982 the National Flag Day Foundation was chartered to conduct educational programs and to encourage all Americans to Pause for the Pledge of Allegiance on Flag Day, June 14; and

WHEREAS, Flag Day celebrates our Nation’s symbol of unity, a democracy in a republic, and stands for our Country’s devotion to freedom, to the rule of all, and to equal rights for all.

NOW, THEREFORE, I, Ashley C. Curry, by virtue of the authority vested in me as Mayor of the City of Vestavia Hills in the State of Alabama, do hereby proclaim June 14, 2024 as

### **FLAG DAY**

and urge all of our residents to observe Flag Day through Independence Day as a time to honor America, to celebrate our heritage in public gatherings and activities, and to publicly recite the Pledge of Allegiance to the Flag of the United States of America.

IN WITNESS WHEREOF, I have  
hereunto set my hand and caused  
the Seal of the City of Vestavia  
Hills to be affixed this the 10th day  
of June 2024.

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Ashley C. Curry  
Mayor



Summary  
Financial Report  
April 2023-2024

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**1.) Reconciled Cash Balance**

The overall reconciled cash balance for the month of April was \$56,739,858 which is comprised of the following funds:

|                  |                            |
|------------------|----------------------------|
| General Funds    | \$49,078,433               |
| Restricted Funds | \$7,658,345                |
| Petty Cash       | <u>\$3,080</u>             |
| <b>Total</b>     | <b><u>\$56,739,858</u></b> |

**2.) The "Financial Overview" for the month and YTD through April is as follows:**

|                      |                      |                  |                     |
|----------------------|----------------------|------------------|---------------------|
| Monthly Revenues     | \$3,454,403          | YTD Revenues     | \$52,306,993        |
| Monthly Expenses     | <u>\$6,711,649</u>   | YTD Expenses     | <u>\$42,153,665</u> |
| Monthly Fund Balance | <u>(\$3,257,246)</u> | YTD Fund Balance | <u>\$10,153,329</u> |

**3.) Comparative Fund Balances:**

|                       | <u>YTD</u>   | <u>Variance</u> |
|-----------------------|--------------|-----------------|
| Actual - 2023-2024    | \$10,153,329 |                 |
| Budget - 2023-2024    | \$5,828,642  | \$4,324,687     |
| Last Year - 2022-2023 | \$9,996,445  | \$156,884       |

**Note:**

The "Actual Fund Balance" is \$4,324,687 greater than the "Budgeted Fund Balance" and \$156,884 greater than "Last Year Fund Balance".

Summary  
Financial Report  
April 2023-2024

| MTD                                |  |             |  |              |  | YTD             |            |               | Variance     |              |             |
|------------------------------------|--|-------------|--|--------------|--|-----------------|------------|---------------|--------------|--------------|-------------|
|                                    |  | Actual      |  | Budget       |  | Last Year       | Actual     | Budget        | Last Year    | Act vs. Bdgt | Act vs LY   |
| REVENUES                           |  | 3,454,403   |  | 3,507,498    |  | 3,789,333       | 52,306,993 | 47,153,707    | 48,625,394   | 5,153,286    | 3,681,599   |
| EXPENSES                           |  | 6,711,649   |  | 6,140,012    |  | 6,115,036       | 42,153,665 | 41,325,065    | 38,628,949   | (828,600)    | (3,524,716) |
| FUND BALANCE                       |  | (3,257,246) |  | (2,632,514)  |  | (2,325,703)     | 10,153,329 | 5,828,642     | 9,996,445    | 4,324,687    | 156,883     |
| Advalorem - Real                   |  | 81,930      |  | 134,334      |  | 88,511          | 20,909,667 | 18,762,213    | 18,855,007   | 2,147,454    | 2,054,659   |
| Sales Tax                          |  | 2,190,413   |  | 2,317,239    |  | 2,359,355       | 15,874,605 | 16,208,898    | 16,805,240   | (334,293)    | (930,636)   |
| Utility Franchise Fees             |  | 28          |  | 159          |  | 247             | 2,613,571  | 2,466,734     | 2,466,893    | 146,837      | 146,679     |
| Business License                   |  | 204,336     |  | 197,785      |  | 109,751         | 4,213,790  | 3,387,790     | 3,338,243    | 826,000      | 875,546     |
| Advalorem - Personal               |  | 195,664     |  | 179,573      |  | 212,455         | 1,356,893  | 1,108,743     | 1,278,776    | 248,150      | 78,117      |
|                                    |  |             |  |              |  |                 |            |               |              |              |             |
|                                    |  |             |  |              |  |                 |            |               |              |              |             |
| October thru April 2024 (7 months) |  |             |  |              |  | 2023-2024       |            |               |              |              |             |
|                                    |  | Actual      |  | Budget Total |  | Outstanding Bal | % Received | % Outstanding | Verification |              |             |
| Advalorem - Real                   |  | 20,909,667  |  | 18,855,007   |  | 2,054,660       | 110.90%    | -10.90%       | 100.00%      |              |             |
| Sales Taxes                        |  | 15,874,605  |  | 28,351,365   |  | (12,476,760)    | 55.99%     | 44.01%        | 100.00%      |              |             |
| Utility Franchise Fees             |  | 2,613,571   |  | 2,466,893    |  | 146,678         | 105.95%    | -5.95%        | 100.00%      |              |             |
| Business License                   |  | 4,213,790   |  | 3,975,640    |  | 238,150         | 105.99%    | -5.99%        | 100.00%      |              |             |
| Advalorem - Personal               |  | 1,356,893   |  | 2,016,972    |  | (660,079)       | 67.27%     | 32.73%        | 100.00%      |              |             |
|                                    |  |             |  |              |  |                 |            |               |              |              |             |
| APRIL                              |  | MTD         |  |              |  | MTD             |            |               |              |              |             |
|                                    |  |             |  |              |  | Variance        | Last Year  | Act vs LY     |              |              |             |
| Advalorem - Real                   |  | 81,930      |  | 134,334      |  | (52,404)        | 88,511     | (6,581)       |              |              |             |
| Sales Taxes                        |  | 2,190,413   |  | 2,317,239    |  | (126,826)       | 2,359,355  | (168,943)     |              |              |             |
| Utility Franchise Fees             |  | 28          |  | 159          |  | (131)           | 247        | (219)         |              |              |             |
| Business License                   |  | 204,336     |  | 197,785      |  | 6,551           | 109,751    | 94,585        |              |              |             |
| Advalorem - Personal               |  | 195,664     |  | 179,573      |  | 16,091          | 212,455    | (16,791)      |              |              |             |

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| CITY OF VESTAVIA HILLS<br>MONTHLY CASH REPORT<br>"RECONCILED BALANCES" |                      |                      |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |
|------------------------------------------------------------------------|----------------------|----------------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|
|                                                                        |                      |                      |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |
|                                                                        |                      |                      |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |
|                                                                        |                      |                      |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |
|                                                                        |                      |                      |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |
| General Funds                                                          | Banking Institutions | APR                  | April 2023      | May 2023        | June 2023       | July 2023       | August 2023     | Sept 2023       | October 2023    | Nov 2023        | Dec 2023        | Jan 2024        | Feb 2024        | Mar 2024        | Apr 2024        |
| General / Operational Funds                                            | Region Bank          | 5.04%                | 12,018,312.32   | 11,759,702.36   | 11,590,713.02   | 7,066,588.69    | 5,063,164.63    | 4,111,462.41    | 6,779,150.23    | 8,408,494.76    | 8,678,758.65    | 11,671,643.22   | 20,516,193.77   | 18,608,623.16   | 15,387,719.81   |
| Enhanced Cash Strategy                                                 | Region Bank          | 5.11%                | 10,189,384.32   | 10,191,577.01   | 10,204,945.93   | 10,243,233.98   | 10,286,223.41   | 10,311,308.65   | 9,936,408.24    | 10,004,361.97   | 10,076,629.06   | 10,119,135.13   | 10,121,913.63   | 10,160,280.52   | 10,166,247.60   |
| Payroll Fund                                                           | Region Bank          | 0.25%                | 720.93          | 5,648.68        | 5,648.68        | 5,648.68        | 6,082.04        | 6,082.04        | 6,159.15        | 0.00            | 0.00            | 0.00            | 0.00            | 308.91          | 0.00            |
| Emergency Reserve Fund                                                 | PNC                  | 5.37%                | 17,600,611.65   | 17,597,102.85   | 17,637,280.09   | 17,714,753.81   | 17,794,062.04   | 17,865,878.82   | 17,941,009.73   | 18,040,220.13   | 18,136,383.13   | 18,214,276.83   | 18,278,166.12   | 18,358,801.14   | 20,590,395.90   |
| Court & Corrections Fund                                               | Region Bank          | 0.25%                | 1,043,983.69    | 411,577.03      | 123,750.03      | 139,387.03      | 81,431.83       | 84,101.83       | 137,357.88      | 74,624.60       | 73,402.60       | 97,819.67       | 117,012.38      | 281,008.88      | 140,557.86      |
| American Rescue Plan (COVID-19)                                        | SouthPoint           | 4.40%                | 4,352,374.03    | 4,119,174.25    | 3,551,189.79    | 2,790,490.26    | 2,800,937.32    | 2,811,084.36    | 2,822,068.50    | 2,742,762.58    | 2,753,063.24    | 2,763,369.93    | 2,773,046.62    | 2,783,428.13    | 2,793,511.80    |
| Total - Balance                                                        |                      |                      | \$45,205,386.94 | \$44,084,782.18 | \$43,113,527.54 | \$37,960,102.45 | \$36,031,901.27 | \$35,189,918.11 | \$37,622,153.73 | \$39,270,464.04 | \$39,718,236.68 | \$42,866,244.78 | \$51,806,332.52 | \$50,192,450.74 | \$49,078,432.97 |
|                                                                        |                      |                      |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |
| Restricted Funds                                                       |                      |                      |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |
| Court Cash Bonds                                                       | Regions Bank         | 0.25%                | 139,025.20      | 145,324.20      | 147,989.20      | 147,723.00      | 151,737.20      | 155,927.20      | 158,135.20      | 147,320.20      | 145,886.00      | 144,166.00      | 138,606.00      | 133,766.00      | 129,371.00      |
| Contractors' Bonds & CDs on Hand                                       | City Clerk's Office  | n/a                  | 6,247,607.06    | 4,258,644.42    | 6,314,702.42    | 6,314,702.42    | 4,474,038.42    | 4,474,038.42    | 4,474,038.42    | 4,474,038.42    | 4,474,038.42    | 4,474,038.42    | 4,187,938.42    | 4,187,938.42    | 4,187,938.42    |
| Contractors' Cash Bonds                                                | SouthPoint           | 0.25%                | 742,683.86      | 757,009.15      | 757,967.11      | 744,330.84      | 706,333.77      | 696,630.28      | 698,351.23      | 687,946.13      | 686,595.00      | 673,211.91      | 675,347.73      | 647,538.10      | 659,736.91      |
| Confiscated Funds                                                      | SouthPoint           | 1.25%                | 287,957.83      | 288,263.54      | 288,559.70      | 288,866.05      | 289,172.72      | 289,469.82      | 289,777.13      | 290,074.85      | 290,382.81      | 290,690.25      | 58,999.32       | 59,061.79       | 59,122.30       |
| Community Spaces                                                       | SouthPoint           | 1.65%                | 455.60          | 456.23          | 456.84          | 457.47          | 458.11          | 458.72          | 0.04            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            | 0.00            |
| 2013 GOW - QEBC Sinking Fund                                           | Bank of New York     | 2.35%                | 1,891,162.76    | 1,891,162.76    | 1,891,162.76    | 1,891,162.76    | 1,891,162.76    | 1,891,162.76    | 1,911,964.89    | 1,911,964.89    | 1,911,964.89    | 1,911,964.89    | 1,911,964.89    | 1,911,964.89    | 1,911,964.89    |
| Library Campaign Fund/Donations                                        | Pinnacle             | earnings offset fees | 351,677.17      | 374,885.75      | 382,167.51      | 387,465.56      | 429,604.48      | 433,701.36      | 438,732.28      | 458,022.23      | 461,230.31      | 464,421.95      | 0.00            | 309.20          | 303.20          |
| Lease Escrow Funds                                                     | Truist & Robertson   |                      | 2,160,736.32    | 2,162,359.34    | 1,407,636.58    | 1,409,264.98    | 1,410,896.12    | 1,412,477.26    | 703,500.95      | 704,554.69      | 705,645.36      | 706,734.88      | 707,755.76      | 708,848.82      | 709,908.37      |
| Total Balance                                                          |                      |                      | \$11,821,305.80 | \$9,878,105.39  | \$11,190,642.12 | \$11,183,973.08 | \$9,353,403.58  | \$9,353,865.82  | \$8,674,500.14  | \$8,673,921.41  | \$8,675,742.79  | \$8,665,228.30  | \$7,680,612.12  | \$7,649,427.22  | \$7,658,345.09  |
|                                                                        |                      |                      |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |
| Cash on Hand                                                           |                      |                      |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |
| Petty Cash - City Depts.                                               |                      |                      | 880.00          | 880.00          | 880.00          | 880.00          | 880.00          | 880.00          | 880.00          | 880.00          | 880.00          | 880.00          | 880.00          | 880.00          | 880.00          |
| Petty Cash - Courts/Jail                                               |                      |                      | 500.00          | 500.00          | 500.00          | 500.00          | 500.00          | 500.00          | 500.00          | 500.00          | 500.00          | 600.00          | 600.00          | 600.00          | 600.00          |
| Petty Cash - Library                                                   |                      |                      | 600.00          | 600.00          | 600.00          | 600.00          | 600.00          | 600.00          | 600.00          | 600.00          | 600.00          | 600.00          | 600.00          | 600.00          | 600.00          |
| Petty Cash - Vehicle Tags                                              |                      |                      | 1,000.00        | 1,000.00        | 1,000.00        | 1,000.00        | 1,000.00        | 1,000.00        | 1,000.00        | 1,000.00        | 1,000.00        | 1,000.00        | 1,000.00        | 1,000.00        | 1,000.00        |
| Total - Petty Cash                                                     |                      |                      | \$2,980.00      | \$2,980.00      | \$2,980.00      | \$2,980.00      | \$2,980.00      | \$2,980.00      | \$2,980.00      | \$2,980.00      | \$2,980.00      | \$3,080.00      | \$3,080.00      | \$3,080.00      | \$3,080.00      |
|                                                                        |                      |                      |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |
| Grand Total - All Funds                                                |                      |                      | \$57,029,672.74 | \$53,965,867.57 | \$54,307,149.66 | \$49,147,055.53 | \$45,388,284.85 | \$44,546,763.93 | \$46,299,633.87 | \$47,947,365.45 | \$48,396,959.47 | \$51,534,553.08 | \$59,490,024.64 | \$57,844,957.96 | \$56,739,858.06 |
| Petty Cash Itemization                                                 |                      |                      |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |
| City Clerk Dept.                                                       | none                 |                      |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |
| Court Dept.                                                            | \$600.00             |                      |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |
| Finance Dept. & Vehicle Tags                                           | \$1,050.00           | Tags & City Depts    |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |
| Fire Dept.                                                             | \$100.00             | City Depts           |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |
| Inspection Dept.                                                       | \$30.00              | City Depts           |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |
| Library                                                                | \$600.00             |                      |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |
| Mayor's Office                                                         | \$200.00             | City Depts           |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |
| Parks & Leisure Services                                               | \$300.00             | City Depts           |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |
| Police Dept.                                                           | \$200.00             | City Depts           |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |
| Public Services                                                        | none                 |                      |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |
| Total                                                                  | \$3,080.00           |                      |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |

FINANCIAL SUMMARY REPORT  
"APRIL 2023-2024"

| 1                        | MONTH OF APRIL 2024 |             |             |                  |            |                     |            | YEAR-TO-DATE THROUGH APRIL 2024 |            |            |                  |            |                     |            |
|--------------------------|---------------------|-------------|-------------|------------------|------------|---------------------|------------|---------------------------------|------------|------------|------------------|------------|---------------------|------------|
|                          | 2                   | 3           | 4           | 5                | 6          | 7                   | 8          | 9                               | 10         | 11         | 12               | 13         | 14                  | 15         |
|                          | 2023-2024           | 2023-2024   | 2022-2023   | Actual to Budget |            | Actual to Last Year |            | 2023-2024                       | 2023-2024  | 2022-2023  | Actual to Budget |            | Actual to Last Year |            |
|                          | Actual              | Budget      | Actual      | Amount           | Percentage | Amount              | Percentage | Actual                          | Budget     | Actual     | Amount           | Percentage | Amount              | Percentage |
| REVENUE SUMMARY          |                     |             |             |                  |            |                     |            |                                 |            |            |                  |            |                     |            |
| STATE REVENUE            | 12,179              | 14,173      | 11,766      | (1,994)          | -14.07%    | 413                 | 3.51%      | 107,669                         | 111,032    | 116,260    | (3,363)          | -3.03%     | (8,591)             | -7.39%     |
| COUNTY REVENUE           | 305,513             | 336,625     | 320,842     | (31,112)         | -9.24%     | (15,329)            | -4.78%     | 22,429,579                      | 20,031,076 | 20,299,012 | 2,398,503        | 11.97%     | 2,130,566           | 10.50%     |
| CITY REVENUE             | 2,963,478           | 2,994,460   | 3,319,408   | (30,982)         | -1.03%     | (355,930)           | -10.72%    | 29,003,365                      | 26,520,530 | 27,642,001 | 2,482,835        | 9.36%      | 1,361,363           | 4.92%      |
| PARK & RECREATION        | 173,233             | 162,240     | 137,317     | 10,993           | 6.78%      | 35,916              | 26.16%     | 766,381                         | 491,069    | 568,120    | 275,312          | 56.06%     | 198,260             | 34.90%     |
| TOTAL REVENUES           | 3,454,403           | 3,507,498   | 3,789,333   | (53,095)         |            | (334,930)           |            | 52,306,993                      | 47,153,707 | 48,625,394 | 5,153,286        |            | 3,681,599           |            |
| EXPENDITURE SUMMARY      |                     |             |             |                  |            |                     |            |                                 |            |            |                  |            |                     |            |
| NON DEPARTMENTAL         | 3,028,567           | 2,330,072   | 2,735,917   | (698,495)        | -29.98%    | (292,650)           | -10.70%    | 16,240,120                      | 15,078,233 | 14,942,203 | (1,161,887)      | -7.71%     | (1,297,917)         | -8.69%     |
| CITY COUNCIL             | 3,843               | 5,134       | 4,638       | 1,291            | 25.14%     | 795                 | 17.13%     | 53,771                          | 60,145     | 57,605     | 6,374            | 10.60%     | 3,834               | 6.66%      |
| MAYOR & ADMINISTRATION   | 123,664             | 191,901     | 163,896     | 68,237           | 35.56%     | 40,231              | 24.55%     | 1,217,514                       | 1,284,495  | 1,160,176  | 66,981           | 5.21%      | (57,338)            | -4.94%     |
| CITY CLERK               | 42,901              | 45,341      | 39,899      | 2,440            | 5.38%      | (3,001)             | -7.52%     | 316,981                         | 334,425    | 298,935    | 17,444           | 5.22%      | (18,046)            | -6.04%     |
| MUNICIPAL COMPLEX        | 53,322              | 29,137      | 24,981      | (24,185)         | -83.01%    | (28,341)            | -113.45%   | 258,532                         | 226,617    | 193,014    | (31,915)         | -14.08%    | (65,519)            | -33.95%    |
| INFORMATION SERVICES     | 57,845              | 59,527      | 52,881      | 1,682            | 2.82%      | (4,965)             | -9.39%     | 438,799                         | 470,988    | 385,057    | 32,189           | 6.83%      | (53,743)            | -13.96%    |
| POLICE                   | 1,114,766           | 1,224,339   | 1,023,792   | 109,573          | 8.95%      | (90,974)            | -8.89%     | 7,919,188                       | 8,307,201  | 7,134,681  | 388,013          | 4.67%      | (784,508)           | -11.00%    |
| FIRE                     | 1,114,922           | 1,113,305   | 1,000,913   | (1,617)          | -0.15%     | (114,009)           | -11.39%    | 7,667,605                       | 7,706,205  | 6,933,362  | 38,600           | 0.50%      | (734,242)           | -10.59%    |
| INSPECTION               | 69,289              | 70,305      | 56,502      | 1,016            | 1.45%      | (12,787)            | -22.63%    | 487,213                         | 485,741    | 356,906    | (1,472)          | -0.30%     | (130,307)           | -36.51%    |
| PUBLIC SERVICES          | 448,929             | 462,830     | 434,563     | 13,901           | 3.00%      | (14,366)            | -3.31%     | 3,172,958                       | 3,287,017  | 3,247,873  | 114,059          | 3.47%      | 74,915              | 2.31%      |
| PUBLIC LIBRARY           | 254,557             | 255,464     | 238,964     | 907              | 0.36%      | (15,592)            | -6.53%     | 1,688,573                       | 1,745,359  | 1,614,586  | 56,786           | 3.25%      | (73,987)            | -4.58%     |
| PARKS & LEISURE SERVICES | 399,042             | 352,657     | 338,089     | (46,385)         | -13.15%    | (60,953)            | -18.03%    | 2,692,409                       | 2,338,639  | 2,304,552  | (353,770)        | -15.13%    | (387,857)           | -16.83%    |
| TOTAL EXPENDITURES       | 6,711,649           | 6,140,012   | 6,115,036   | (571,637)        | -9.31%     | (596,613)           | -9.76%     | 42,153,664                      | 41,325,065 | 38,628,949 | (828,599)        |            | (3,524,715)         |            |
| SURPLUS / (DEFICIT)      | (3,257,246)         | (2,632,514) | (2,325,703) | (624,732)        | -23.73%    | (931,543)           | -40.05%    | 10,153,329                      | 5,828,642  | 9,996,445  | 4,324,687        |            | 156,884             |            |



**Vestavia Hills  
City Council Minutes  
May 20, 2024  
3:00 PM**

**1. Call to Order**

The City Council of Vestavia Hills met in regular session on this date at 3:00 PM, rescheduled from May 27, 2024 at 6:00 PM due to Memorial Day holiday and VHHS graduation, 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:**

**OTHER OFFICIALS PRESENT:** Jeff Downes, City Manager; Patrick H. Boone, City Attorney; Cinnamon McCulley, Asst. City Manager; Rebecca Leavings, City Clerk; Tommy Hale, Asst. Fire Chief; Scott Ferrell, Battalion Chief; Jason Hardin, Deputy Police Chief, Keith Blanton, Building Safety Director; Umang Patel, Municipal Court Director; Lori Beth Kearley, Public Services Director

**3. Invocation - Chaplain Butch Williams**

**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: George Pierce.

Roll call vote as follows: Yes: Ashley Curry, Rusty Weaver, Kimberly Cook, Paul Head, George Pierce.

No: None. Abstain: None. Motion passed.

#### **6. Proclamation - May 2024 - ALS Awareness Month**

The Mayor presented a Proclamation designating May 2024 as "ALS (amyotrophic lateral sclerosis) Awareness Month." Mr. Downes read the Proclamation aloud and the Mayor presented it to Jason Cook. Mr. Cook is a Vestavia Hills resident representing the ALS Association and personally affected by his mother, Suzanne Cook, a long-time Vestavia Hills resident who died from ALS in 2013.

Mr. Cook stated each year the ALS Foundation has an annual fundraising walk that provides funding for research for those stricken by ALS.

#### **7. Announcements, Candidates and Guest Recognition**

- Mrs. Cook is looking forward to attending the graduation ceremony at the high school later this evening.
- Mr. Pierce welcomed Chamber of Commerce Board members Ben Chambliss and Mark Macoy to the meeting.
- Mr. Head announced that the Parks and Recreation Board will meet tomorrow at 7:30 AM at the Civic Center.

#### **8. City Manager's Report**

- No Report.

#### **9. Councilors' Reports**

- Mr. Pierce attended the Chamber Board meeting last Thursday where they discussed upcoming events including the annual fireworks celebration at I Love America Day.

#### **10. Approval Of Minutes - May 13, 2024 Regular Meeting**

The Mayor announced that the minutes of the May 13, 2024 regular meeting are being presented for approval. He opened the floor for a motion.

**MOTION:** Approve the minutes of the May 13, 2024 regular meeting as presented. Motion By: Kimberly Cook. Seconded By: Rusty Weaver.

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

#### **Old Business (Public Hearing)**

**11. Public Hearing - Ordinance Number 3219 - Rezoning - 4529 Pine Tree Circle; Lot 29, Topfield Subdivision; Rezone from Vestavia Hills R-1 (single family residential) to Vestavia Hills B-2 (general business) with conditions; Maria Wood, Owner**

**MOTION:** Approve Ordinance Number 3219 as presented. Motion by: Rusty Weaver. Seconded by: George Pierce.

Maria Wood, owner, was present with regard to this request.

Mr. Weaver explained that the Planning and Zoning Commission heard this request at the April meeting and recommended approval with the following conditions: (1) said zoning is limited to general enclosed retail as defined by the City's Zoning Code, as amended; (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.

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.

**New Business**

**New Business Requesting Unanimous Consent (Public Hearing)**

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

**12. Citizens Comments**

- None.

**13. Time Of Adjournment**

There being no further business, Mrs. Cook made a motion to adjourn. The Mayor adjourned the meeting at 3:15 PM.

Ashley C. Curry, Mayor

ATTESTED BY:

Rebecca Leavings, City Clerk





**CITY OF VESTAVIA HILLS  
CITY CLERK  
INTER-DEPARTMENT MEMO**

**June 10, 2024**

**To:** Jeff Downes, City Manager

**From:** Rebecca Leavings, City Clerk

**Cc:**

**RE:** Public Hearing - Ordinance Number 3226 - An Ordinance authorizing the Mayor and City Manager to execute and deliver an Amendment of Memorandum of Lease by and between T-Mobile USA LLC and the City of Vestavia Hills

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**Background:**

In 2010, the City of Vestavia Hills owned 62.93 acres of unimproved land in the Liberty Park community (the "property"). On November 23, 2010, the City leased 525 square feet of the property to T-Mobile South, LLC for cell tower use, together with a 30-foot easement for ingress/egress. CCTMO LLC ("Crown") serves T-Mobile pursuant to a Limited Power of Attorney. In March 2024, the City and LPJV concluded a land swap. LPJV conveyed 22.42 acres to the City in exchange for a conveyance by the City of 3.80 acres of the City property to LPJV. It is important to note that the 3.80-acre parcel conveyed by the City to LPJV was part of the 62.93 acres of City property. Both the City and LPJV were anxious to close the land swap in late March 2024 in order to beat the "bat season." The survey that we had at the time of closing of the swap was only a boundary survey and not an ALTA survey. The need to release the 3.80-acre parcel conveyed by the City to LPJV in accordance with

the land swap from the ingress/egress easement wasn't discovered until after the land swap was closed. LPJV submitted to the City an Amendment to Memorandum of Lease by and between the City and T-Mobile USA LLC in order to release the portion of property that LPJV purchased. The purpose of the Amendment will accomplish that release; and

**Recommendation:**

Recommend approval in order to release the 3.80 acres conveying to LPJV from the Memorandum of Lease.

**Fiscal Impact:**

na

**Attachments:**

1. Ordinance 3226

## **ORDINANCE NUMBER 3226**

### **AN ORDINANCE AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE AND DELIVER AN AMENDMENT TO MEMORANDUM OF LEASE BY AND BETWEEN THE CITY OF VESTAVIA HILLS AND T-MOBILE USA TOWER LLC REGARDING AN EASEMENT FOR INGRESS/EGRESS**

**WHEREAS**, in 2010, the City of Vestavia Hills owned 62.93 acres of unimproved land in the Liberty Park community (the "property"); and

**WHEREAS**, on November 23, 2010, the City leased 525 square feet of the property to T-Mobile South, LLC for cell tower use, together with a 30-foot easement for ingress/egress. CCTMO LLC ("Crown") serves T-Mobile pursuant to a Limited Power of Attorney; and

**WHEREAS**, in March 2024, the City and LPJV concluded a land swap. LPJV conveyed 22.42 acres to the City in exchange for a conveyance by the City of 3.80 acres of the City property to LPJV. It is important to note that the 3.80-acre parcel conveyed by the City to LPJV was part of the 62.93 acres of City property; and

**WHEREAS**, both the City and LPJV were anxious to close the land swap in late March 2024 in order to beat the "bat season." The survey that we had at the time of closing of the swap was only a boundary survey and not an ALTA survey; and

**WHEREAS**, the need to release the 3.80-acre parcel conveyed by the City to LPJV in accordance with the land swap from the ingress/egress easement wasn't discovered until after the land swap was closed. LPJV submitted to the City an Amendment to Memorandum of Lease by and between the City and T-Mobile USA LLC in order to release the portion of property that LPJV purchased, a copy of which is marked as Exhibit A, attached to and incorporated into this Ordinance Number 3226 as if written fully therein. The purpose of the Amendment will accomplish that release; and

**WHEREAS**, the Mayor and City Council feel it is in the best public interest to release said 3.80 acres from 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 said Amendment of Lease between the City and T-Mobile USA LLC; and
2. A copy of said Amendment shall be submitted to the City Clerk for record; and

3. This Ordinance Number 3226 shall be effective immediately following adoption and approval and posting/publishing pursuant to Alabama law.

**ADOPTED and APPROVED** this the 10<sup>th</sup> day of June, 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 Number 3226 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 10th day of June, 2024, as same appears in the official records of said City.

Posted at Vestavia Hills Municipal Center, Vestavia Hills Library in the Forest, Vestavia Hills New Merkel House and Vestavia Hills Recreational Center this the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

Rebecca Leavings  
City Clerk

Prepared By:  
 Gail Livingston Mills, Esq.  
 Burr & Forman LLP  
 420 North 20<sup>th</sup> Street, Suite 3400  
 Birmingham, Alabama 35203

**STATE OF ALABAMA** )

**COUNTY OF JEFFERSON** )

Cross Reference to:  
 Book LR201102, Page 10693  
 Jefferson County, Alabama Records

### **AMENDMENT TO MEMORANDUM OF LEASE**

**THIS AMENDMENT TO MEMORANDUM OF LEASE** (this "Amendment") is made as of April \_\_\_\_\_, 2024, by and between **CITY OF VESTAVIA HILLS, ALABAMA**, a municipal corporation ("Landlord"), having a mailing address of 1032 Montgomery Highway, Vestavia Hills, Alabama 35216, and **T-MOBILE USA TOWER LLC**, a Delaware limited liability company (as successor to T-Mobile South LLC) ("Tenant"), having a mailing address of c/o CCTMO LLC, 2000 Corporate Drive, Canonsburg, Pennsylvania 15317.

#### **RECITALS:**

A. Landlord and Tenant entered into that certain Site Lease with Option dated December 2, 2010 (the "Lease"), a memorandum of which was recorded in Book LR201102, Page 10693 in the Office of the Judge of Probate of Jefferson County, Alabama (the "Memorandum"), with respect to a portion of certain real property owned by Landlord as described on **Exhibit A** attached to the Memorandum.

B. The Memorandum did not clearly describe the "Property" and the "Premises" (each as defined in the Lease), and this Amendment is being recorded to correct and clarify such legal descriptions as more particularly set forth herein.

C. Tenant granted to **CCTMO LLC**, a Delaware limited liability company ("Crown"), a Limited Power of Attorney dated November 30, 2012 and recorded as Instrument No. 20131202001282680 in the aforesaid recording office, with respect to the Lease and any amendment or other document relating to the Lease, including the Memorandum, and therefore Crown is authorized to execute this Amendment on behalf of Tenant as its Attorney in Fact.

**NOW THEREFORE**, in consideration of the foregoing and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. The Recitals hereto are true and correct and are hereby incorporated in this Amendment.

2. The introductory paragraph of the Memorandum is hereby amended and restated in its entirety as follows:

*A Site Lease with Option (the "Lease") by and between the City of Vestavia Hills, Alabama, an Alabama municipality ("Landlord"), and T-Mobile USA Tower LLC, a Delaware limited liability company (as successor to T-Mobile South LLC) ("Tenant"), was made with respect to a portion of the real property owned by Landlord more particularly described on Exhibit "A" attached hereto and incorporated herein by reference (the "Property"). The portion of the Property leased to Tenant by Landlord under the Lease is more particularly described on Exhibit "B-1" attached hereto and incorporated herein by reference and is generally depicted as set forth on Exhibit "B-2" attached hereto and incorporated herein by reference (the "Premises"). The Premises leased to Tenant is comprised of approximately 525 square feet exclusive of easements.*

3. The legal description of the leased premises set forth on Schedule 1 attached hereto and incorporated herein by reference is hereby attached to the Memorandum as Exhibit "B-1" thereto and is incorporated therein by reference.

4. The surveyed depiction of the leased premises set forth on Schedule 2 attached hereto and incorporated herein by reference is hereby attached to the Memorandum as Exhibit "B-2" thereto and is incorporated therein by reference.

5. This Amendment may be executed in any number of counterparts, each of which, when executed and delivered, shall be an original, but such counterparts shall together constitute one and the same instrument.

6. This Amendment shall inure to the benefit of and be binding upon the parties hereto and their respective successors and assigns.

7. This Amendment shall be governed by and construed in accordance with the laws of the State of Alabama.

*[Remainder of page intentionally left blank. Signatures and acknowledgments to follow.]*



IN WITNESS WHEREOF, the parties hereto have set their hands and seals as of the date first above written.

**LANDLORD:**

**CITY OF VESTAVIA HILLS, ALABAMA,**  
a municipal corporation

By: \_\_\_\_\_  
Ashley C. Curry  
Its Mayor

By: \_\_\_\_\_  
Jeffrey D. Downes  
Its City Manager

**STATE OF ALABAMA     )**

**JEFFERSON COUNTY     )**

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Ashley C. Curry, whose name as Mayor of the **CITY OF VESTAVIA HILLS, ALABAMA**, a municipal corporation under the laws of the State of Alabama, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of such instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said municipal corporation.

Given under my hand and official seal this \_\_\_\_ day of April, 2024.

\_\_\_\_\_  
Notary Public  
My Commission expires: \_\_\_\_\_

STATE OF ALABAMA    )

JEFFERSON COUNTY    )

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Jeffrey D. Downes, whose name as City Manager of the **CITY OF VESTAVIA HILLS, ALABAMA**, a municipal corporation under the laws of the State of Alabama, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of such instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said municipal corporation.

Given under my hand and official seal this \_\_\_\_\_ day of April, 2024.

\_\_\_\_\_  
Notary Public

My Commission expires:\_\_\_\_\_



**TENANT:**

**T-MOBILE USA TOWER LLC,**  
a Delaware limited liability company

By: **CCTMO LLC,**  
a Delaware limited liability company  
Its Attorney in Fact

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: \_\_\_\_\_

**STATE OF \_\_\_\_\_ )**

**COUNTY OF \_\_\_\_\_ )**

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that, \_\_\_\_\_, whose name as \_\_\_\_\_ of **CCTMO LLC**, a Delaware limited liability company, as Attorney in Fact for **T-MOBILE USA TOWER LLC**, a Delaware limited liability company, has signed the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the foregoing instrument, he/she with full authority, executed the same voluntarily for and as the act of said limited liability company on the day the same bears date.

Given under my hand and official seal this \_\_\_\_\_ day of April, 2024.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

[SEAL]

## SCHEDULE 1 TO AMENDMENT TO MEMORANDUM OF LEASE

### EXHIBIT "B-1" TO MEMORANDUM OF LEASE

#### *Legal Description of Leased Premises*

##### 15' X 30' LEASE AREA (AS-SURVEYED)

A leased parcel being a portion of that certain tract of land as recorded in Book LR200616, Page 16634 in the Office of the Judge of Probate, Jefferson County, Alabama, lying in the Southwest 1/4, Section 8, Township 18 South, Range 1 West, said County, and being more particularly described as follows:

Commencing at a 1/2" capped rebar found (Weygand) at the northeast corner of the Southeast 1/4 of the Southwest 1/4 of said Section 8; thence run S 89°03'09" W along the north line of said Southwest 1/4 for a distance of 1115.01 feet to a point; thence S 00°56'51" E leaving said north line for a distance of 431.01 feet to a 5/8" capped rebar set (CA-627-LS) and the Point of Beginning; thence S 20°57'09" E for a distance of 15.00 feet to a 5/8" capped rebar set (CA-627-LS); thence S 69°02'51" W for a distance of 35.00 feet to a 5/8" capped rebar set (CA-627-LS); thence N 20°57'09" W for a distance of 15.00 feet to a 5/8" capped rebar set (CA-627-LS); thence N 69°02'51" E for a distance of 35.00 feet to the Point of Beginning. Said above described leased parcel contains 0.01 acres, more or less.

##### 30' INGRESS/EGRESS & UTILITY EASEMENT (AS-SURVEYED)

An easement being a portion of that certain tract of land as recorded in Book LR200616, Page 16634 in the Office of the Judge of Probate, Jefferson County, Alabama, lying in the Southwest 1/4, Section 8, Township 18 South, Range 1 West, said County, and being more particularly described as follows:

Commencing at a 1/2" capped rebar found (Weygand) at the northeast corner of the Southeast 1/4 of the Southwest 1/4 of said Section 8; thence run S 89°03'09" W along the north line of said Southwest 1/4 for a distance of 1115.01 feet to a point; thence S 00°56'51" E leaving said north line for a distance of 431.01 feet to a 5/8" capped rebar set (CA-627-LS); thence S 20°57'09" E for a distance of 15.00 feet to a 5/8" capped rebar set (CA-627-LS); thence S 69°02'51" W for a distance of 11.33 feet to the Point of Beginning of an Ingress/Egress and Utility Easement being 30 feet in width and lying 15 feet each side of the following described centerline; thence S 36°33'51" E for a distance of 123.50 feet to a point; thence with a curve turning to the right with a radius of 25.00 feet, an arc length of 41.27 feet, and having a chord bearing of S 10°22'06" W for a chord length of 36.74 feet to a point; thence S 57°39'55" W for a distance of 260.13 feet to a point; thence S 32°17'31" E for a distance of 151.81 feet to a point; thence S 57°42'29" W for a distance of 101.22 feet to a point; thence with a curve turning to the right with a radius of 40.00 feet, an arc length of 59.09 feet and having a chord bearing of N 79°58'06" W for a chord length of 53.87 feet to a point; thence N 37°38'41" W for a distance of 61.29 feet, more or less, to the easterly right-of-way line of Sicard Hollow Road and the Point of Ending. Said above described easement contains 0.55 acres, more or less.

##### UTILITY EASEMENT (AS-SURVEYED)

An easement being a portion of that certain tract of land as recorded in Book LR200616, Page 16634 in the Office of the Judge of Probate, Jefferson County, Alabama, lying in the Southwest 1/4, Section 8, Township 18 South, Range 1 West, said County, and being more particularly described as follows:

Commencing at a 1/2" capped rebar found (Weygand) at the northeast corner of the Southeast 1/4 of the Southwest 1/4 of said Section 8; thence run S 89°03'09" W along the north line of said Southwest 1/4 for a

distance of 1115.01 feet to a point; thence S 00°56'51" W leaving said north line for a distance of 431.01 feet to a 5/8" capped rebar set (CA-627-LS); thence S 20°57'09" E for a distance of 15.00 feet to a 5/8" capped rebar set (CA-627-LS); thence S 69°02'51" W for a distance of 11.33 feet to a point; thence S 36°33'51" E for a distance of 123.50 feet to a point; thence S 50°01'17" W for a distance of 15.05 feet to the Point of Beginning of a Utility Easement being 10 feet in width and lying 5 feet each side of the following described centerline; thence S 57°39'55" W for a distance of 267.23 feet to a point; thence from said point, said Utility Easement becomes 30 feet in width and lying 15 feet each side of the following described centerline; thence S 75°16'39" W for a distance of 17.19 feet, more or less, to the the easterly right-of-way line of Sicard Hollow Road and the Point of Ending. Said above described easement contains 0.07 acres, more or less.





PATRICK H. BOONE  
ATTORNEY AND COUNSELOR AT LAW  
NEW SOUTH FEDERAL SAVINGS BUILDING, SUITE 705  
215 RICHARD ARRINGTON, JR. BOULEVARD NORTH  
BIRMINGHAM, ALABAMA 35203-3720

TELEPHONE (205) 324-2018

FACSIMILE (205) 324-2295

E-Mail: [patrickboone@bellsouth.net](mailto:patrickboone@bellsouth.net)

May 22, 2024

City Manager Jeffrey D. Downes  
Vestavia Hills Municipal Center  
P. O. Box 660854  
Vestavia Hills, Alabama 35266-0854

In Re: Land Swap Between the City and LPJV in 2024

Dear Mr. Downes:

In connection with the above matter, I forward you copy of Amendment to Memorandum of Lease by and between the City of Vestavia Hills, Alabama ("Landlord") and T-Mobile USA Tower LLC ("Tenant") prepared by attorney, Gail Livingston Mills, who represents Liberty Park Joint Venture ("LPJV").

I approve the Amendment from a legal standpoint and recommend the execution and delivery thereof. It will, therefore, be greatly appreciated if you will put this matter on the Agenda for the City Council meeting scheduled for June 10, 2024 for consideration by the City Council.

## **I. BACKGROUND INFORMATION**

In 2010, the City of Vestavia Hills, Alabama ("City") owned 62.93 acres of unimproved land in the Liberty Park community (the "property").

On November 23, 2010, the City leased 525 square feet of the property to T-Mobile South, LLC for cell tower use, together with a 30-foot easement for ingress/egress. CCTMO LLC ("Crown") serves T-Mobile pursuant to a Limited Power of Attorney.

In March 2024, the City and LPJV concluded a land swap. LPJV conveyed 22.42 acres to the City in exchange for a conveyance by the City of 3.80 acres of the City property to LPJV. It is important to note that the 3.80-acre parcel conveyed by the City to LPJV was part of the 62.93 acres of City property.

Both the City and LPJV were anxious to close the land swap in late March 2024 in order to beat the "bat season." The survey that we had at the time of closing of the swap was only a boundary survey and not an ALTA survey.

May 22, 2024  
page 2

## II. BASIS FOR RECOMMENDATION

The 3.80-acre parcel conveyed by the City to LPJV in accordance with the land swap needs to be released from the ingress/egress easement. This wasn't discovered until after the land swap was closed. The purpose of the enclosed Amendment will accomplish that.

I discussed this matter with Gail Livingston Mills earlier today. She assures me that Crown as POA for T-Mobile is ready to sign the Amendment. The execution and delivery by the City will clear the title to the 3.80 acres owned by LPJV.

Please call me if you have any questions regarding this legal opinion.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Patrick H. Boone", with a long horizontal flourish extending to the right.

Patrick H. Boone  
Vestavia Hills City Attorney

PHB:gp

cc: City Clerk Rebecca Leavings (by e-mail)  
Gail Livingston Mills, Esq. (by e-mail)



**CITY OF VESTAVIA HILLS  
CITY CLERK  
INTER-DEPARTMENT MEMO**

**June 10, 2024**

**To:** Jeff Downes, City Manager

**From:** Rebecca Leavings, City Clerk

**Cc:**

**RE:** Public Hearing - Ordinance Number 3221 - Rezoning - Acreage to the Rear of 3022, 3026 and 3030 Panorama Brook Circle; Lots 10, 11 & 12, Panorama Brook; Rezone from Vestavia Hills Institutional to Vestavia Hills R-6 to incorporate said acreage into the adjacent lots; Harry M. Ezekiel, Et Al, owners

---

**Background:**

Three lots in Panorama Brook petitioned the Freshwater Trust to sell some of the acreage on their side of the creek to incorporate into their lots. The sale occurred with the stipulation that the property was rezoned and incorporated into these lots by way of a recorded plat. This request is to rezone the properties the same as the residential lots for a later plat recordation.

**Recommendation:**

P&Z recommended approval at the April 2024 meeting. See recommendation attached.

**Fiscal Impact:**

na

**Attachments:**

1. Ordinance 3221

**ORDINANCE NUMBER 3221**

**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 INST TO VESTAVIA  
HILLS R-6**

**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 Inst (institutional district) to Vestavia Hills R-6 (high density residential district):

Acreage to the rear of 3022, 3026 and 3030 Panorama Brook Circle  
Lot 2 10, 11 and 12, Panorama Brook (MB 180 PG 55 & Amended MB 181 PG 46)  
Harry M. Exzekiel, ET AL, Owner(s)

Being More particularly described as follows:

Parcel 1:

Begin at a capped #5 rebar being the Southeast corner of Lot 12, of Amended Map Panorama Brook, as recorded in the Office of the Judge of Probate of Jefferson County, Alabama; thence proceed along the East line of said Lot 12 NORTHERLY, a distance of 105.60 feet to a capped #4 rebar at the Northeast corner of Lot 12; thence turn an interior angle to the left of 105°11'02" and proceed Easterly along an extension of the North lot line of Lot 12 a distance of 12.68 feet to a point 50' West of the Centerline of Shades Creek; thence turn an interior angle to the left of 93°48'28" and proceed along a line that is parallel with and 50 feet West of the Centerline of Shades Creek in a Southerly direction a distance of 106.92 feet to a point lying on an extension of the South line of aforementioned Lot 12; thence turn an interior angle to the left of 80°27'25" and proceed Westerly a distance of 47.68 feet to the Point of Beginning, having an area of 3,160 square feet, 0.07 acres, more or less.

Parcel 2:

Begin at a capped #5 rebar being the Southeast corner of Lot 11, of Amended Map Panorama Brook, as recorded in the Office of the Judge of Probate of Jefferson County, Alabama; thence proceed along the East line of said Lot 11 NORTHERLY, a distance of 139.95 feet to a capped #5 rebar at the Northeast corner of Lot 11; thence turn an interior angle to the left of 99°36'14" and proceed Easterly along an extension of the North lot line of Lot 11 a distance of 47.68 feet to a point 50' West of the Centerline of



Shades Creek; thence turn an interior angle to the left of 98°58'57" and proceed along a line that is parallel with and 50 feet West of the Centerline of Shades Creek in a Southerly direction a distance of 135.85 feet to a point; thence turn an interior angle to the left of 160°48'01" and continue Southerly along said line, parallel with and 50 feet West of the Centerline of Shades Creek a distance of 55.12 feet to a point lying on an extension of the South line of aforementioned Lot 11 ; thence turn an interior angle to the left of 68°46'00" and proceed Northwesterly a distance of 96.66 feet to the Point of Beginning, having an area of 12,001 square feet, 0.28 acres, more or less.

Parcel 3:

Begin at a 2" open top iron being the Southeast corner of Lot 10, of Amended Map Panorama Brook, as recorded in the Office of the Judge of Probate of Jefferson County, Alabama; thence proceed along the East line of said Lot 10 NORTHERLY, a distance of 96.70 feet to a capped #4 rebar at the Northeast corner of Lot 1 O; thence turn an interior angle to the left of 67°53'02" and proceed Southeasterly along an extension of the North lot line of Lot 10 a distance of 96.66 feet to a point 50' West of the Centerline of Shades Creek; thence turn an interior angle to the left of 103°14'30" and proceed along a line that is parallel with and 50 feet West of the Centerline of Shades Creek in a Southerly direction a distance of 63.36 feet to a point lying on an extension of the South line of aforementioned Lot 1 O; thence turn an interior angle to the left of 95°48'00" and proceed Westerly a distance of 79.58 feet to the Point of Beginning, having an area of 6917 square feet, 0.16 acres, more or less.

**APPROVED and ADOPTED** this the 24<sup>th</sup> day of June, 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 Number 3221 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 24<sup>th</sup> day of June, 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





# City of Vestavia Hills

Planning and Zoning Commission Review and Recommendation



Case Number: RZ-24-2

Owner Name: Harry M Ezekiel

Owner Address: 3030 Panorama Brook Circle

Representative: Thomas Scott Dreher

Rep. Address: 173 Oxmoor Road Homewood, AL 35209

Project Address: 3030 Panorama Brook  
LOT 10, LOT 11, LOT 12 PANORAMA BROOK PB 180 PG 55 & AMENDED PB 181 PG 46;  
Legal Description: Acreage Parcels shown in sketch of legal descriptions.

Parcel ID Number: 40 00 06 1 000 041.000

Current Zoning: Inst-1

Requested Zoning: R-6

Intended Purpose: Extending Rear/East Line of Lots to incorporate existing acreage tracts

**MOTION** Mr. Weaver made a motion to recommend Rezoning for 3022, 3026, & 3030 Panorama Brook Cir. from Vestavia Hills Inst to Vestavia Hills R-6 . Second was by Mr. Sykes. Motion was carried on a roll call; vote as follows:  
Mr. Farrell – yes Ms. Cochran – yes

P&Z Recommendation: Mr. Romeo – yes Mr. Weaver– yes  
Mr. Honeycutt – yes Mr. Maloof– yes  
Mr. Vercher– yes  
Motion carried.

Date of P&Z Meeting: May 9, 2024

Authorized by:

Issued by:

Vestavia Hills Planning and Zoning Commission,  
Michael Vercher, Chair  
Conrad Garrison, City Planner

|                             |                                                                                                    |                          |
|-----------------------------|----------------------------------------------------------------------------------------------------|--------------------------|
| <b>Rezoning Application</b> | <b>Applicant</b>                                                                                   | <b>Primary Location</b>  |
| <b>RZ-24-2</b>              |  Thomas Dreher    | 3030 PANORAMA BROOK CIR  |
| Submitted On: Mar 8, 2024   |  205-942-0086     | VESTAVIA HILLS, AL 35216 |
|                             |  Info@weygand.com |                          |

**Additional Locations**

3026 PANORAMA BROOK CIR, VESTAVIA HILLS AL 35216  
3022 PANORAMA BROOK CIR, VESTAVIA HILLS AL 35216

**Property Information**

|                                                                                                                                      |                                    |
|--------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|
| <b>Subject Property Address</b>                                                                                                      | <b>Tax Parcel ID Number</b>        |
| 3030 Panorama Brook                                                                                                                  | 40 00 06 1 000 041.000             |
| <b>Legal Description</b>                                                                                                             |                                    |
| LOT 10, LOT 11, LOT 12 PANORAMA BROOK PB 180 PG 55 & AMENDED PB 181 PG 46:<br>Acreage Parcels shown in sketch of legal descriptions. |                                    |
| <b>Existing Parking Spaces</b>                                                                                                       | <b>Proposed Parking Spaces</b>     |
| 0                                                                                                                                    | 0                                  |
| <b>Submission Date</b>                                                                                                               | <b>Type of Project</b>             |
| 03/08/2024                                                                                                                           | Annexation of a Single-Family Home |

**Action Requested:**

|                                                                         |                                            |
|-------------------------------------------------------------------------|--------------------------------------------|
| <b>From Existing Zoning Classification</b>                              | <b>To Requested Zoning Classification</b>  |
| Inst-1                                                                  | R-6                                        |
| <b>For the Intended Purpose of:</b>                                     |                                            |
| Extending Rear/East Line of Lots to incorporate existing acreage tracts |                                            |
| <b>Acreage of Subject Property</b>                                      | <b>Acreage of Property to be Disturbed</b> |
| 0.51                                                                    | 0                                          |

**Setbacks**

|                                |                                                                                                                                                                                                                                                 |
|--------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Front</b>                   | <b>Back</b>                                                                                                                                                                                                                                     |
| 12                             | 20                                                                                                                                                                                                                                              |
| <b>Side</b>                    | <b>Open Space</b>                                                                                                                                                                                                                               |
| 10                             | --                                                                                                                                                                                                                                              |
| <b>Lot Coverage Percentage</b> | <b>Tree Save Plan - I acknowledge that a if this is a new non-residential development or is a residential development in excess of 3 units, that I am required to submit a tree save plan concurrent with this application (excludes PUDs).</b> |
| --                             | true                                                                                                                                                                                                                                            |

**Owner Information**

Applications must be either submitted by the owner of the property or a representative duly appointed by the owner by way of a notarized letter and/or power of attorney.

**Owner Address City State Zip**

3030 Panorama Brook Circle

**Owner's Phone Number**

2054107367

By checking this box, I hereby affirm that I am the representative of the owner duly authorized to represent this petition for rezoning. Simultaneously with this application, I am submitting notarized documentation from the owner which authorizes me to represent this case. If no authorization is provided, this application cannot be processed.

true

**Mailing Address of Responsible Party**

173 Oxmoor Road Homewood, AL 35209

**Phone No. of Responsible Party**

2059420086

**Property Owner Name**

Harry M Ezekiel

**Company Name**

--

**Email Address of Owner**

HEZEKIEL@CHARTER.NET

**Owner Representative/Responsible Party**

Thomas Scott Dreher

**Company Name**

Weygand LLC

**Contact Email of Responsible Party**

scottie@weygand.com

**Email Address of Responsible Party**

info@weygand.com

**Project Engineer Information (if applicable)**

**Name**

Thomas Scott Dreher

**Company**

Weygand LLC

**Mailing Address**

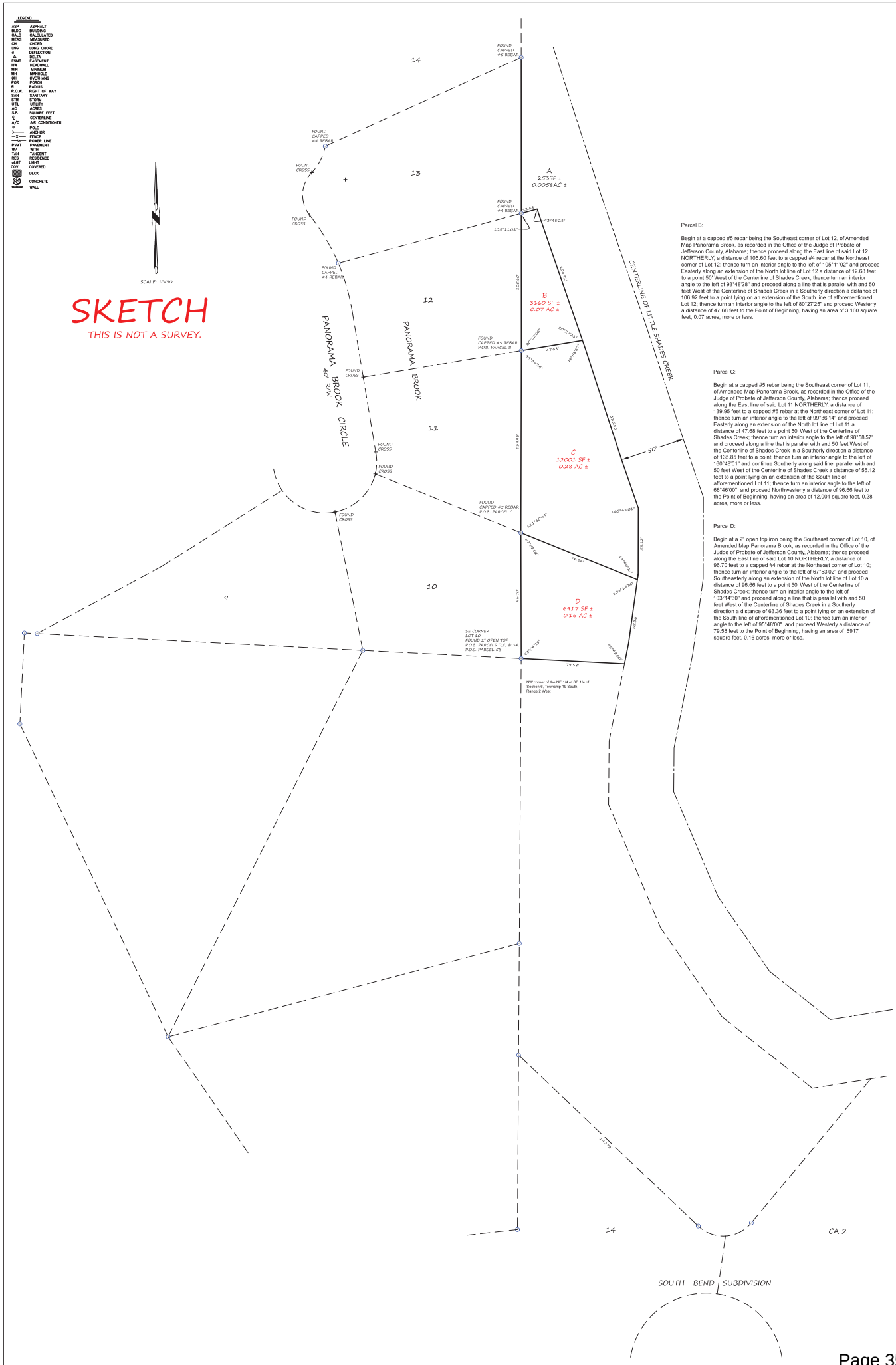
173 Oxmoor Road Homewood, AL 35209

**Phone Number**

2059420086

**Email**

info@weygand.com













**CITY OF VESTAVIA HILLS  
CITY CLERK  
INTER-DEPARTMENT MEMO**

**June 10, 2024**

**To:** Jeff Downes, City Manager

**From:** Rebecca Leavings, City Clerk

**Cc:**

**RE:** Public Hearing - Ordinance Number 3222 - Rezoning - 2303 Pine Crest Lane; Rezone from Vestavia Hills R-2 to Vestavia Hills Institutional with conditions; Shades Mountain Baptist Church, Owner

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**Background:**

Residential property located at 2303 Pine Crest Lane was purchased by the Shades Mountain Baptist Church. The home was razed, leaving only the carport structures. This request is to allow the church to utilize the existing carport structures for church use conditioned upon the following: (1) The rezoning approval is for church utilization of the existing carport structures only with any further development of the property to be again subjected to a rezoning procedure; (2) that there will be no public access to/from this property to/from Pine Crest Lane and Vestaview Lane; and (3) a buffer must be approved by the Vestavia Hills Design Review Board to be installed and approved by the Zoning Official prior to the effective date of this ordinance.

**Recommendation:**

Recommended approval by P&Z with the above conditions.

**Fiscal Impact:**

na

**Attachments:**

1. Ordinance 3222

**ORDINANCE NUMBER 3222**

**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-2 TO VESTAVIA HILLS INST**

**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-2 (medium density residential district) to Vestavia Hills Inst (institutional district):

2303 Pine Crest Lane  
Shades Mountain Baptist Church, Owner(s)

Being More particularly described as follows:

Commence at the NE corner of the NE 1/4 of SW 1/4 of Section 25, Township 18 South, Range 3 West; thence south along the east line of same 40 feet to the south line of John Road extended from the Shady Rock Survey and being the point of beginning of the property herein described; thence continue on the last named course 830.25 feet; thence 91 degrees and 16' and 45" to the right 285.86 feet, thence 88 degrees and 43' and 15" to the right 829.40 feet to the south right of way of said road; thence 91 degrees and 06" and 30" to the right 285.86 feet along said right of way to point of beginning.

**BE IT FURTHER ORDAINED** that said zoning shall be conditioned upon the following: (1) Zoning approval of this property is for the Church's use of the existing carport structure for the Church's use only and any further development of property shall be reviewed under a subsequent rezoning request procedure; (2) No public access to/from the property shall be allowed to/from Pine Crest Lane or Vestaview Lane; and (3) prior to this rezoning becoming effective, a buffer must be approved by the Vestavia Hills Design Review Board and installed pursuant to the Zoning Official's approval.

**APPROVED and ADOPTED** this the 24<sup>th</sup> day of June 2024.

Ashley C. Curry  
Mayor

ATTESTED BY:

Rebecca Leavings  
City Clerk

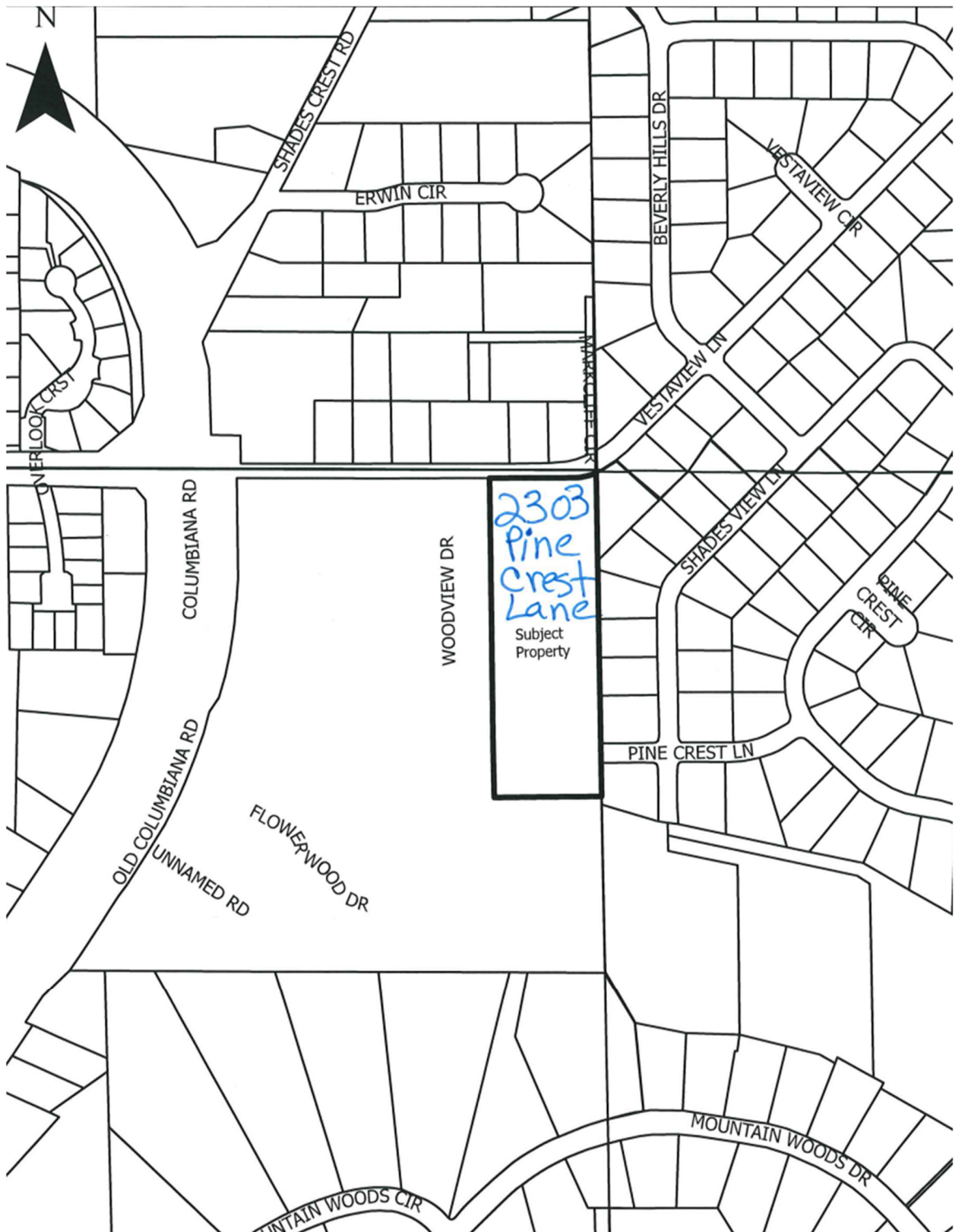
**CERTIFICATION:**

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 Number 3222 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 24<sup>th</sup> day of June, 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







# City of Vestavia Hills

Planning and Zoning Commission Review and Recommendation



Case Number: RZ-24-3

Owner Name: Tom Boston / Business Administrator

Owner Address: 2017 Columbiana Road  
Vestavia Hills, AL 35216

Representative: Neil Byrd / Dir. Campus Operations

Rep. 2017 Columbiana Road  
Address: Vestavia Hills, AL 35216

Project Address: 2303 Pine Crest Lane

Legal Description:

Commence at the NE corner of the NE 1/4 of SW 1/4 of Section 25, Township 18 South, Range 3 West; thence south along the east line of same 40 feet to the south line of John Road extended from the Shady Rock Survey and being the point of beginning of the property herein described; thence continue on the last named course 830.25 feet; thence 91 degrees and 16' and 45" to the right 285.86 feet, thence 88 degrees and 43' and 15" to the right 829.40 feet to the south right of way of said road; thence 91 degrees and 06" and 30" to the right 285.86 feet along said right of way to point of beginning.

Parcel ID Number: 29 00 25 3 001 001.000

Current Zoning: VH R-2 residential

Requested Zoning: institutional

Intended Purpose: Church to use existing old two car garage for small equipment storage.

MOTION Mr. Weaver made a motion to recommend Rezoning for 2303 Pine Crest Ln. from Vestavia Hills R-2 to Vestavia Hills Inst with the following conditions

1. Zoning approval of this property is for the Church's use of the existing carport structure for the Church's use only and any further development of property shall be reviewed under a subsequent rezoning request procedure;
2. TNo public access to/from the property shall be allowed to/from Pine Crest Lane or Vestaview Lane; and ;
3. Prior to this rezoning becoming effective, a buffer must be approved by the Vestavia Hills Design Review Board and installed pursuant to the Zoning Official's approval.

P&Z

Recommendation:

Second was by Mr. Sykes. Motion was carried on a roll call; vote as follows:

Mr. Farrell – yes Ms. Cochran – yes

Mr. Romeo – yes Mr. Weaver– yes

Mr. Honeycutt – yes Mr. Maloof– yes

Mr. Vercher– yes

Motion carried.

Date of P&Z  
Meeting:

May 9, 2024



Authorized by:

Issued by:

Vestavia Hills Planning and Zoning Commission,  
Michael Vercher, Chair  
Conrad Garrison, City Planner

|                             |                                                                                                    |                          |
|-----------------------------|----------------------------------------------------------------------------------------------------|--------------------------|
| <b>Rezoning Application</b> | <b>Applicant</b>                                                                                   | <b>Primary Location</b>  |
| <b>RZ-24-3</b>              |  Neil Byrd        | 2303 PINE CREST LN       |
| Submitted On: Mar 28, 2024  |  205-822-1670     | VESTAVIA HILLS, AL 35216 |
|                             |  nbyrd@shades.org |                          |

**Property Information**

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                     |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|
| <b>Subject Property Address</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <b>Tax Parcel ID Number</b>         |
| 2303 Pine Crest Lane                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 29 00 25 3 001 001.000              |
| <b>Legal Description</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                     |
| Commence at the NE corner of the NE 1/4 of SW 1/4 of Section 25, Township 18 South, Range 3 West; thence south along the east line of same 40 feet to the south line of John Road extended from the Shady Rock Survey and being the point of beginning of the property herein described; thence continue on the last named course 830.25 feet; thence 91 degrees and 16' and 45" to the right 285.86 feet, thence 88 degrees and 43' and 15" to the right 829.40 feet to the south right of way of said road; thence 91 degrees and 06" and 30" to the right 285.86 feet along said right of way to point of beginning. |                                     |
| <b>Existing Parking Spaces</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <b>Proposed Parking Spaces</b>      |
| 0                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 2                                   |
| <b>Submission Date</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <b>Type of Project</b>              |
| 03/28/2024                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | New Non-Residential Development/use |

**Action Requested:**

|                                                                        |                                            |
|------------------------------------------------------------------------|--------------------------------------------|
| <b>From Existing Zoning Classification</b>                             | <b>To Requested Zoning Classification</b>  |
| residential                                                            | institutional                              |
| <b>For the Intended Purpose of:</b>                                    |                                            |
| Church to use existing old two car garage for small equipment storage. |                                            |
| <b>Acreage of Subject Property</b>                                     | <b>Acreage of Property to be Disturbed</b> |
| 5.4                                                                    | 0.014                                      |

**Setbacks**

|                                |                                                                                                                                                                                                                                                 |
|--------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Front</b>                   | <b>Back</b>                                                                                                                                                                                                                                     |
| 0                              | 0                                                                                                                                                                                                                                               |
| <b>Side</b>                    | <b>Open Space</b>                                                                                                                                                                                                                               |
| 0                              | 0                                                                                                                                                                                                                                               |
| <b>Lot Coverage Percentage</b> | <b>Tree Save Plan - I acknowledge that a if this is a new non-residential development or is a residential development in excess of 3 units, that I am required to submit a tree save plan concurrent with this application (excludes PUDs).</b> |
| 0                              | true                                                                                                                                                                                                                                            |

**Owner Information**

Applications must be either submitted by the owner of the property or a representative duly appointed by the owner by way of a notarized letter and/or power of attorney.

**Property Owner Name**

Tom Boston / Business Administrator

**Company Name**

Shades Mountain Baptist Church

**Owner Address City State Zip**

2017 Columbiana Road  
Vestavia Hills, AL 35216

**Owner's Phone Number**

2058221670

**Email Address of Owner**

tboston@shades.org

By checking this box, I hereby affirm that I am the representative of the owner duly authorized to represent this petition for rezoning. Simultaneously with this application, I am submitting notarized documentation from the owner which authorizes me to represent this case. If no authorization is provided, this application cannot be processed.

true

**Owner Representative/Responsible Party**

Neil Byrd / Dir. Campus Operations

**Company Name**

Shades Mountain Baptist Church

**Contact Email of Responsible Party**

nbyrd@shades.org

**Mailing Address of Responsible Party**

2017 Columbiana Road  
Vestavia Hills, AL 35216

**Phone No. of Responsible Party**

2058221670

**Email Address of Responsible Party**

nbyrd@shades.org

---

**Project Engineer Information (if applicable)**

**Name**

--

**Company**

--

**Mailing Address**

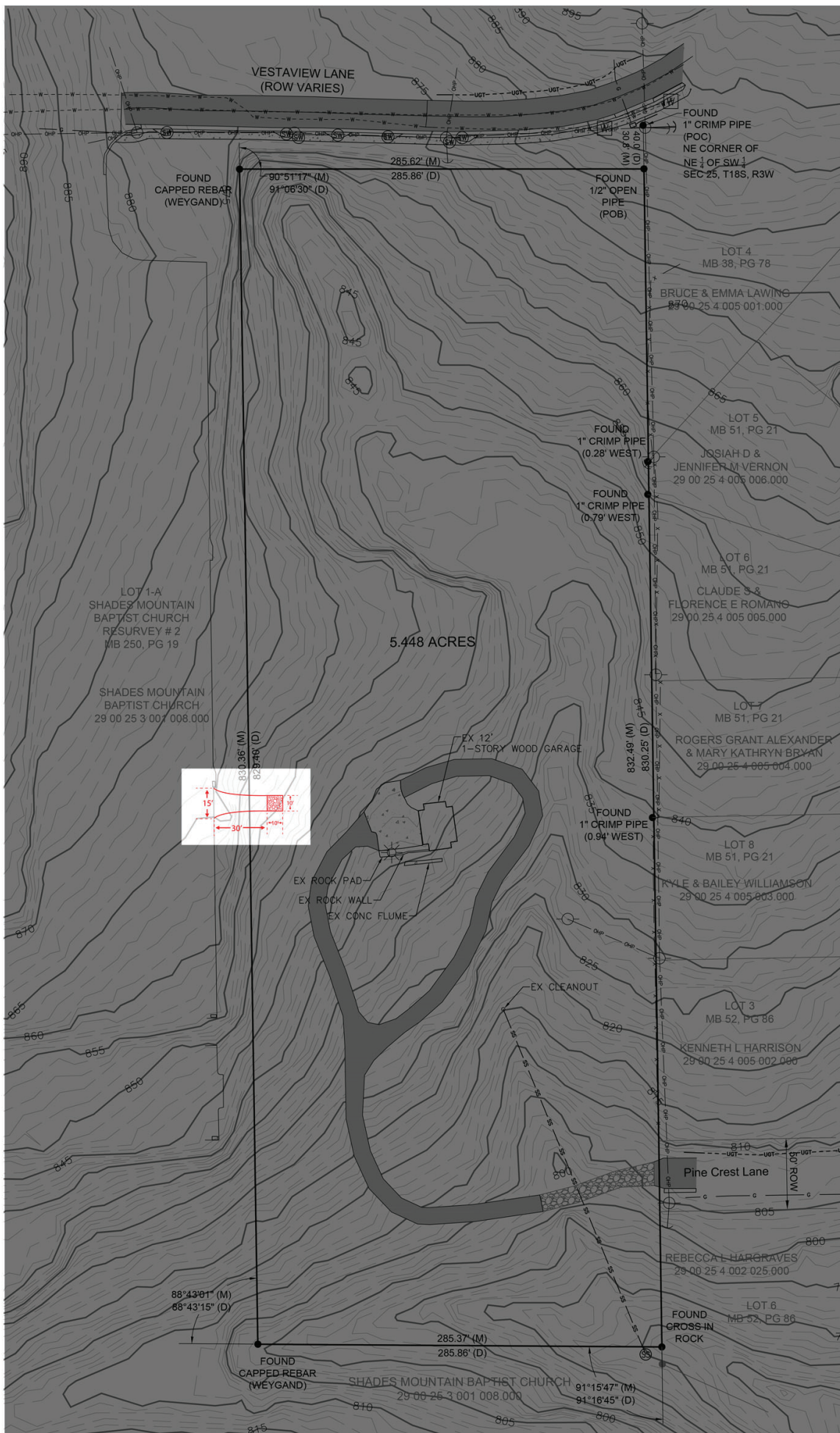
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**Phone Number**

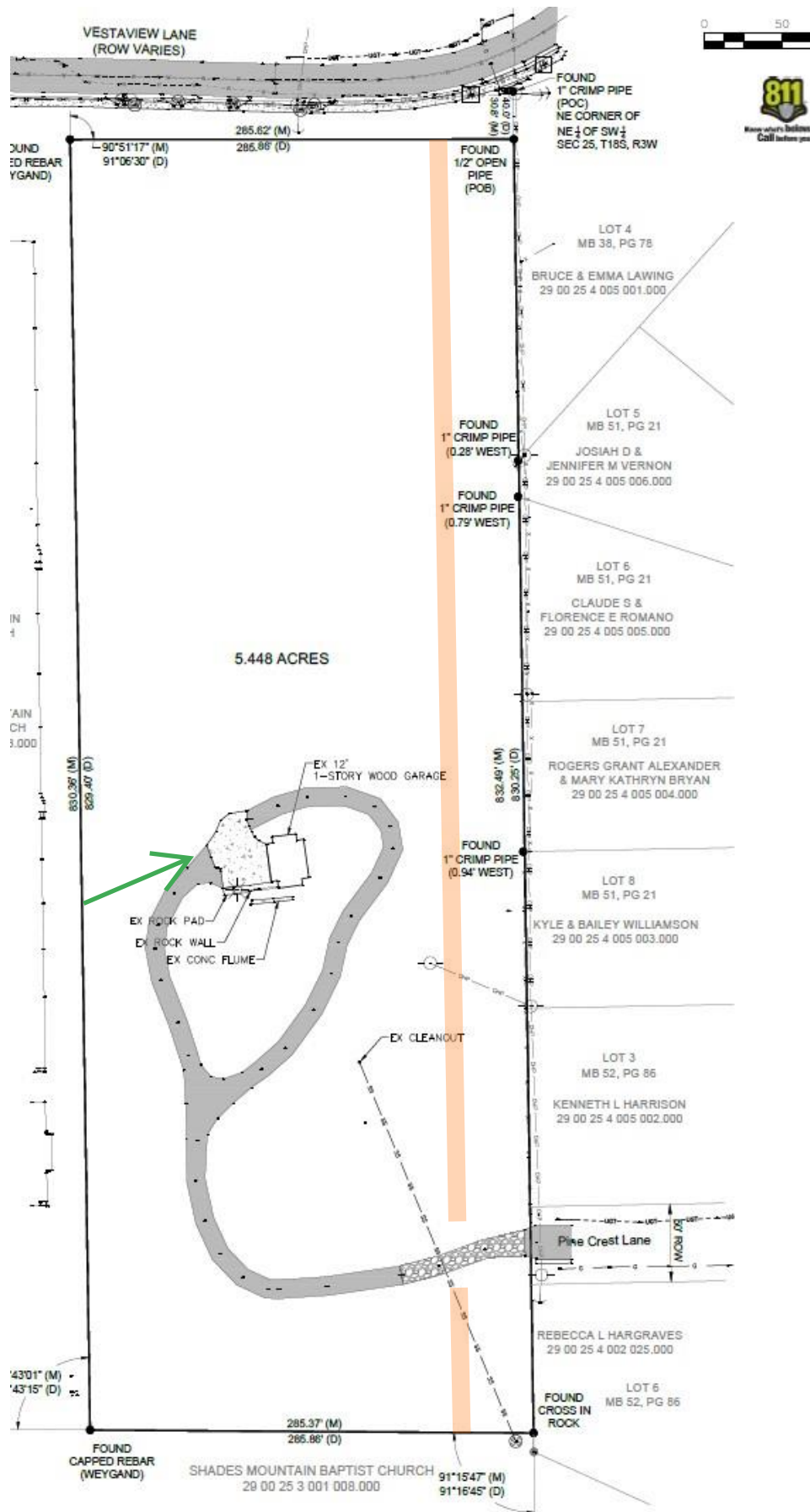
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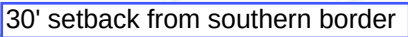
**Email**

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| Zoning1    |                    |     |
|------------|--------------------|-----|
| PARCELID   | 2900253001001000   |     |
| DISTRICT   | 020                |     |
| ESN_NUM    | 62                 |     |
| PROPAD     | 2303 PINE CREST LN |     |
| TAX_TOWNSH | 29                 |     |
| SECTION    | 25                 |     |
| QSECTION   | 3                  |     |
| BLOCK      | 001                |     |
| PARCEL     | 001000             |     |
| VH_ZONING  | R-2                |     |
| ZNG_ORD    | 28F                |     |
| ZNG_ORD_DT | 10/22/1956         |     |
| ZNG_ORD2   |                    |     |
| Zoom to    |                    | ... |



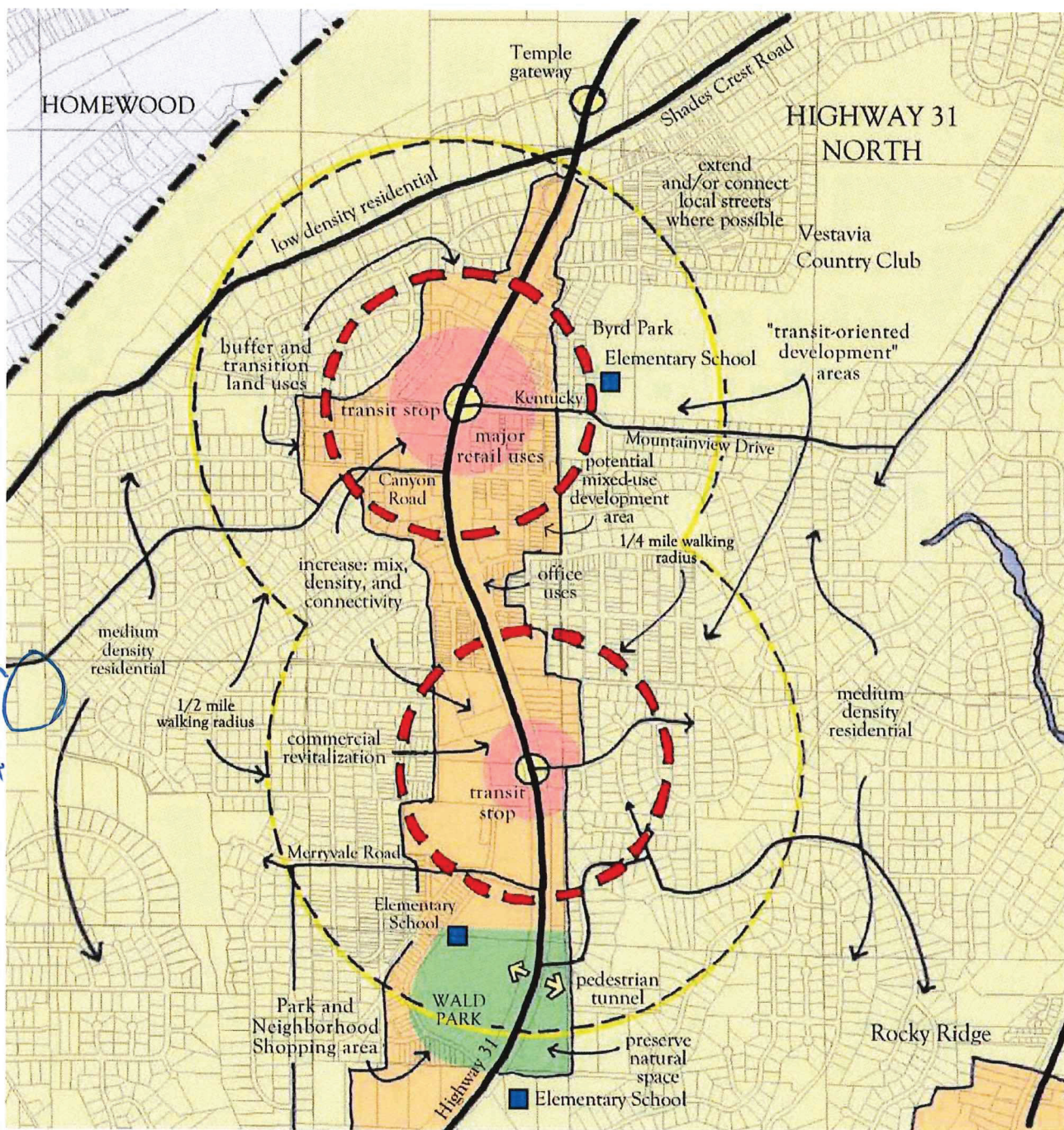
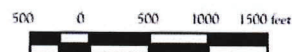


Figure 17: Highway 31 North  
Land Use Analysis

- Neighborhood - primarily low / medium density single-family residential areas with higher densities near village center(s). Other uses may include schools, places of worship, recreational areas, and open space.
- Village Center - mixed use centers with highest densities in core areas. Mix of uses should include retail and service businesses, professional offices, high density residential areas, institutions, recreation areas, and public spaces.
- Commercial Core - primarily high density, retail and service business areas with professional offices and multi-family residences on upper floors or on periphery. Other uses may include institutions and public space.
- Gateways and Nodes - Gateways are entryways into the community or village enhanced with consistent signage, landscaping, and other elements. Nodes are sites, such as transit stops, where public spaces, signage, and other public design elements should be considered.

- Professional Offices - primarily professional office uses. Density should vary according to surroundings. Other uses may include retail and services (supporting offices and employees), places of worship, public spaces, and open space.
- Recreation and Open Space - public and private recreation facilities and preserved natural spaces. Recreation facilities may be active, passive or combined. Open spaces are areas preserved in a natural state and may include passive recreational uses.
- Trailheads - Trailheads are public sites along a trail, where bike racks, seating, parking, and public amenities are provided for trail users.
- Schools - School facilities administered by the Vestavia Hills School System.



## **RESOLUTION NUMBER 5513**

### **A RESOLUTION PROPOSING THE ANNEXATION OF CERTAIN TERRITORY TO THE CORPORATE LIMITS OF THE CITY OF VESTAVIA HILLS, ALABAMA.**

**WHEREAS**, there has been a petition filed with the City Clerk of the City of Vestavia Hills, Alabama, and herein presented to the City Council of the City of Vestavia Hills, Alabama, dated December 4, 2023, wherein all owners of certain property contiguous to the City Limits of the City of Vestavia Hills, Alabama, ask that their property be annexed to the City of Vestavia Hills, Alabama; and

**WHEREAS**, said Petition has been presented to the City Council of the City of Vestavia Hills, Alabama, on the 24th day of June, 2024; and

**WHEREAS**, it would be in the best interest of the City of Vestavia Hills, Alabama, and to the citizens thereof to consider annexation of said territory and bringing it within the corporate limits of this Municipality; and

**WHEREAS**, said petitioners must comply with Act #604, 1970 Alabama Legislature regarding Fire Districts (property owners are to be responsible for fire dues if they are within another Fire District at the time of the annexation petition).

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Vestavia Hills, Alabama, as follows:

1. That the said Petition shall be published one (1) time in *The Birmingham News*, a newspaper of general circulation in Vestavia Hills, Jefferson County, Alabama, on the 26th day of June, 2024.

2. That on the 23rd day of September, 2024, in the Vestavia Hills City Hall, a public hearing will be held to determine the truths of the matter set forth in said petition and to consider any protests or objections filed in writing with the City Clerk prior to such hearing, to determine whether it is in the public interest or not that said property be annexed to the City of Vestavia Hills, Alabama, and to consider adoption of an Ordinance annexing the territory described in said petition to this Municipality.

3. That this Resolution shall become known and referred to as Resolution Number 5513 by the City Council of the City of Vestavia Hills, Alabama, and as annexation of the following described property by the City Council of the City of Vestavia Hills, Alabama:

3365 Rosemary Lane  
Lot 114, Buckhead, 4th Sector  
Lalith and Judy Wijayasuriya, Owner(s)

**APPROVED and ADOPTED** this the 24th day of June, 2024.

Ashley C. Curry  
Mayor

ATTESTED BY:

Rebecca Leavings  
City Clerk



## 3365 Rosemary Ln



**PARCEL #:** 40 00 05 2 002 002.000  
**OWNER:** WIJAYASURIYA LALITH & WIJAYASURIYA JUDY B  
**ADDRESS:** 6 OAK GLEN DRIVE LAFAYETTE LA 70503  
**LOCATION:** 3365 ROSEMARY LN BHAM AL 35216

3365 Rosemary Lane  
[ 111-C- ] Baths: 3.0 H/C Sqft: 1,286  
18-015.0 Bed Rooms: 2 Land Sch: G1  
Land: 137,000 Imp: 159,200 Total: 296,200  
Acres: 0.000 Sales Info: 07/11/2014 \$165,000

<< Prev Next >> [ 1 / 0 Records ] Processing...

Tax Year : 2023 ▼

SUMMARY

LAND

BUILDINGS

SALES

PHOTOGRAPHS

MAPS

## SUMMARY

### ASSESSMENT

PROPERTY CLASS: 2 OVER 65 CODE:  
EXEMPT CODE: DISABILITY CODE:  
MUN CODE: 02 COUNTY HS YEAR: 0  
SCHOOL DIST: EXM OVERRIDE AMT: \$0.00  
OVR ASD VALUE: \$0.00 TOTAL MILLAGE: 50.1

CLASS USE:  
FOREST ACRES: 0 TAX SALE:  
PREV YEAR VALUE: \$296,100.00 BOE VALUE: 0

### VALUE

LAND VALUE 10% \$0  
LAND VALUE 20% \$137,000  
CURRENT USE VALUE [DEACTIVATED] \$0

#### CLASS 2

BLDG 001 111 \$159,200

#### CLASS 3

TOTAL MARKET VALUE [APPR. VALUE: \$296,200]: \$296,200

Assesment Override:

MARKET VALUE:

CU VALUE:

PENALTY:

ASSESSED VALUE:

## TAX INFO

|             | CLASS | MUNCODE | ASSD. VALUE | TAX      | EXEMPTION | TAX EXEMPTION | TOTAL TAX |
|-------------|-------|---------|-------------|----------|-----------|---------------|-----------|
| STATE       | 2     | 2       | \$59,240    | \$385.06 | \$0       | \$0.00        | \$385.06  |
| COUNTY      | 2     | 2       | \$59,240    | \$799.74 | \$0       | \$0.00        | \$799.74  |
| SCHOOL      | 2     | 2       | \$59,240    | \$485.77 | \$0       | \$0.00        | \$485.77  |
| DIST SCHOOL | 2     | 2       | \$59,240    | \$0.00   | \$0       | \$0.00        | \$0.00    |
| CITY        | 2     | 2       | \$59,240    | \$0.00   | \$0       | \$0.00        | \$0.00    |
| FOREST      | 2     | 2       | \$0         | \$0.00   | \$0       | \$0.00        | \$0.00    |
| SPC SCHOOL1 | 2     | 2       | \$59,240    | \$302.12 | \$0       | \$0.00        | \$302.12  |
| SPC SCHOOL2 | 2     | 2       | \$59,240    | \$995.23 | \$0       | \$0.00        | \$995.23  |

TOTAL FEE & INTEREST: (Detail) \$1.95

ASSD. VALUE: \$59,240.00

\$2,967.92

GRAND TOTAL: \$2,969.87

FULLY PAID

## DEEDS

| INSTRUMENT NUMBER            | DATE       |
|------------------------------|------------|
| <a href="#">201414-29725</a> | 7/11/2014  |
| <a href="#">201414/29725</a> | 7/11/2014  |
| <a href="#">200907-15641</a> | 07/02/2009 |

## PAYMENT INFO

| PAY DATE   | TAX YEAR | PAID BY             | AMOUNT     |
|------------|----------|---------------------|------------|
| 1/2/2024   | 2023     | LALITH WIJAYASURIYA | \$2,969.87 |
| 1/1/2023   | 2022     | LALITH WIJAYASURIYA | \$2,967.90 |
| 12/28/2021 | 2021     | LALITH WIJAYASURIYA | \$2,338.76 |
| 12/28/2020 | 2020     | LALITH WIJAYASURIYA | \$2,277.64 |
| 12/31/2019 | 2019     | LALITH WIJAYASURIYA | \$1,781.56 |
| 12/31/2018 | 2018     | LALITH WIJAYASURIYA | \$1,856.71 |
| 12/30/2017 | 2017     | LALITH WIJAYASURIYA | \$1,816.63 |
| 1/11/2017  | 2016     | -                   | \$1,738.47 |
| 12/16/2015 | 2015     | LALITH WIJAYASURIYA | \$2,164.98 |
| 12/1/2014  | 2014     | -                   | \$1,775.51 |



### Annexation Committee Petition Review

Property: 3365 Rosemary Lane

Owners: Lalith and Judy Wijaysuriya

Date: May 17, 2024

1. The property in question is contiguous to the city limits.  
Yes ☒ No ☐ Comments: \_\_\_\_\_
2. The land use of the petitioned property is compatible with land use in the area.  
Yes ☒ No ☐ Comments: \_\_\_\_\_
3. The property being petitioned is noted in the September 2006 Annexation Policy Task Force Report as an area of interest to the city for annexation.  
Yes ☒ No ☐ Comments \_\_\_\_\_
4. Streets and drainage structures are in substantial compliance with city regulations and building codes, and in good condition at the time of the annexation.  
Yes ☒ No ☐ Comments \_\_\_\_\_
5. Individual household has a Jefferson or Shelby County Tax Assessor minimum market value of \$296,200. Meets city criteria: Yes ☐ No ☒  
Comment: Slightly below but will adjust
6. This street has fewer than 100% of the individual properties within the limits of the city  
Yes ☒ No ☐  
Number of total homes 28 Number in city 24
7. Fire dues pursuant to Act #604 of the State of Alabama, and any other assessments on the property shall be the responsibility of the property owner, and their payment proven to the city.  
Agreed to by petitioner: Yes ☒ No ☐ Comment \_\_\_\_\_

Property: 3365 Rosemary Lane

8. A non-refundable administrative fee of \$100 has been paid to the city.  
Furthermore, voluntary contributions, including an application fee, of  
\$ \_\_\_\_\_ will be paid to offset costs associated with the annexation.  
Yes ☒ No \_\_\_\_\_ Comment \_\_\_\_\_

9. Property is free and clear of hazardous waste, debris and materials.  
Yes ☒ No \_\_\_\_\_ Comment \_\_\_\_\_

10. Are there any concerns from city departments?  
Yes \_\_\_\_\_ No ☒ Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

11. Information on children: Number in family 3; Plan to enroll in VH  
schools Yes ☒ No \_\_\_\_\_ Comments: Child is pre-  
school age

Other Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

  
\_\_\_\_\_  
George Pierce  
Chairman 5-21-24

City of Vestavia Hills  
Tax Calculator  
Homestead Properties

3365 Rosemary Lane

**AD VALOREM TAX MILLAGE**

| Millage Multiplier |  |                                  |             |
|--------------------|--|----------------------------------|-------------|
| 0.02055            |  | Ad valorem to City General Fund: | 20.55 mills |
| 0.02875            |  | City BOE portion:                | 28.75 mills |
| 0.0151             |  | District 20 School:              | 15.1 mills  |
| 0.0082             |  | Countywide School:               | 8.2 mills   |
| 0.05205            |  | Ad valorem to Schools (TOTAL):   | 52.05 mills |

**ASSESSED VALUE**

|       |                  |                             | Citizen Access Portal<br>Descriptor | Notes |
|-------|------------------|-----------------------------|-------------------------------------|-------|
| ====> | 3365 Rosemary Ln | Property Address            |                                     |       |
| ====> | \$ 296,200       | Appraised Value of Property | TOTAL MARKET VALUE                  |       |
|       | 10%              | Assessment Homestead Rate   |                                     |       |
|       | \$29,620.00      | Assessed Value              | ASSD. VALUE                         |       |

**AD VALOREM REVENUE**

|            |                                                        |  | Citizen Access Portal<br>Descriptor | Notes              |
|------------|--------------------------------------------------------|--|-------------------------------------|--------------------|
| \$608.69   | City portion of ad valorem                             |  | (Subset of CITY)                    | (20.55 mills rate) |
| \$851.58   | BOE portion of ad valorem                              |  | (Subset of CITY)                    | (28.75 mills rate) |
| \$1,460.27 | Total County remits to City for split with BOE         |  | CITY                                |                    |
| \$447.26   | SPC DIST1 BOE local rev (County gives directly to BOE) |  | SPC SCHOOL1                         | (15.1 mills rate)  |
| \$242.88   | Countywide School Tax to VH                            |  | SCHOOL                              | (8.2 mills rate)   |

**TOTAL AD VALOREM REVENUE**

|                   |                                         |                                           |                                        |
|-------------------|-----------------------------------------|-------------------------------------------|----------------------------------------|
| \$608.69          | Annexation Revenue to CITY              | CITY (General Fund portion)               | (20.55 mills)                          |
| \$1,541.72        | Annexation Revenue to BOE               | SCHOOL + SPC SCHOOL1 + CITY (BOE portion) | (8.2 mills + 15.1 mills + 28.75 mills) |
| <b>\$2,150.41</b> | <b>TOTAL ANNEXATION REVENUE BENEFIT</b> |                                           |                                        |

**Legend**

City Revenue  
BOE Revenue



## ANX-23-4

### Annexation Application

Status: Active

Submitted On: 12/4/2023

### Primary Location

3365 ROSEMARY LN  
VESTAVIA HILLS, AL 35216

### Owner

Lalith & Judy Wijayasuriya  
Oak Glen Drive 6 Lafayette, LA  
70503

### Applicant

 Lalith Wijayasuriya

 337-288-9041

 lswijay@gmail.com

 6 Oak Glen Drive  
Lafayette , LA 70503

---

## Owner Information

### Owner's Name\*

Lalith & Judy Wijayasuriya

### Owner Mailing Address Inc. City, State, Zip\*

6 Oak Glen Drive, Lafayette LA 70503

---

## Property Information

### Address of Property to be annexed?\*

3365 Rosemary Lane, Vestavia Hills AL  
35216

### Legal Description of Property to be Annexed\*

Lot 114, Buckhead, 4th Sector MB 37 PG 99

### County Location of Property:

Jefferson County

### Tax Parcel ID Number (if known)

40 00 05 2 002 002.000



Apr 17, 2024

ANX-23-4

## Engineering/Public Works Review

### Annexation Application

**Status:** Complete**Became Active:** Mar 13, 2024**Assignee:** Ethan Fisher**Completed:** Mar 26, 2024

---

#### Applicant

Lalith Wijayasuriya  
lswijay@gmail.com  
6 Oak Glen Drive  
Lafayette, LA 70503  
(337)288-9041

#### Primary Location

3365 ROSEMARY LN  
VESTAVIA HILLS, AL 35216

#### Owner:

Lalith & Judy Wijayasuriya  
6 Oak Glen Drive Lafayette, LA 70503

---

#### Comments

**Ethan Fisher, Mar 26, 2024**

No concerns noted on the subject property; Rosemary Lane is a mostly city maintained road and currently has a rating of good. Driveway improvements and additional impervious area would need to be reviewed to ensure they adhere to the city's standards if improvements are planned once property is in the city.





City of Vestavia Hills, AL

Apr 17, 2024

ANX-23-4

## Board of Education Review

### Annexation Application

**Status:** Complete

**Became Active:** Mar 13, 2024

**Assignee:** Scott Brown

**Completed:** Apr 3, 2024

---

#### Applicant

Lalith Wijayasuriya  
lswijay@gmail.com  
6 Oak Glen Drive  
Lafayette, LA 70503  
(337)288-9041

#### Primary Location

3365 ROSEMARY LN  
VESTAVIA HILLS, AL 35216

#### Owner:

Lalith & Judy Wijayasuriya  
6 Oak Glen Drive Lafayette, LA 70503

---

#### Comments

Scott Brown, Apr 3, 2024

No objection

County Zoning Classification

E-2

Is this annexation for redevelopment?\*

No

Compatible City Zoning Classification

VH R-1

Desired Zoning Classification

Is this a single-family residence with no additional development?\*

Yes

---

## Annexation Request Information

Please Explain your reason for requesting annexation?\*

Acess to city amenities

Are you located in the Rocky Ridge Fire District?\*

Yes

---

## Information on Children

Name of Child

Age of Child

School Grade of Child

Plan to Enroll in Vestavia Hills School within 2 years?

—

Name of Child

Age of Child

School Grade of Child

Plan to Enroll in Vestavia Hills Schools within 2  
years?

Addition children information ?



**City of Vestavia Hills**  
Office of the City Clerk

**OWNER AFFIDAVIT (This form must be notarized):**

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals, or caused these presents to be executed by their duly authorized representatives, with full authority that we are the owners of said property requesting annexation:

**SIGNATURES:**

[Signature] Lot \_\_\_\_\_ Blk \_\_\_\_\_ Survey \_\_\_\_\_  
Judy B. Wijayasuriya Lot \_\_\_\_\_ Blk \_\_\_\_\_ Survey \_\_\_\_\_  
 \_\_\_\_\_ Lot \_\_\_\_\_ Blk \_\_\_\_\_ Survey \_\_\_\_\_  
 \_\_\_\_\_ Lot \_\_\_\_\_ Blk \_\_\_\_\_ Survey \_\_\_\_\_  
 \_\_\_\_\_ Lot \_\_\_\_\_ Blk \_\_\_\_\_ Survey \_\_\_\_\_  
 \_\_\_\_\_ Lot \_\_\_\_\_ Blk \_\_\_\_\_ Survey \_\_\_\_\_

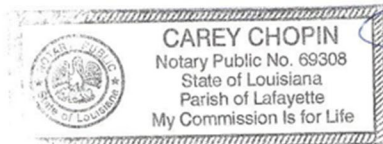
LOUISIANA  
STATE OF ~~ALABAMA~~

LAFAYETTE COUNTY

Lalith Wijayasuriya being duly sworn says: I am one of the persons who signed the above petition, and I certify that said petition contains the signatures of the owners of the property to be annexed by this petition.

[Signature]  
Signature of Certifier

Subscribed and sworn before me on this 29TH day of NOVEMBER, 2023,



[Signature]  
Notary Public  
My Commission Expires: AT DEATH

**ORDINANCE NUMBER 3223**

**AN ORDINANCE TO ALTER, REARRANGE, AND EXTEND THE CORPORATE LIMITS OF THE CITY OF VESTAVIA HILLS, ALABAMA, SO AS TO EMBRACE AND INCLUDE WITHIN THE CORPORATE AREA OF SAID CITY ALL TERRITORY NOW WITHIN SUCH CORPORATE LIMITS AND ALSO CERTAIN OTHER TERRITORY CONTIGUOUS TO SAID CITY.**

**WHEREAS**, a certain petition signed by Lalith and Judy Wijayasuriya dated December 4, 2023, that the property therein described be annexed to the City of Vestavia Hills, Alabama, together with a map of said territory showing its relationship to the corporate limits of the City, has been filed with the City Clerk of the City of Vestavia Hills; and

**WHEREAS**, this Council has determined and found that the matters set forth and alleged in said petition are true and correct, and that it is in the public interest that said territory be annexed to the City of Vestavia Hills;

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Vestavia Hills, Alabama, as follows:

SECTION 1. That said Council hereby assents to the annexation of said territory to the City of Vestavia Hills, Alabama, the corporate limits of the City to be extended and rearranged pursuant to the provisions of Title 11, Chapter 42, Article 2, Code of Alabama, 1975 (Sections 11-42-20 through 11-42-23, as amended) so as to embrace and include said territory, in addition to the territory already within its present corporate limits. The new boundary line does not lie at any point more than half the distance between the old city boundary and the corporate boundary of any other municipality. Said territory is described as follows:

3365 Rosemary Lane  
Lot 114, Buckhead, 4th Sector  
Lalith and Judy Wijayasuriya

SECTION 2. That the City Clerk shall file a certified copy of this Ordinance containing an accurate description of said annexed territory with the Probate Judge of Jefferson County, Alabama, and also cause a copy of this Ordinance to be published/posted in accordance with Alabama law.



**APPROVED and ADOPTED** this the 24th day of June, 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 # 3223 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 24th day of June, 2024, as same appears in the official records of said City.

Posted at Vestavia Hills Municipal Center, Vestavia Hills Library in the Forest, Vestavia Hills New Merkel House and Vestavia Hills Recreational Center this the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

Rebecca Leavings  
City Clerk

## 3365 Rosemary Ln



**RESOLUTION NUMBER 5514**

**A RESOLUTION PROPOSING THE ANNEXATION OF CERTAIN  
TERRITORY TO THE CORPORATE LIMITS OF THE CITY OF  
VESTAVIA HILLS, ALABAMA.**

**WHEREAS**, there has been a petition filed with the City Clerk of the City of Vestavia Hills, Alabama, and herein presented to the City Council of the City of Vestavia Hills, Alabama, dated April 4, 2024, wherein all owners of certain property contiguous to the City Limits of the City of Vestavia Hills, Alabama, ask that their property be annexed to the City of Vestavia Hills, Alabama; and

**WHEREAS**, said Petition has been presented to the City Council of the City of Vestavia Hills, Alabama, on the 24th day of June, 2024; and

**WHEREAS**, it would be in the best interest of the City of Vestavia Hills, Alabama, and to the citizens thereof to consider annexation of said territory and bringing it within the corporate limits of this Municipality; and

**WHEREAS**, said petitioners must comply with Act #604, 1970 Alabama Legislature regarding Fire Districts (property owners are to be responsible for fire dues if they are within another Fire District at the time of the annexation petition).

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Vestavia Hills, Alabama, as follows:

1. That the said Petition shall be published one (1) time in *The Birmingham News*, a newspaper of general circulation in Vestavia Hills, Jefferson County, Alabama, on the 26th day of June, 2024.

2. That on the 23rd day of September, 2024, in the Vestavia Hills City Hall, a public hearing will be held to determine the truths of the matter set forth in said petition and to consider any protests or objections filed in writing with the City Clerk prior to such hearing, to determine whether it is in the public interest or not that said property be annexed to the City of Vestavia Hills, Alabama, and to consider adoption of an Ordinance annexing the territory described in said petition to this Municipality.

3. That this Resolution shall become known and referred to as Resolution Number 5514 by the City Council of the City of Vestavia Hills, Alabama, and as annexation of the following described property by the City Council of the City of Vestavia Hills, Alabama:

3509 Pineland Drive  
Lot 10, Block 2, Dolly Ridge Estates, 1st Addition  
Matthew and Mary Griffin, Owner(s)

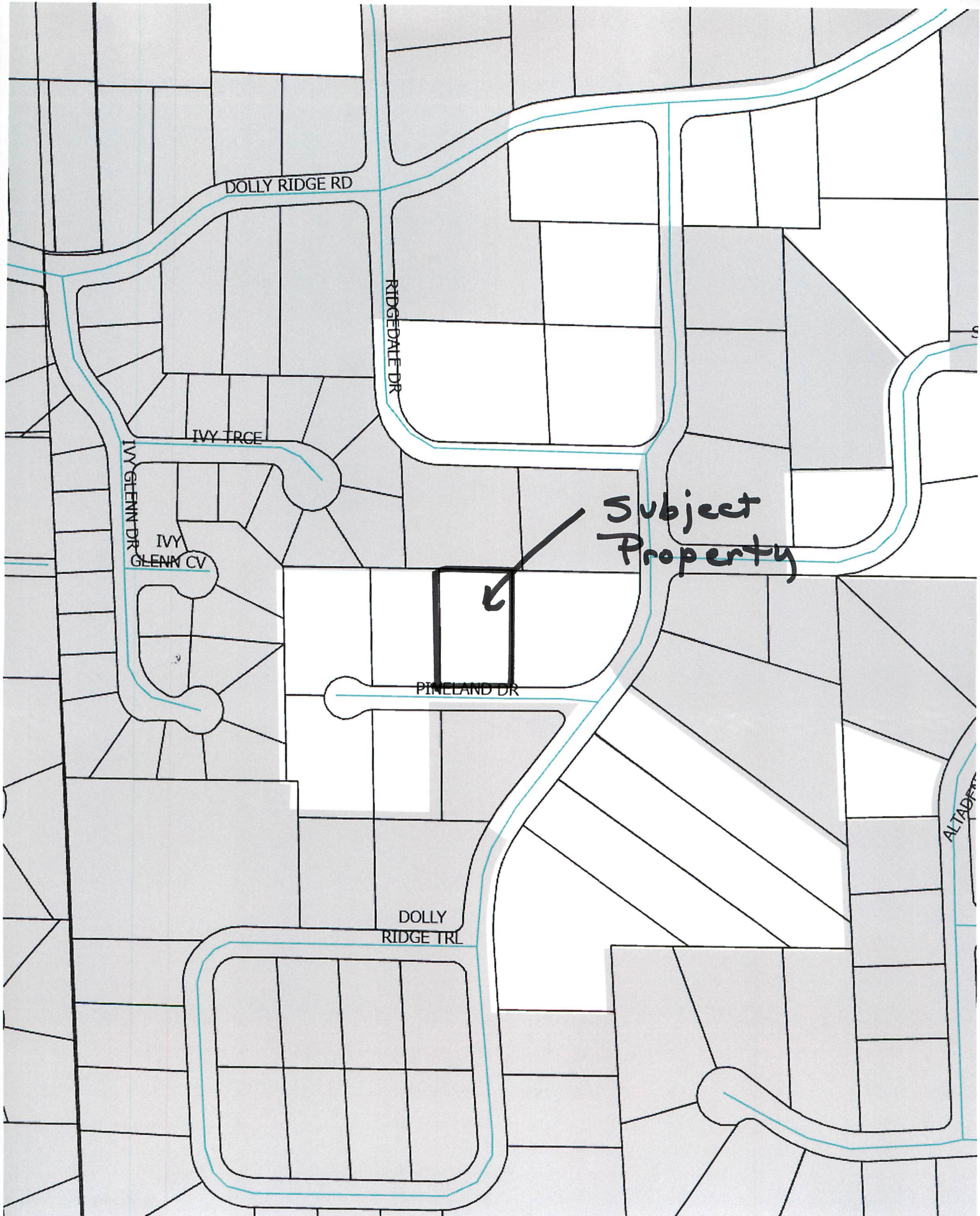
**APPROVED and ADOPTED** this the 24th day of June, 2024.

Ashley C. Curry  
Mayor

ATTESTED BY:

Rebecca Leavings  
City Clerk







**PARCEL #:** 28 00 32 4 001 047.000  
**OWNER:** GRIFFIN MATTHEW ALLEN & MARY BYRNE  
**ADDRESS:** 3509 PINELAND DR VESTAVIA AL 35243-4632  
**LOCATION:** 3509 PINELAND DR BHAM AL 35243

[ 111-C- ] Baths: 3.0 H/C Sqft: 1,827  
**18-034.0** Bed Rooms: 4 Land Sch: G1  
Land: 154,000 Imp: 221,800 Total: 375,800  
Acres: 0.000 Sales Info: 06/21/2022 \$425,000

<< Prev Next >> [ 1 / 0 Records ] Processing...

Tax Year : 2023 ▼

SUMMARY LAND BUILDINGS SALES PHOTOGRAPHS MAPS

## SUMMARY

### ASSESSMENT

PROPERTY CLASS: 3 OVER 65 CODE:  
EXEMPT CODE: 2-2 DISABILITY CODE:  
MUN CODE: 02 COUNTY HS YEAR: 2023  
SCHOOL DIST: EXM OVERRIDE AMT: \$0.00  
OVR ASD VALUE: \$0.00 TOTAL MILLAGE: 50.1

CLASS USE:  
FOREST ACRES: 0 TAX SALE:  
PREV YEAR VALUE: \$333,300.00 BOE VALUE: 0

### VALUE

LAND VALUE 10% \$154,000  
LAND VALUE 20% \$0  
CURRENT USE VALUE [DEACTIVATED] \$0

#### CLASS 2

#### CLASS 3

UTILITY STEELOR 26SAPFA \$300  
BLDG 001 111 \$221,500

TOTAL MARKET VALUE [APPR. VALUE: \$375,800]: \$375,800

Assesment Override:

MARKET VALUE:

CU VALUE:

PENALTY:

ASSESSED VALUE:

### TAX INFO

|             | CLASS | MUNCODE | ASSD. VALUE | TAX      | EXEMPTION | TAX EXEMPTION | TOTAL TAX |
|-------------|-------|---------|-------------|----------|-----------|---------------|-----------|
| STATE       | 3     | 2       | \$37,580    | \$244.27 | \$4,000   | \$26.00       | \$218.27  |
| COUNTY      | 3     | 2       | \$37,580    | \$507.33 | \$2,000   | \$27.00       | \$480.33  |
| SCHOOL      | 3     | 2       | \$37,580    | \$308.16 | \$0       | \$0.00        | \$308.16  |
| DIST SCHOOL | 3     | 2       | \$37,580    | \$0.00   | \$0       | \$0.00        | \$0.00    |
| CITY        | 3     | 2       | \$37,580    | \$0.00   | \$0       | \$0.00        | \$0.00    |
| FOREST      | 3     | 2       | \$0         | \$0.00   | \$0       | \$0.00        | \$0.00    |
| SPC SCHOOL1 | 3     | 2       | \$37,580    | \$191.66 | \$0       | \$0.00        | \$191.66  |
| SPC SCHOOL2 | 3     | 2       | \$37,580    | \$631.34 | \$0       | \$0.00        | \$631.34  |

TOTAL FEE & INTEREST: (Detail) \$5.00

ASSD. VALUE: \$37,580.00

\$1,882.76

GRAND TOTAL: \$1,834.76

FULLY PAID

### DEEDS

| INSTRUMENT NUMBER           | DATE       |
|-----------------------------|------------|
| <a href="#">2022068367</a>  | 6/21/2022  |
| <a href="#">200507-4857</a> | 05/18/2005 |
| <a href="#">200317-3350</a> | 10/29/2003 |
| <a href="#">1820-588</a>    | 09/21/1979 |

### PAYMENT INFO

| PAY DATE   | TAX YEAR | PAID BY                                   | AMOUNT     |
|------------|----------|-------------------------------------------|------------|
| 12/19/2023 | 2023     | CORELOGIC                                 | \$1,834.76 |
| 12/7/2022  | 2022     | CORELOGIC                                 | \$1,622.33 |
| 12/9/2021  | 2021     | CORELOGIC                                 | \$1,498.09 |
| 12/22/2020 | 2020     | CORELOGIC                                 | \$1,374.84 |
| 11/5/2019  | 2019     | NATIONSTAR MORTGAGE LLC<br>DBA MR. COOPER | \$1,337.77 |
| 11/29/2018 | 2018     | LERETA, LLC                               | \$1,102.30 |
| 11/17/2017 | 2017     | CORE LOGIC INC                            | \$1,065.22 |
| 11/21/2016 | 2016     | CORELOGIC                                 | \$991.07   |

### Annexation Committee Petition Review

Property: 3509 Pineland Drive

Owners: Matthew and Mary Griffin

Date: May 17, 2024

1. The property in question is contiguous to the city limits.  
Yes ☒ No ☐ Comments: \_\_\_\_\_
2. The land use of the petitioned property is compatible with land use in the area.  
Yes ☒ No ☐ Comments: \_\_\_\_\_
3. The property being petitioned is noted in the September 2006 Annexation Policy Task Force Report as an area of interest to the city for annexation.  
Yes ☒ No ☐ Comments: \_\_\_\_\_
4. Streets and drainage structures are in substantial compliance with city regulations and building codes, and in good condition at the time of the annexation.  
Yes ☒ No ☐ Comments: Eng notes no major concerns but roadway is narrow 18' w/ majority in County
5. Individual household has a Jefferson or Shelby County Tax Assessor minimum market value of \$375,800. Meets city criteria: Yes ☒ No ☐  
Comment: Just sold @ \$425,000
6. This street has fewer than 100% of the individual properties within the limits of the city.  
Yes ☒ No ☐  
Number of total homes 7 Number in city 1  
Vicinity slowly closing in.
7. Fire dues pursuant to Act #604 of the State of Alabama, and any other assessments on the property shall be the responsibility of the property owner, and their payment proven to the city.  
Agreed to by petitioner: Yes ☒ No ☐ Comment: \_\_\_\_\_

Property: 3509 Pineland Drive

8. A non-refundable administrative fee of \$100 has been paid to the city. Furthermore, voluntary contributions, including an application fee, of \$\_\_\_\_\_ will be paid to offset costs associated with the annexation. Yes ☒ No ☐ Comment \_\_\_\_\_

9. Property is free and clear of hazardous waste, debris and materials.  
Yes   ✓   No \_\_\_\_\_ Comment \_\_\_\_\_

10. Are there any concerns from city departments?  
Yes \_\_\_\_\_ No ✓ Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

11. Information on children: Number in family 4; Plan to enroll in VH schools Yes ☒ No ☐ Comments: Children are preschool age 3 + 1 month.

Other Comments: \_\_\_\_\_

  
George Pierce  
Chairman

### Annexation Committee Petition Review

Property: 2768 Altadena Lake Drive

Owners: David and Melinda Romine

Date: May 17, 2024

1. The property in question is contiguous to the city limits.  
Yes ☒ No ☐ Comments: \_\_\_\_\_
2. The land use of the petitioned property is compatible with land use in the area.  
Yes ☒ No ☐ Comments: \_\_\_\_\_
3. The property being petitioned is noted in the September 2006 Annexation Policy Task Force Report as an area of interest to the city for annexation.  
Yes ☒ No ☐ Comments: \_\_\_\_\_
4. Streets and drainage structures are in substantial compliance with city regulations and building codes, and in good condition at the time of the annexation.  
Yes ☒ No ☐ Comments: \_\_\_\_\_
5. Individual household has a Jefferson or Shelby County Tax Assessor minimum market value of \$352,200 Meets city criteria: Yes ☒ No ☐  
Comment: \_\_\_\_\_
6. This street has fewer than 100% of the individual properties within the limits of the city  
Yes ☐ No ☒  
Number of total homes 14 Number in city 12
7. Fire dues pursuant to Act #604 of the State of Alabama, and any other assessments on the property shall be the responsibility of the property owner, and their payment proven to the city.  
Agreed to by petitioner: Yes ☒ No ☐ Comment: \_\_\_\_\_



**PARCEL #:** 28 00 32 4 001 047.000  
**OWNER:** GRIFFIN MATTHEW ALLEN & MARY BYRNE  
**ADDRESS:** 3509 PINELAND DR VESTAVIA AL 35243-4632  
**LOCATION:** 3509 PINELAND DR BHAM AL 35243

[ 111-C- ] Baths: 3.0 H/C Sqft: 1,827  
18-034.0 Bed Rooms: 4 Land Sch: G1  
Land: 154,000 Imp: 221,800 Total: 375,800  
Acres: 0.000 Sales Info: 06/21/2022 \$425,000

<< Prev Next >> [ 1 / 0 Records ] Processing...

Tax Year : 2023 ▼

SUMMARY

LAND

BUILDINGS

SALES

PHOTOGRAPHS

MAPS

#### LAND COMPUTATION

|            |   | Code                | Acerage | Square Foot | Market Value | CU. Value |
|------------|---|---------------------|---------|-------------|--------------|-----------|
| SITE VALUE | 3 | 111 HOUSEHOLD UNITS | 0       | 0           | \$154,000.00 |           |

#### ROLLBACK/HOMESITE/MISCELLANEOUS

#### LEGAL DESCRIPTION

SUB DIVISON1: DOLLY RIDGE EST-1 28-32-4 MAP BOOK: 42 PAGE: 80  
SUB DIVISON2: MAP BOOK: 0 PAGE: 0  
  
PRIMARY BLOCK: 2 SECONDARY BLOCK: 0  
PRIMARY LOT: 10 SECONDARY LOT: 0

**METES AND BOUNDS:** LOT 10 BLK 2 DOLLY RIDGE ESTS 1ST ADD

#### SALES INFORMATION

|           |              |   |                                         |                 |                                    |
|-----------|--------------|---|-----------------------------------------|-----------------|------------------------------------|
| 6/21/2022 | \$425,000.00 | 1 | <b>BOOK:</b> 2022 <b>PAGE:</b> 068367   | Land & Building | GRIFFIN MATTHEW ALLEN & MARY BYRNE |
| 5/1/2005  | \$162,200.00 | 1 | <b>BOOK:</b> 200507 <b>PAGE:</b> 004857 | Land & Building |                                    |
| 11/1/2003 | \$155,100.00 | 1 | <b>BOOK:</b> 200317 <b>PAGE:</b> 003350 | Land & Building |                                    |
| 10/1/1979 | \$65,000.00  | 1 | <b>BOOK:</b> 84 <b>PAGE:</b> 000850     | Land & Building |                                    |



**City of Vestavia Hills  
Tax Calculator  
Homestead Properties**

**AD VALOREM TAX MILLAGE**

| Millage Multiplier |                                              |
|--------------------|----------------------------------------------|
| 0.02055            | Ad valorem to City General Fund: 20.55 mills |
| 0.02875            | City BOE portion: 28.75 mills                |
| 0.0151             | District 20 School: 15.1 mills               |
| 0.0082             | Countywide School: 8.2 mills                 |
| 0.05205            | Ad valorem to Schools (TOTAL): 52.05 mills   |

**ASSESSED VALUE**

|       |                  |                             | Citizen Access Portal<br>Descriptor | Notes |
|-------|------------------|-----------------------------|-------------------------------------|-------|
| ====> | 3509 Pineland Dr | Property Address            |                                     |       |
| ====> | \$ 375,800       | Appraised Value of Property | TOTAL MARKET VALUE                  |       |
|       | 10%              | Assessment Homestead Rate   |                                     |       |
|       | \$37,580.00      | Assessed Value              | ASSD. VALUE                         |       |

**AD VALOREM REVENUE**

|            |                                                        | Citizen Access Portal<br>Descriptor | Notes              |
|------------|--------------------------------------------------------|-------------------------------------|--------------------|
| \$772.27   | City portion of ad valorem                             | (Subset of CITY)                    | (20.55 mills rate) |
| \$1,080.43 | BOE portion of ad valorem                              | (Subset of CITY)                    | (28.75 mills rate) |
| \$1,852.69 | Total County remits to City for split with BOE         | CITY                                |                    |
| \$567.46   | SPC DIST1 BOE local rev (County gives directly to BOE) | SPC SCHOOL1                         | (15.1 mills rate)  |
| \$308.16   | Countywide School Tax to VH                            | SCHOOL                              | (8.2 mills rate)   |

**TOTAL AD VALOREM REVENUE**

|                   |                                         |                                           |                                        |
|-------------------|-----------------------------------------|-------------------------------------------|----------------------------------------|
| \$772.27          | Annexation Revenue to CITY              | CITY (General Fund portion)               | (20.55 mills)                          |
| \$1,956.04        | Annexation Revenue to BOE               | SCHOOL + SPC SCHOOL1 + CITY (BOE portion) | (8.2 mills + 15.1 mills + 28.75 mills) |
| <b>\$2,728.31</b> | <b>TOTAL ANNEXATION REVENUE BENEFIT</b> |                                           |                                        |

|               |
|---------------|
| <u>Legend</u> |
| City Revenue  |
| BOE Revenue   |



ANX-24-3

Engineering/Public Works Review

Annexation Application

**Status:** Complete

**Assignee:** Christopher Brady

**Became Active:** Apr 5, 2024

**Completed:** Apr 8, 2024

Applicant

Matthew Griffin  
mtthwgriffin@gmail.com  
3509 Pineland Drive  
Vestavia, AL 35243  
205-515-2601

Primary Location

3509 PINELAND DR  
VESTAVIA HILLS, AL 35243

Owner:

Matthew Griffin  
3509 Pineland Drive Vestavia, AL 35243

Comments

Christopher Brady, Apr 8, 2024

No major concerns noted. Roadway is narrow (18-foot width) and asphalt is in poor condition. There is no drainage infrastructure. This roadway is majority in unincorporated Jefferson County and does not reflect of the City's paving plan. The cul de sac at the end of the roadway is smaller radius than the City's standard.



ANX-24-3

Board of Education Review

Annexation Application

**Status:** Complete

**Assignee:** Scott Brown

**Became Active:** Apr 5, 2024

**Completed:** Apr 9, 2024

**Applicant**

Matthew Griffin  
mtthwgriffin@gmail.com  
3509 Pineland Drive  
Vestavia, AL 35243  
205-515-2601

**Primary Location**

3509 PINELAND DR  
VESTAVIA HILLS, AL 35243

**Owner:**

Matthew Griffin  
3509 Pineland Drive Vestavia, AL 35243

**Comments**

**Scott Brown, Apr 9, 2024**

No objection



## ANX-24-3

### Annexation Application

Status: Active

Submitted On: 4/4/2024

### Primary Location

3509 PINELAND DR  
VESTAVIA HILLS, AL 35243

### Owner

Matthew Griffin  
Pineland Drive 3509 Vestavia,  
AL 35243

### Applicant

 Matthew Griffin  
 205-515-2601  
 mtthwgriffin@gmail.com  
 3509 Pineland Drive  
Vestavia, AL 35243

---

## Owner Information

Owner's Name\* 

Matthew Griffin  
Mary Griffin

Owner Mailing Address Inc. City, State, Zip\*

3509 Pineland Drive, Vestavia, AL 35243

---

## Property Information

Address of Property to be annexed?\*

3509 Pineland Drive, Vestavia, AL 35243

Legal Description of Property to be Annexed\* 

Lot 10, Block 2, according to the Survey of Dolly Ridge Estates, 1st Addition, as recorded in Map Book 42, Page 80, in the Probate Office of Jefferson County, Alabama.

County Location of Property:

Jefferson County

Tax Parcel ID Number (if known)

28 00 32 4 001 047.000

County Zoning Classification

Jefferson County E-2

Is this annexation for redevelopment?\*

No

Compatible City Zoning Classification

Vestavia Hills R-1

Desired Zoning Classification

Is this a single-family residence with no additional development?\*

Yes

---

## Annexation Request Information

Please Explain your reason for requesting annexation?\*

My home is located in the heart of Vestavia Hills. A large majority of the homes in my neighborhood are within the City of Vestavia. I have lived in the City of Vestavia for the majority of my life and attended **grades** K-12 within the Vestavia School System. My wife and I value the great education that is provided to Vestavia Hills' students. We would like our children to attend the Vestavia Hills' school system. We plan on living in our home for as long as possible and greatly desire to be citizens of Vestavia Hills and considered as contributing members of this community.

Are you located in the Rocky Ridge Fire District?\*

Yes



# Information on Children

Name of Child

Jack Griffin

Age of Child

3

School Grade of Child

preschool

Plan to Enroll in Vestavia Hills School within 2 years?

Yes

Name of Child

Age of Child

School Grade of Child

Plan to Enroll in Vestavia Hills Schools within 2 years?

Addition children information ?

---

## Attachments



**Owner's Notarized Affidavit**

20240404144841280.pdf

Uploaded by Matthew Griffin on Apr 4, 2024 at 4:09 PM

**REQUIRED**



City of Vestavia Hills  
Office of the City Clerk

**OWNER AFFIDAVIT (This form must be notarized):**

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals, or caused these presents to be executed by their duly authorized representatives, with full authority that we are the owners of said property requesting annexation:

SIGNATURES:

Mary Byrne Griffin Lot 10 Blk 2 Survey Dolly Ridge Estates 1<sup>st</sup> Edition  
MAH Lot 10 Blk 2 Survey Map Book 42, Page 80  
\_\_\_\_ Lot \_\_\_\_ Blk \_\_\_\_ Survey \_\_\_\_  
\_\_\_\_ Lot \_\_\_\_ Blk \_\_\_\_ Survey \_\_\_\_  
\_\_\_\_ Lot \_\_\_\_ Blk \_\_\_\_ Survey \_\_\_\_  
\_\_\_\_ Lot \_\_\_\_ Blk \_\_\_\_ Survey \_\_\_\_

STATE OF ALABAMA

Jefferson COUNTY

Matthew Griffin being duly sworn says: I am one of the persons who signed the above petition, and I certify that said petition contains the signatures of the owners of the property to be annexed by this petition.

[Signature]  
Signature of Certifier

Subscribed and sworn before me on this 4th day of April, 2024.

[Signature]  
Notary Public

My Commission Expires: 1/12/25.

**ORDINANCE NUMBER 3224**

**AN ORDINANCE TO ALTER, REARRANGE, AND EXTEND THE CORPORATE LIMITS OF THE CITY OF VESTAVIA HILLS, ALABAMA, SO AS TO EMBRACE AND INCLUDE WITHIN THE CORPORATE AREA OF SAID CITY ALL TERRITORY NOW WITHIN SUCH CORPORATE LIMITS AND ALSO CERTAIN OTHER TERRITORY CONTIGUOUS TO SAID CITY.**

**WHEREAS**, a certain petition signed by Matthew and Mary Griffin dated April 4, 2024, that the property therein described be annexed to the City of Vestavia Hills, Alabama, together with a map of said territory showing its relationship to the corporate limits of the City, has been filed with the City Clerk of the City of Vestavia Hills; and

**WHEREAS**, this Council has determined and found that the matters set forth and alleged in said petition are true and correct, and that it is in the public interest that said territory be annexed to the City of Vestavia Hills;

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Vestavia Hills, Alabama, as follows:

SECTION 1. That said Council hereby assents to the annexation of said territory to the City of Vestavia Hills, Alabama, the corporate limits of the City to be extended and rearranged pursuant to the provisions of Title 11, Chapter 42, Article 2, Code of Alabama, 1975 (Sections 11-42-20 through 11-42-23, as amended) so as to embrace and include said territory, in addition to the territory already within its present corporate limits. The new boundary line does not lie at any point more than half the distance between the old city boundary and the corporate boundary of any other municipality. Said territory is described as follows:

3509 Pineland Drive  
Lot 10, Block 2, Dolly Ridge Estates, 1st Addition  
Matthew and Mary Griffin

SECTION 2. That the City Clerk shall file a certified copy of this Ordinance containing an accurate description of said annexed territory with the Probate Judge of Jefferson County, Alabama, and also cause a copy of this Ordinance to be published/posted in accordance with Alabama law.

**APPROVED and ADOPTED** this the 24th day of June, 2024.

Ashley C. Curry  
Mayor

ATTESTED BY:

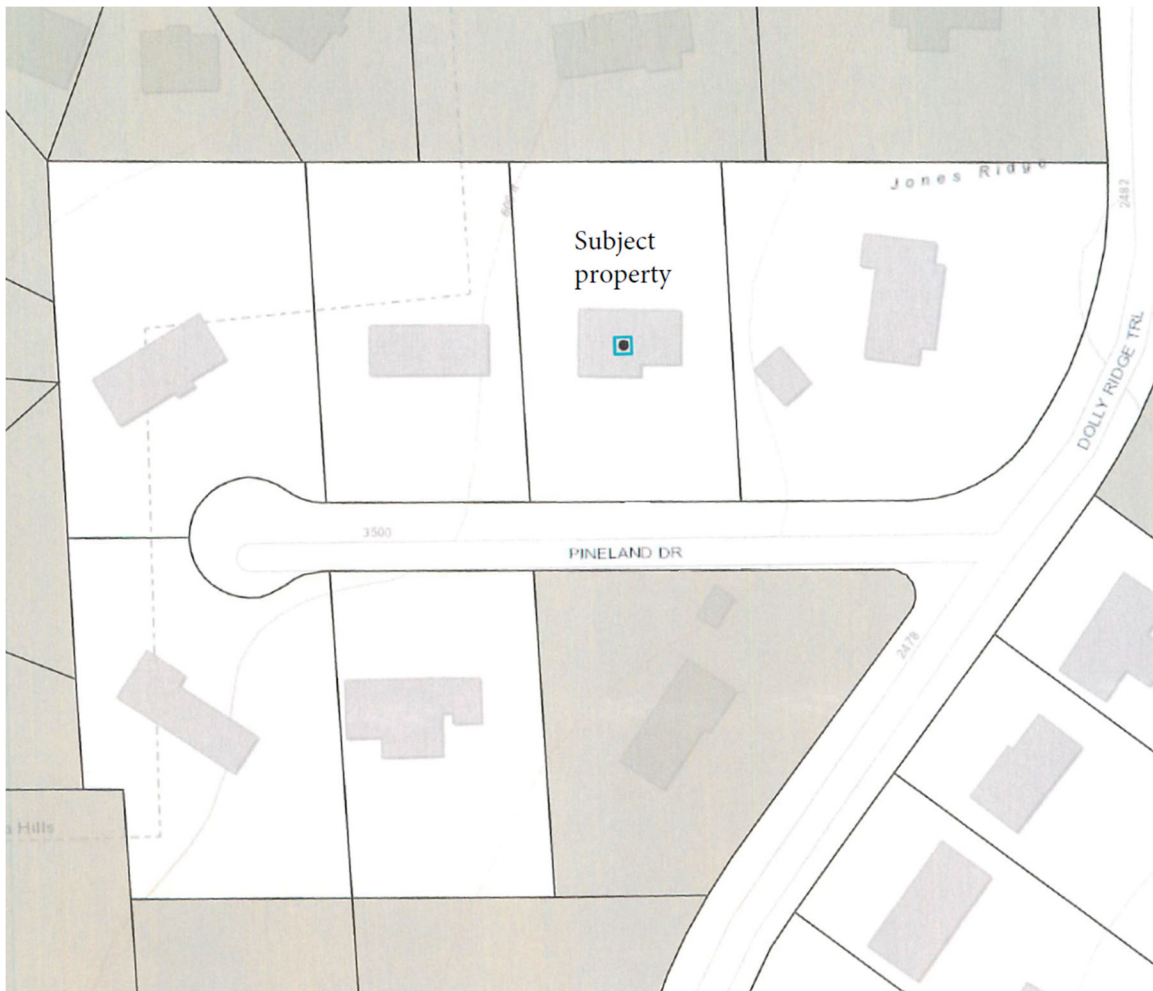
Rebecca Leavings  
City Clerk

**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 # 3224 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 24th day of June, 2024, as same appears in the official records of said City.

Posted at Vestavia Hills Municipal Center, Vestavia Hills Library in the Forest, Vestavia Hills New Merkel House and Vestavia Hills Recreational Center this the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

Rebecca Leavings  
City Clerk





## **RESOLUTION NUMBER 5515**

### **A RESOLUTION PROPOSING THE ANNEXATION OF CERTAIN TERRITORY TO THE CORPORATE LIMITS OF THE CITY OF VESTAVIA HILLS, ALABAMA.**

**WHEREAS**, there has been a petition filed with the City Clerk of the City of Vestavia Hills, Alabama, and herein presented to the City Council of the City of Vestavia Hills, Alabama, dated April 10, 2024, wherein all owners of certain property contiguous to the City Limits of the City of Vestavia Hills, Alabama, ask that their property be annexed to the City of Vestavia Hills, Alabama; and

**WHEREAS**, said Petition has been presented to the City Council of the City of Vestavia Hills, Alabama, on the 24th day of June, 2024; and

**WHEREAS**, it would be in the best interest of the City of Vestavia Hills, Alabama, and to the citizens thereof to consider annexation of said territory and bringing it within the corporate limits of this Municipality; and

**WHEREAS**, said petitioners must comply with Act #604, 1970 Alabama Legislature regarding Fire Districts (property owners are to be responsible for fire dues if they are within another Fire District at the time of the annexation petition).

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Vestavia Hills, Alabama, as follows:

1. That the said Petition shall be published one (1) time in *The Birmingham News*, a newspaper of general circulation in Vestavia Hills, Jefferson County, Alabama, on the 26th day of June, 2024.

2. That on the 23rd day of September, 2024, in the Vestavia Hills City Hall, a public hearing will be held to determine the truths of the matter set forth in said petition and to consider any protests or objections filed in writing with the City Clerk prior to such hearing, to determine whether it is in the public interest or not that said property be annexed to the City of Vestavia Hills, Alabama, and to consider adoption of an Ordinance annexing the territory described in said petition to this Municipality.

3. That this Resolution shall become known and referred to as Resolution Number 5515 by the City Council of the City of Vestavia Hills, Alabama, and as annexation of the following described property by the City Council of the City of Vestavia Hills, Alabama:

2768 Altadena Lake Dr  
Lot 5, Block 5, Altadena Valley, 5th Sector  
David and Melinda Romine, Owner(s)

**APPROVED and ADOPTED** this the 24th day of June, 2024.

Ashley C. Curry  
Mayor

ATTESTED BY:

Rebecca Leavings  
City Clerk

## 2768 Altadena Lake Drive



**PARCEL #:** 28 00 34 3 007 011.000  
**OWNER:** ROMINE DAVID M & MELINDA F  
**ADDRESS:** 2768 ALTADENA LAKE DR VESTAVIA AL 35243-3005  
**LOCATION:** 2768 ALTADENA LAKE DR BHAM AL 35243

[ 111-B- ] Baths: 2.0 H/C Sqft: 2,360  
18-036.0 Bed Rooms: 4 Land Sch: G1  
Land: 108,000 Imp: 244,700 Total: 352,700  
Acres: 0.000 Sales Info: 02/01/1984 \$81,000

<< Prev Next >> [ 1 / 0 Records ] Processing...

Tax Year : 2023 ▼

SUMMARY LAND BUILDINGS SALES PHOTOGRAPHS MAPS

#### SUMMARY

##### ASSESSMENT

PROPERTY CLASS: 3 OVER 65 CODE:  
EXEMPT CODE: 2-2 DISABILITY CODE:  
MUN CODE: 02 COUNTY HS YEAR: 0  
SCHOOL DIST: EXM OVERRIDE AMT: \$0.00  
OVR ASD VALUE: \$0.00 TOTAL MILLAGE: 50.1  
  
CLASS USE:  
FOREST ACRES: 0 TAX SALE:  
PREV YEAR VALUE: \$308,500.00 BOE VALUE: 0

##### VALUE

LAND VALUE 10% \$108,000  
LAND VALUE 20% \$0  
CURRENT USE VALUE [DEACTIVATED] \$0

##### CLASS 2

CLASS 3  
BLDG 001 111 \$244,700

TOTAL MARKET VALUE [APPR. VALUE: \$352,700]: \$352,700

Assesment Override:

MARKET VALUE:  
CU VALUE:  
PENALTY:  
ASSESSED VALUE:

##### TAX INFO

|             | CLASS | MUNCODE | ASSD. VALUE | TAX      | EXEMPTION | TAX EXEMPTION | TOTAL TAX |
|-------------|-------|---------|-------------|----------|-----------|---------------|-----------|
| STATE       | 3     | 2       | \$35,280    | \$229.32 | \$4,000   | \$26.00       | \$203.32  |
| COUNTY      | 3     | 2       | \$35,280    | \$476.28 | \$2,000   | \$27.00       | \$449.28  |
| SCHOOL      | 3     | 2       | \$35,280    | \$289.30 | \$0       | \$0.00        | \$289.30  |
| DIST SCHOOL | 3     | 2       | \$35,280    | \$0.00   | \$0       | \$0.00        | \$0.00    |
| CITY        | 3     | 2       | \$35,280    | \$0.00   | \$0       | \$0.00        | \$0.00    |
| FOREST      | 3     | 2       | \$0         | \$0.00   | \$0       | \$0.00        | \$0.00    |
| SPC SCHOOL1 | 3     | 2       | \$35,280    | \$179.93 | \$0       | \$0.00        | \$179.93  |
| SPC SCHOOL2 | 3     | 2       | \$35,280    | \$592.70 | \$0       | \$0.00        | \$592.70  |

TOTAL FEE & INTEREST: (Detail) \$5.00

ASSD. VALUE: \$35,280.00

\$1,767.53

GRAND TOTAL: \$1,719.53

FULLY PAID

##### DEEDS

INSTRUMENT NUMBER DATE  
[2469-248](#) 02/29/1984

##### PAYMENT INFO

| PAY DATE   | TAX YEAR | PAID BY                                | AMOUNT     |
|------------|----------|----------------------------------------|------------|
| 12/19/2023 | 2023     | CORELOGIC                              | \$1,719.53 |
| 12/7/2022  | 2022     | CORELOGIC                              | \$1,498.09 |
| 12/9/2021  | 2021     | CORELOGIC                              | \$1,298.69 |
| 12/22/2020 | 2020     | CORELOGIC                              | \$1,252.60 |
| 11/5/2019  | 2019     | NATIONSTAR MORTGAGE LLC DBA MR. COOPER | \$1,183.46 |
| 11/29/2018 | 2018     | LERETA, LLC                            | \$1,219.53 |
| 11/17/2017 | 2017     | CORE LOGIC INC                         | \$1,088.27 |
| 11/21/2016 | 2016     | CORELOGIC                              | \$1,088.27 |
| 12/1/2015  | 2015     | CORELOGIC INC                          | \$1,088.27 |
| 12/2/2014  | 2014     | CORELOGIC INC                          | \$1,013.12 |
| 11/19/2013 | 2013     | CORELOGIC INC                          | \$1,068.23 |
| 11/21/2012 | 2012     | CORELOGIC INC                          | \$1,068.23 |
| 20111216   | 2011     | ***                                    | \$1,083.26 |
| 20101231   | 2010     | ***                                    | \$1,028.66 |
| 20091207   | 2009     | ***                                    | \$1,028.66 |
| 20081120   | 2008     | ***                                    | \$1,050.19 |
| 20071117   | 2007     | ***                                    | \$1,043.69 |
| 20061116   | 2006     | ***                                    | \$894.88   |
| 20051114   | 2005     | ***                                    | \$880.36   |
| 20041221   | 2004     | ***                                    | \$831.76   |
| 20031208   | 2003     | ***                                    | \$797.69   |

### Annexation Committee Petition Review

Property: 2768 Altadena Lake Drive

Owners: David and Melinda Romine

Date: May 17, 2024

1. The property in question is contiguous to the city limits.  
Yes ☒ No ☐ Comments: \_\_\_\_\_
2. The land use of the petitioned property is compatible with land use in the area.  
Yes ☒ No ☐ Comments: \_\_\_\_\_
3. The property being petitioned is noted in the September 2006 Annexation Policy Task Force Report as an area of interest to the city for annexation.  
Yes ☒ No ☐ Comments \_\_\_\_\_
4. Streets and drainage structures are in substantial compliance with city regulations and building codes, and in good condition at the time of the annexation.  
Yes ☒ No ☐ Comments \_\_\_\_\_
5. Individual household has a Jefferson or Shelby County Tax Assessor minimum market value of \$352,200 Meets city criteria: Yes ☒ No ☐  
Comment: \_\_\_\_\_
6. This street has fewer than 100% of the individual properties within the limits of the city  
Yes ☐ No ☒  
Number of total homes 14 Number in city 12
7. Fire dues pursuant to Act #604 of the State of Alabama, and any other assessments on the property shall be the responsibility of the property owner, and their payment proven to the city.  
Agreed to by petitioner: Yes ☒ No ☐ Comment \_\_\_\_\_



Property: 2768 Altadena Lake Drive

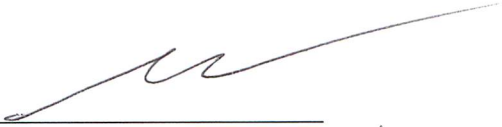
8. A non-refundable administrative fee of \$100 has been paid to the city.  
Furthermore, voluntary contributions, including an application fee, of  
\$\_\_\_\_\_ will be paid to offset costs associated with the annexation.  
Yes ✓ No \_\_\_\_\_ Comment \_\_\_\_\_

9. Property is free and clear of hazardous waste, debris and materials.  
Yes ✓ No \_\_\_\_\_ Comment \_\_\_\_\_

10. Are there any concerns from city departments?  
Yes \_\_\_\_\_ No ✓ Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

11. Information on children: Number in family 1; Plan to enroll in VH  
schools Yes ✓ No \_\_\_\_\_ Comments: Daughter to  
move in w/ 2 kids already in VH schools.

Other Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

  
\_\_\_\_\_  
George Pierce  
Chairman

5-21-24

**City of Vestavia Hills  
Tax Calculator  
Homestead Properties**

**AD VALOREM TAX MILLAGE**

| Millage Multiplier |                                  |             |  |
|--------------------|----------------------------------|-------------|--|
| 0.02055            | Ad valorem to City General Fund: | 20.55 mills |  |
| 0.02875            | City BOE portion:                | 28.75 mills |  |
| 0.0151             | District 20 School:              | 15.1 mills  |  |
| 0.0082             | Countywide School:               | 8.2 mills   |  |
| 0.05205            | Ad valorem to Schools (TOTAL):   | 52.05 mills |  |

**ASSESSED VALUE**

|       |                       |                             | Citizen Access Portal<br>Descriptor | Notes |
|-------|-----------------------|-----------------------------|-------------------------------------|-------|
| ====> | 2768 Altadena Lake Dr | Property Address            |                                     |       |
| ====> | \$ 352,700            | Appraised Value of Property | TOTAL MARKET VALUE                  |       |
|       | 10%                   | Assessment Homestead Rate   |                                     |       |
|       | \$35,270.00           | Assessed Value              | ASSD. VALUE                         |       |

**AD VALOREM REVENUE**

|            |                                                        |  | Citizen Access Portal<br>Descriptor | Notes              |
|------------|--------------------------------------------------------|--|-------------------------------------|--------------------|
| \$724.80   | City portion of ad valorem                             |  | (Subset of CITY)                    | (20.55 mills rate) |
| \$1,014.01 | BOE portion of ad valorem                              |  | (Subset of CITY)                    | (28.75 mills rate) |
| \$1,738.81 | Total County remits to City for split with BOE         |  | CITY                                |                    |
| \$532.58   | SPC DIST1 BOE local rev (County gives directly to BOE) |  | SPC SCHOOL1                         | (15.1 mills rate)  |
| \$289.21   | Countywide School Tax to VH                            |  | SCHOOL                              | (8.2 mills rate)   |

**TOTAL AD VALOREM REVENUE**

|                   |                                         |                                           |                                        |
|-------------------|-----------------------------------------|-------------------------------------------|----------------------------------------|
| \$724.80          | Annexation Revenue to CITY              | CITY (General Fund portion)               | (20.55 mills)                          |
| \$1,835.80        | Annexation Revenue to BOE               | SCHOOL + SPC SCHOOL1 + CITY (BOE portion) | (8.2 mills + 15.1 mills + 28.75 mills) |
| <b>\$2,560.60</b> | <b>TOTAL ANNEXATION REVENUE BENEFIT</b> |                                           |                                        |

|               |
|---------------|
| <b>Legend</b> |
| City Revenue  |
| BOE Revenue   |



## ANX-24-4

### Annexation Application

Status: Active

Submitted On: 4/10/2024

### Primary Location

2768 ALTADENA LAKE DR  
Vestavia Hills, AL 35243

### Owner

David M & Melinda F Romine  
Altadena Lake Drive 2768  
Vestavia, Alabama 35243

### Applicant

 Lindsey Romine

 205-453-2453

 wp5463@gmail.com

 2768 Altadena Lake Drive  
Birmingham, AL 35243

---

## Owner Information

Owner's Name\* 

David Romine & Melinda Romine

Owner Mailing Address Inc. City, State, Zip\*

2768 Altadena Lake Drive  
Vestavia, AL 35243

---

## Property Information

Address of Property to be annexed?\*

2768 Altadena Lake Drive Birmingham,  
AL 35243

**Legal Description of Property to be Annexed\* ?**

Lot 5  
Block 5  
Neighborhood: 18-036.0  
Subdivision: Altadena Val 5th 28-34-3  
Book:79  
Page: 8  
Parcel Number: 28 00 34 3 007 011.000

**County Location of Property:**

Jefferson County

**Tax Parcel ID Number (if known)**

28 00 34 3 007 011.000

**County Zoning Classification**

02-County-02

**Is this annexation for redevelopment?\***

No

**Compatible City Zoning Classification**

**Desired Zoning Classification**

**Is this a single-family residence with no additional development?\***

Yes

---

## Annexation Request Information

**Please Explain your reason for requesting annexation?\***

Would like the property to be a part of Vestavia for the schools

**Are you located in the Rocky Ridge Fire District?\***

Yes

# Information on Children

|                                 |                                                              |
|---------------------------------|--------------------------------------------------------------|
| Name of Child                   | Age of Child                                                 |
| School Grade of Child           | Plan to Enroll in Vestavia Hills School within 2 years?<br>— |
| Name of Child                   | Age of Child                                                 |
| School Grade of Child           | Plan to Enroll in Vestavia Hills Schools within 2 years?     |
| Addition children information ? |                                                              |

---

## Attachments

- 

**Owner's Notarized Affidavit**  
Owners Affidavit.jpg  
Uploaded by Lindsey Romine on Apr 10, 2024 at 1:41 PM
- REQUIRED**
- 

**Jeff Co Tax property info.jpg**  
Jeff Co Tax property info.jpg  
Uploaded by Lindsey Romine on Apr 10, 2024 at 1:43 PM
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**Parcel Info.jpg**  
Parcel Info.jpg  
Uploaded by Lindsey Romine on Apr 10, 2024 at 1:44 PM





City of Vestavia Hills  
Office of the City Clerk

**OWNER AFFIDAVIT (This form must be notarized):**

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals, or caused these presents to be executed by their duly authorized representatives, with full authority that we are the owners of said property requesting annexation:

SIGNATURES:

David M. Romine Lot 5 Blk 5 Survey \_\_\_\_\_  
Melinda G. Romine Lot 5 Blk 5 Survey \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

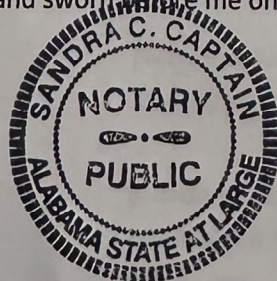
STATE OF ALABAMA

Jefferson COUNTY

David M. Romine being duly sworn says: I am one of the persons who signed the above petition, and I certify that said petition contains the signatures of the owners of the property to be annexed by this petition.

David M. Romine  
Signature of Certifier

Subscribed and sworn before me on this 10<sup>th</sup> day of April, 2024



Sandra C. Captain  
Notary Public

My Commission Expires: 9-9-2024

**ORDINANCE NUMBER 3225**

**AN ORDINANCE TO ALTER, REARRANGE, AND EXTEND THE CORPORATE LIMITS OF THE CITY OF VESTAVIA HILLS, ALABAMA, SO AS TO EMBRACE AND INCLUDE WITHIN THE CORPORATE AREA OF SAID CITY ALL TERRITORY NOW WITHIN SUCH CORPORATE LIMITS AND ALSO CERTAIN OTHER TERRITORY CONTIGUOUS TO SAID CITY.**

**WHEREAS**, a certain petition signed by David and Melinda Romine dated April 10, 2024, that the property therein described be annexed to the City of Vestavia Hills, Alabama, together with a map of said territory showing its relationship to the corporate limits of the City, has been filed with the City Clerk of the City of Vestavia Hills; and

**WHEREAS**, this Council has determined and found that the matters set forth and alleged in said petition are true and correct, and that it is in the public interest that said territory be annexed to the City of Vestavia Hills;

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Vestavia Hills, Alabama, as follows:

SECTION 1. That said Council hereby assents to the annexation of said territory to the City of Vestavia Hills, Alabama, the corporate limits of the City to be extended and rearranged pursuant to the provisions of Title 11, Chapter 42, Article 2, Code of Alabama, 1975 (Sections 11-42-20 through 11-42-23, as amended) so as to embrace and include said territory, in addition to the territory already within its present corporate limits. The new boundary line does not lie at any point more than half the distance between the old city boundary and the corporate boundary of any other municipality. Said territory is described as follows:

2768 Altadena Lake Dr  
Lot 5, Block 5, Altadena Valley, 5th Sector  
David and Melinda Romine

SECTION 2. That the City Clerk shall file a certified copy of this Ordinance containing an accurate description of said annexed territory with the Probate Judge of Jefferson County, Alabama, and also cause a copy of this Ordinance to be published/posted in accordance with Alabama law.

APPROVED and ADOPTED this the 24th day of June, 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 # 3225 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 24th day of June, 2024, as same appears in the official records of said City.

Posted at Vestavia Hills Municipal Center, Vestavia Hills Library in the Forest, Vestavia Hills New Merkel House and Vestavia Hills Recreational Center this the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

Rebecca Leavings  
City Clerk

## 2768 Altadena Lake Drive





**CITY OF VESTAVIA HILLS  
PUBLIC SERVICES  
INTER-DEPARTMENT MEMO**

**June 10, 2024**

**To:** Jeff Downes, City Manager

**From:** Lori Beth Kearley, Public Services Director

**Cc:** Mark Gibbs, Chief of Building Maintenance  
Taneisha Tucker, Library Director  
Rebecca Leavings, City Clerk

**RE:** Public Hearing - Resolution Number 5516 - A Resolution authorizing the City Manager to take all actions necessary for the purchase and installation of two new replacement heating boilers for the Library in the Forest.

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**Background:**

The existing boilers at the Vestavia Hills Library in the Forest have reached the end of their service life, are no longer serviceable, and need to be replaced.

These outside boilers are a critical component of the HVAC system at the Library in the Forest.

**Recommendation:**

The Chief of Building Maintenance has reviewed available replacement options and recommends that the City accept a proposal from Comfort Systems USA

in the amount of \$150,000 to remove existing boilers, furnish new boilers, and complete the installation.

**Fiscal Impact:**

This is a non-budgeted item that, if approved, would be funded from the City's Capital Projects budget.

**Attachments:**

1. Resolution 5516
2. Library in the Forest Boiler Replacement Budget 2024
3. Comfort\_Systems\_USA\_Assignment\_executed\_2023\_8\_17



## **RESOLUTION NUMBER 5516**

### **A RESOLUTION AUTHORIZING THE CITY MANAGER TO TAKE ALL ACTIONS NECESSARY TO REPLACE TWO BOILERS AT THE VESTAVIA HILLS LIBRARY IN THE FOREST**

**WHEREAS**, the Chief of Building Maintenance (“the Chief”) has determined that the outside boilers at the Vestavia Hills Library in the Forest have reached the end of service life; and

**WHEREAS**, the Chief has reviewed available replacement options and recommends acceptance of a proposal from Comfort Systems USA in the amount of \$150,000. A copy of said proposal is marked as Exhibit A, attached to and incorporated into this Resolution Number 5513 as if written fully therein; and

**WHEREAS**, the Mayor and the City Council feel it is in the best public interest to accept the proposal in the attached Exhibit A and authorize the City Manager to take all actions necessary in order to purchase and install said boilers.

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

1. The City Manager is hereby authorized to accept the proposal detailed in Exhibit A and take all actions necessary in order to secure the purchase and installation of said boilers at the Vestavia Hills Library in the Forest at a cost not to exceed \$150,000 subject to the review and approval by the City Attorney concerning terms and conditions; and
2. This expense shall be funding by the City’s Capital Projects Fund; and
3. This Resolution Number 5516 shall become effective immediately upon approval and adoption.

**DONE, ORDERED, ADOPTED and APPROVED** this the 24<sup>th</sup> day of June, 2024.

Ashley C. Curry  
Mayor

ATTESTED BY:

Rebecca Leavings  
City Clerk



3100 Richard Arrington Jr. Blvd. North  
Birmingham, Al. 35203  
205-664-3300  
205-663-1312 Fax

January 31, 2024

Library in the Forest  
1221 Montgomery Hwy  
Vestavia Hills, AL 35216

Re: Boiler Replacement Budget

**Comfort Systems USA is pleased to submit the following proposal for your approval:**

- **Isolate water/gas supplies and make safe the electrical supply to each boiler.**
- **Demo and remove (2) existing 675k BTU Fulton boilers.**
- **Furnish and install (2) new 726k BTU Raypak H Series Outdoor heating boilers.**
- **Furnish and install new 6" copper supply and return water lines between new shut off valves and the boilers.**
- **New ½ HP TACO inline pumps.**
- **New temp and pressure gauges.**
- **New 4" double wall exhaust piping.**
- **New emergency shut off.**
- **New gas line between the new shut off and the boilers.**
- **New gas regulators.**
- **Reinsulate all new piping with aluminum jacketed fiberglass insulation.**
- **Trucking provided by CSUSA.**
- **State and city permit and inspections.**
- **Unit start up and first use burn off.**
- **Work to be performed during normal working hours. (M-F, 8a.m. to 5 p.m.)**

### **Budget Pricing Only: \$150,000.00**

- All work will be performed during normal operating hours unless otherwise noted.
- Proposal must be signed and returned via e-mail or fax prior to performing any work.
- A 90-day labor warranty on repairs and a 1 year labor warranty on new equipment installation is included which will begin at the completion of this project unless noted otherwise.
- Prices contained herein are for a complete job including labor, material, sales tax and permits as applicable unless otherwise noted.
- Payment terms are "Net 30 Days" unless otherwise noted herein.

- This proposal is valid for 30 days unless validated in writing by Comfort Systems USA.
- This Agreement sets forth all of the terms and conditions (pages 2-3) binding upon the parties and no person has the authority to make any claim, representation, promise, or condition on behalf of the Contractor, which is not expressed herein.
- Any alteration or deviation for the above proposal involving extra cost of material or labor will become an extra charge over the sum stated above.

Please contact me should you have any questions.

Best Regards

**Brian Fancher**

**Comfort Systems USA**

**205-552-2777**

**Brian.Fancher@comfortsystemsusa.com**

**Customer Approval**

**Name** \_\_\_\_\_

**PO#** \_\_\_\_\_

**Date** \_\_\_\_\_

**PROJECT TERMS AND CONDITIONS**

**Page 2**

The following terms and conditions are incorporated into and a part of the Project Agreement (the "Agreement") between Comfort Systems USA Midsouth, Inc. ("Contractor") and Customer:

1. Customer shall permit Contractor free and timely access to areas and equipment, and allow Contractor to start and stop the equipment as necessary to perform required services. All planned work under this Agreement will be performed during the Contractor's normal working hours.

2. Contractor warrants that the workmanship hereunder shall be free from defects for ninety (90) days from date of installation. If any replacement part or item of equipment proves defective, Contractor will extend to Customer the benefits of any warranty Contractor has received from the manufacturer. Removal and reinstallation of any equipment or materials repaired or replaced under a manufacturer's warranty will be at Customer's expense and at the rates in effect.

**3. LIMITATIONS OF WARRANTY. CONTRACTOR MAKES NO OTHER WARRANTIES, EXCEPT AS DESCRIBED IN PARAGRAPH TWO ABOVE, AND EXPRESSLY DISCLAIMS ALL OTHER WARRANTIES WHETHER EXPRESS, IMPLIED OR STATUTORY, INCLUDING THE WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE. THE PARTIES AGREE THAT THIS LIMITATION OF WARRANTIES IS COMMERCIALY REASONABLE UNDER THE CIRCUMSTANCES OF THIS CONTRACT, AND THAT THESE LIMITATIONS ARE AN ESSENTIAL TERM OF THIS CONTRACT.**

4. Contractor will invoice Customer on a monthly basis unless other specific invoicing arrangements are detailed within the body of the proposal.

5. Customer will promptly pay invoices within ten (10) days of receipt. Should a payment become thirty (30) days or more delinquent, Contractor may stop all work under this Agreement without notice and/or cancel this Agreement, and the Customer will be invoiced for all work performed including costs for equipment and/or materials in production at the time of work stoppage. These amounts shall become due and payable immediately without notice or demand. In addition, if Contractor does not receive payment of a properly submitted invoice within thirty (30) days, Customer shall accrue a late charge on the balance outstanding at the lesser of (a) 1 1/2% per month or (b) the highest rate allowed by law, in each case compounded monthly to the extent allowed by law. If any payment is late, all balances under this agreement shall be accelerated and shall become immediately due and payable.

6. Contractor specifically excludes collective bargaining agreements, project labor agreements, living wage requirements, Davis-Bacon or Service Contract Act wages, or any other similar wage specific agreements unless noted specifically within the body of this proposal. As these requirements vary from County to County or are very job specific it is prudent that Contractor and Customer fully acknowledge in writing when any of these are required.

7. Customer shall be responsible for all taxes applicable to the services and/or materials hereunder.

8. Any alteration to, or deviation from, this Agreement involving extra work, cost of materials or labor will become an extra charge (fixed price amount to be negotiated or on a time-and-material basis at Contractor's rates then in effect) over the sum stated in this Agreement.

9. In the event Contractor must commence legal action in order to recover any amount payable or owed to Contractor under this Agreement, Customer shall pay Contractor all costs, including taxable costs, and all attorneys' fees incurred by Contractor, including, without limitation, all fee and costs incurred in finalizing a supplemental judgment for fees and costs.

10. Limitations of Remedy. In the event of a breach by Contractor of the terms of this Agreement, including without limitation Section 2, or in the event Customer incurs any liability in connection with the rendering of services by Contractor, Customer's sole remedy against Contractor shall be for Contractor to re-perform the services in accordance with the warranty or, if such services cannot be re-performed or such re-performance does not cure the breach or the liability, to refund to Customer the

amount paid to Contractor under this Agreement, up to Customer's direct damages caused by such breach or liability. Notwithstanding the foregoing, in no event shall the liability of Contractor in connection with any products or services, whether by reason of breach of contract, tort (including without limitation negligence), and statute or otherwise exceed the amount of fees paid by Customer to Contractor for those products or services. Further, in no event shall Contractor have any liability for loss of profits, loss of business, indirect, incidental, consequential, special, punitive, indirect or exemplary damages, even if Contractor has been advised of the possibility of such damages. In furtherance and not in limitation of the foregoing, Contractor shall not be liable in respect of any decisions made by Customer as a result of Contractor's services. The customer waives any claims for consequential damages, and damages shall be limited to the cost of repair or replacement of the equipment purchased. The parties agree that these limitations of remedies are commercially reasonable under the circumstances involved in this agreement, and that this limitation is an essential term of this contract made to induce Contractor to enter this agreement.

11. Contractor shall not be liable for any delay, loss, damage or detention caused by acts or circumstances beyond its control including, without limitation, unavailability of machinery, equipment or materials, delay of carriers, strikes, including those by Contractor's employees, lockouts, civil or military authority, priority regulations, insurrection or riot, war, acts of terrorism, action of the elements, forces of nature, or by any cause beyond its control.

12. To the fullest extent permitted by law, Customer shall indemnify and hold harmless Contractor, its agent and employees from and against all claims, liabilities, damages, losses and expenses (including but not limited to attorneys' fees) arising out of or resulting from the performance of work hereunder or any act or omission arising out of or related to this Agreement, provided that such claim, damage, loss or expense is caused in whole or in part by an active or passive act or omission of Customer, anyone directly or indirectly employed by Customer, or anyone for whose acts Customer may be liable, regardless of whether it is caused in part by the negligence of Contractor. Further, and notwithstanding the preceding sentence, Contractor shall be held harmless and shall not be liable to Customer for any claims, liabilities, damages, losses and expenses related to mold or to the creation of mold at Customer's location(s) and shall have no obligation to treat, identify or remove such mold. Contractor agrees that this indemnity agreement is commercially reasonable and that contractor has reduced the price of its equipment and services by \$100 as separate consideration for this indemnity agreement.

13. Customer shall make available to Contractor's personnel all pertinent Material Safety Data Sheets (MSDS) pursuant to OSHA'S Hazard Communication Standard Regulations.

14. Contractor's obligation under this proposal and any subsequent contract does not include the identification, abatement or removal of asbestos, mold or any other toxic or hazardous substances, hazardous wastes or hazardous materials. In the event such substances, wastes and materials are encountered, Contractor shall have the right thereafter to suspend its work until such substances, wastes or materials and the resultant hazards are removed. The time for completion of the work shall be extended to the extent caused by the suspension and the contract price equitably adjusted. As previously provided, Contractor shall be held harmless and shall not be liable for any claims, liabilities, damages, losses and expenses related to such substances, wastes and materials, including the failure to identify or notify Customer of such substances, wastes and materials.

### Page 3

15. This Agreement is between Contractor and Customer alone, and neither intends that there be any third party beneficiaries to this Agreement. Without limiting the generality of the foregoing, by entering into this Agreement and providing services on Customer's behalf, Contractor is not assuming any duty or obligation to any of Customer's employees, vendors, clients, subcontractors, agents, shareholders, partners or members. Customer agrees to indemnify and hold Contractor harmless from and against any and all liabilities, losses, claims, costs, expenses and damages (including without limitation reasonable attorneys' fees) incurred by Contractor by reason of a claim brought against Contractor by any of Customer's employees, vendors, clients, subcontractors, agents, shareholders, partners or members with respect to the services provided by Contractor on Customer's behalf.

16. Each of the parties hereto is an independent contractor and neither party is, nor shall be considered to be, an agent, distributor or representative of the other. Neither party shall act or present itself, directly or indirectly, as an agent of the other or in any manner assume or create any obligation on behalf of, or in the name of, the other.

17. This Agreement constitutes the entire understanding among the parties hereto and supersedes any and all prior agreements and understandings, oral or written, relating to the subject matter hereof. It sets forth the terms for the provision of any products or services Contractor may provide Customer, whether in connection with the particular engagement that is identified as the subject of this Agreement or otherwise, unless and until a written instrument is signed by an authorized representative of Contractor agreeing to different terms. This Agreement shall not be assignable by Customer without the express prior written consent of Contractor. This Agreement shall be governed by and construed in accordance with the laws of the State of Florida. **THE PARTIES HERETO EXPRESSLY WAIVE ANY RIGHT TO TRIAL BY JURY IN ANY LITIGATION ARISING FROM OR RELATING TO THIS AGREEMENT.** The exclusive venue and jurisdiction for any action arising under or relating to this Agreement shall be the state courts of Escambia County, Florida.

18. Each party agrees they have read the terms of this Agreement and have had opportunity to consult with legal counsel regarding the same. In the event any portion of these terms and conditions is held invalid or inoperative, the other portions of these terms and conditions shall be deemed valid and operative and, so far as is reasonable and possible, effect shall be given to the intent manifested by the portion held invalid or inoperative. Moreover, in the event any court of competent jurisdiction shall determine that the scope or terms of any restriction set forth herein is unreasonable, then it is the intention of the parties that such restriction or term be enforced to the fullest extent which the court deems reasonable, and these terms and conditions shall thereby be reformed.

**REQUEST FOR MATERIAL CHANGE AMENDMENT NO. 1**  
**TO**  
**MASTER AGREEMENT**

This Request for Material Change Amendment No.1 (this “**Amendment**”) to the National Cooperative Purchasing Alliance (“**NCPA**”) and Region 14 Education Service Center (“**Region 14 ESC**”) Master Agreement, which includes but is not limited to the NCPA Administration Agreement, is effective as of August 17, 2023 (the “**Amendment Effective Date**”), by and between Comfort Systems USA Southwest, Inc. (“Vendor”), Comfort Systems USA, Inc. (“Added Vendor”), Region 14 ESC, and NCPA.

**WHEREAS**, Region 14 ESC, NCPA, and Vendor entered into that certain Master Agreement, effective as of December 13, 2021, Contract No. 02-127, for HVAC Equipment, Installation, Service, & Related Products by and between Region 14 ESC, NCPA, and Comfort Systems USA, Inc. and the parties desire to amend the Master Agreement, on the terms and conditions as provided herein; and

**WHEREAS**, Vendor has taken in an internal corporate restructuring whereby Added Vendor shall be responsible for the Services under the Master Agreement (collectively, the “**Transaction**”); and Vendor is hereby providing Region 14 ESC and NCPA with notice of material change to the Master Agreement that is hereby approved by Region 14 ESC and NCPA whereby the Vendor is assigning the Master Agreement to the Added Vendor which has been agreed to by Added Vendor and is approved by Region 14 ESC and NCPA;; and

**WHEREAS**, in connection with the Transaction, the parties desire to add Added Vendor to the Master Agreement and assign the Master Agreement to the Added Vendor as stated herein; and

**WHEREAS**, the parties hereto agree that the Master Agreement is amended as stated herein.

**NOW, THEREFORE**, in consideration of the mutual covenants set forth herein, the parties agree as follows:

1. Capitalized terms not otherwise defined in this Amendment shall have the same meaning as set forth in the Master Agreement.
2. Added Vendor is hereby added as a party to the Master Agreement and all references in both the Master Agreement to “Vendor” shall include “Comfort Systems USA”.
3. Added Vendor acknowledges that it has received a copy of the Master Agreement, Contract No. 02-127, for HVAC Equipment, Installation, Service, & Related Products and agrees to be bound by the provisions of Contract No. 02-127 to the same extent as though it had originally been named to the Added Vendor.
4. Any references to “Vendor” or “Supplier” in the Master Agreement shall refer to Added Vendor and Added Vendor shall be liable for all obligations under the Master Agreement, which includes but is not limited to the obligations under the Administration Agreement.
5. With respect to reporting and payment of Administrative Fees under the Administration Agreement, the Added Vendor shall provide reporting and payment to NCPA in accordance with such sections.
6. Vendor, as provided for in the Master Agreement General Terms and Conditions, is hereby considered an authorized distributors/dealers (hereafter “Affiliates”) to the Master Agreement, as set forth in Attachment A.
7. Except as set forth herein, the Master Agreement shall remain in full force and effect.

8. This Amendment may be executed in any number of multiple counterparts, each of which shall be deemed an original, but all of which together constitute one and the same instrument.
9. It is understood by all Parties to this Amendment, that Added Vendor may, pursuant to Tab 1 – Master Agreement General Terms and Conditions, add authorized affiliates which authorized affiliates are permitted, but not required, to sell products and services through the Master Agreement, to Public Agencies. See attached Exhibit A for current list of Added Vendor Subsidiaries.

VENDOR:

COMFORT SYSTEMS USA SOUTHWEST,  
INC.

DocuSigned by:

Tim Plaster

B24FC75703A14D1...

Signature

Tim Plaster

Name

Exec. Vice President

Title

8/16/2023 | 3:56 PM PDT

Date

NATIONAL COOPERATIVE  
PURCHASING ALLIANCE

DocuSigned by:

Sarah Vavra

1477449FA80746A...

Signature

Sarah Vavra

Name

Sr. Vice President, Public Sector Contracting

Title

8/17/2023 | 9:14 AM CDT

Date

ADDED VENDOR:

COMFORT SYSTEMS USA, INC.

DocuSigned by:

Anthony Billups

FC033446F5224DE...

Signature

Anthony Billups

Name

VP of Sales & Market Development

Title

8/16/2023 | 6:19 PM CDT

Date



**EXHIBIT A**  
**List of Comfort Systems USA, Inc. Subsidiaries**  
**August 14, 2023**

ACI Mechanical, Inc.  
Air Systems Engineering, Inc.  
AirTemp, Inc.  
Altrax Tool and Equipment Co LLC  
Amteck Communication Management LLC  
Amteck Holdco LLC  
Amteck Sprinkler LLC  
Amteck, LLC  
Armani East LLC  
Associated Boiler Systems, Inc.  
Atlantic Electric, LLC  
BCH Holdings, Inc.  
BCH Leasing, LLC  
BCH Mechanical, L.L.C.  
BCM Controls Corporation  
Billone West LLC  
Blue C, LLC dba HVACRedu.net  
Brick & Mortar Ventures II, L.P.  
California Comfort Systems USA, Inc.  
ColonialWebb Contractors Company  
Comfort Systems USA (Arkansas), Inc.  
Comfort Systems USA (Intermountain), Inc.  
Comfort Systems USA (Kentucky), Inc.  
Comfort Systems USA (Mid South), Inc.  
Comfort Systems USA (MidAtlantic), LLC  
Comfort Systems USA (Northwest), Inc.  
Comfort Systems USA (Ohio), Inc.  
Comfort Systems USA (South Central), Inc.  
Comfort Systems USA (Southeast), Inc.  
Comfort Systems USA (Southwest), Inc.  
Comfort Systems USA (Syracuse), Inc.  
Comfort Systems USA (Texas), L.P.  
Comfort Systems USA G.P., Inc.  
Comfort Systems USA Strategic Accounts, LLC  
Comfort Systems USA, Inc.  
ConServ Building Services of Alabama, LLC  
ConServ Building Services of Georgia, LLC  
ConServ Building Services of North Carolina, LLC  
ConServ Building Services of Tennessee, LLC  
ConServ Building Services of Texas, LLC  
ConServ Building Services, LLC  
Control Concepts Mechanical Services, LLC  
Control Concepts, LLC  
CSUSA (10), LLC

Design Mechanical Incorporated  
Dilling Group, Inc.  
Dilling, LLC  
Dyna Ten Corporation  
Dyna Ten Maintenance Services, LLC  
E Solutions LLC  
Eastern Heating & Cooling, Inc.  
Edwards Electrical & Mechanical, Inc.  
Eldeco, Inc.  
Environmental Air Systems, LLC  
Envirotrol, LLC  
F. W. Dilling, LLC  
Granite State Holdings Company, Inc.  
Granite State Plumbing & Heating, LLC  
Hayes & Lunsford Electric, LLC  
Hess Mechanical, LLC  
Ivey Mechanical Company, LLC  
Kodiak Labor Solutions, LLC  
Mechanical Technical Services, Inc.  
MEP Holding Co., Inc.  
MJ Mechanical Services, Inc.  
N471VY Trust  
North American Mechanical, Inc.  
OFF, LLC  
Post Oak Insurance Co. Ltd.  
Premier Prefabrication Solutions, LLC  
Quality Air Heating & Cooling, Inc.  
Riddleberger Brothers, Inc.  
Royalaire Holdings, LLC  
Royalaire Mechanical Services, LLC  
S.I. Goldman Company, Inc.  
S.M. Lawrence Company, Inc.  
Seasonair, LLC  
ShoffnerKalthoff MES, Inc.  
Starr Electric Company, Incorporated  
TAS Energy Inc.  
TAS Modular Data Limited  
Temp Right Service, Inc.  
Tennessee Electric Company, Inc.  
TES Controls, LLC  
Thermal Service, LLC  
Trinity Contractors, LLC  
Trumbo Electric, Incorporated  
Walker Electrical Contractors, Inc.  
Walker Engineering, Inc.  
Walker Industrial, LLC  
Walker TX Holding Company, LLC  
Western States Mechanical, Inc.



**CITY OF VESTAVIA HILLS  
PARKS & LEISURE SERVICES  
INTER-DEPARTMENT MEMO**

**June 10, 2024**

**To:** Jeff Downes, City Manager

**From:** Jamie Lee, Parks and Leisure Services Director

**Cc:**

**RE:** Public Hearing - Resolution Number 5517 to declare certain personal property as surplus and no longer needed for municipal purposes and authorizing the City Manager to take all actions necessary to trade in a used surplus skid steer to mitigate the cost of a new skid steer and to authorize the purchase of a replacement skid steer to operate within the Parks and Leisure Service Department

---

**Background:**

The parks and leisure service maintenance crew is in need of a new skid steer. The current machine is a 650 bobcat that is approximately 16 years old and in need of multiple repairs including a primary failure of the hydraulic pump. In discussing options with Loader Services, a new compatible machine would cost \$67,182.65 under our Sourcewell Purchasing Cooperative Agreement. With a current trade-in value of \$25,500 for the old equipment, we can reduce the total outlay to \$41,682.65.

At issue, this is the last year the 650 bobcat is available. After this year, the new machine, T-770 bobcat, will bring a cost of \$100,000.

**Recommendation:**

We are requesting approval to surplus the old equipment and receive supplemental funding from the City Council to trade in the current machine and purchase the 650 bobcat for \$41,682.65.

**Fiscal Impact:**

The requested expenditure would be funded from the FY 24 Capital Fund (20) Budget as a Supplemental Expenditure.

**Attachments:**

1. Resolution 5517
2. CITY OF VESTAVIA HILLS - T650 - quote-MB572464
3. 650 Bobcat request (002)

## **RESOLUTION NUMBER 5517**

### **A RESOLUTION DECLARING A SKID STEER AS SURPLUS AND NO LONGER NEEDED FOR MUNICIPAL SERVICES AND TO AUTHORIZE THE CITY MANAGER TO TRADE IN SAID SKID STEER AND PURCHASE A NEW SKID STEER THUS MITIGATING THE PURCHASE PRICE OF SAID EQUIPMENT FOR USE IN THE PARKS AND LEISURE SERVICES DEPARTMENT**

**WHEREAS**, the City's Parks and Leisure Services Department has been operating a current skid steer, a 650 Bobcat, that is approximately 16 years old and in need of multiple repairs, including a primary failure of the hydraulic pump; and

**WHEREAS**, the Director of the Parks and Leisure Services Department has determined that the current skid steer is at the end of its useful life and is in need of a replacement; and

**WHEREAS**, the Director has discussed and reviewed options for replacement with a new compatible machine and has found a suitable replacement at a cost of \$67,182.65 from Sourcewell Purchasing Cooperative ("Sourcewell") with an allowance of a \$25,500 reduction for the trade-in of the current machine; and

**WHEREAS**, it was noted that this is the final year that a 650 Bobcat will be offered for sale by the company as it will be replaced by a T-770 Bobcat at a cost of \$100,000; and

**WHEREAS**, the Director has recommended that the skid steer be replaced immediately by a comparable 650 Bobcat to be purchased with a trade-in from Sourcewell at a final cost of \$41,682.65; and

**WHEREAS**, the Mayor and City Council feel it is in the best public interest to immediately replace the current skid steer as described above.

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

1. The current skid steer is hereby declared as surplus and no longer needed for municipal purposes; and
2. The City Manager is hereby authorized to trade-in the current skid steer for a \$25,500 credit toward purchase of a new comparable 650 Bobcat at a total cost of \$41,682.65 (Total cost \$67,182.65 reduced by \$25,500 trade in for total net cost of \$41,682.65); and
3. Said funding for the new equipment shall be derived from the FY24 Capital Fund Budget as a supplemental expenditure; and

4. This Resolution Number 5517 shall become effective immediately upon adoption and approval.

**ADOPTED and APPROVED** this the 24<sup>th</sup> day of June, 2024.

Ashley C. Curry  
Mayor

ATTESTED BY:

Rebecca Leavings  
City Clerk





Product Quotation  
 Quotation Number: **MB572464**  
 Quote Sent Date: **Jun 05, 2024**  
 Expiration Date: **Jul 05, 2024**

Your Bobcat Contact  
**Mason Brekke**  
 Phone:  
 Email: [mason.brekke@doosan.com](mailto:mason.brekke@doosan.com)

Your Customer Contact

Deliver to  
**CITY OF VESTAVIA HILLS 1344320 - VESTAVIA HILLS - AL**  
 1032 MONTGOMERY HWY  
 VESTAVIA HILLS, AL, 35216-2806

Bobcat Dealer  
**Loader Services & Equipment, Inc., Pelham, AL**  
 319 BEARDEN RD  
 PELHAM, AL, 35124

Bill to  
**CITY OF VESTAVIA HILLS 1344320**  
 1032 Montgomery Hwy  
 Vestavia Hills, AL, 35216-2806

| Item Name                                                                                                                                                                                                                                                                                                                        | Item Number   | Quantity                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Price Each | Total     |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|-----------|
| <b>T650 T4 Bobcat Compact Track Loader (Current)</b>                                                                                                                                                                                                                                                                             | M0233         | 1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 55,923.84  | 55,923.84 |
| <b>Standard Equipment:</b><br>74 HP Tier 4 Turbo Diesel Engine<br>Auxiliary Hydraulics: Variable Flow<br>Backup Alarm<br>Bob-Tach<br>Bobcat Interlock Control System (BICS)<br>Controls: Hand and Foot (Manual)<br>Cylinder Cushioning - Lift, Tilt<br>Engine/Hydraulic Systems Shutdown<br>Glow Plugs (Automatically Activated) |               | Horn<br>Instrumentation: Engine Temperature & Fuel Gauges, Hour meter, RPM and Warning Indicators<br>Lift Arm Support<br>Lift Path: Vertical<br>Lights, Front & Rear<br>Operator Cab:<br>Includes: Adjustable Suspension Seat, Top & Rear Windows, Seat Bar, Seat Belt<br>Roll Over Protective Structure (ROPS) meets SAE-J1040 & ISO 3471<br>Falling Object Protective Structure (FOPS) meets SAE-J1043 & ISO 3449, Level I; (Level II is available through Bobcat Parts)<br>Parking Brake: Spring Applied, Pressure Released (SAPR)<br>Solid Mounted Carriage with 4 Rollers<br>Tracks: Rubber, 12.6" wide<br>Warranty: 2 years, or 2000 hours whichever occurs first |            |           |
| <b>Comfort Package</b><br><i>Included:</i> Comfort Package:, Enclosed HVAC Cab, Adjustable Vinyl Suspension Seat, Power Bob-Tach, Oval Display, Standard Lights, Attachment Control, Single Direction Bucket Positioning                                                                                                         | M0233-P11-C07 | 1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 4,865.04   | 4,865.04  |
| <b>Selectable Joystick Controls (SJC)</b>                                                                                                                                                                                                                                                                                        | M0233-R01-C04 | 1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 680.40     | 680.40    |
| <b>Deluxe Instrumentation Panel</b>                                                                                                                                                                                                                                                                                              | 7213928       | 1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 1,389.37   | 1,389.37  |
| Total for T650 T4 Bobcat Compact Track Loader (Current)                                                                                                                                                                                                                                                                          |               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |            | 62,858.65 |
| Quote Total - USD                                                                                                                                                                                                                                                                                                                |               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |            | 62,858.65 |
| Dealer P.D.I.                                                                                                                                                                                                                                                                                                                    |               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |            | 200.00    |
| Freight Charges                                                                                                                                                                                                                                                                                                                  |               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |            | 1,475.00  |
| Dealer Assembly Charges                                                                                                                                                                                                                                                                                                          |               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |            | 149.00    |
| Charges                                                                                                                                                                                                                                                                                                                          |               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |            |           |

|  |                                                     |                  |
|--|-----------------------------------------------------|------------------|
|  | <i>Swapping Tracks and adding<br/>keyless start</i> | 2,500.00         |
|  | Discount                                            |                  |
|  | <i>Trade Value</i>                                  | -25,500.00       |
|  | <b>Quote Total - USD</b>                            | <b>41,682.65</b> |

**Comment:**

\*Plus applicable taxes. IF Tax Exempt, please include Tax Exempt Certificate with the order.

\*Prices per the Sourcewell Contract #\_020223-CEC.

\*Sourcewell Member Number (if applicable): \_\_\_\_\_

\*All orders should include 1) Accounts Payable Contact and email address, 2) W9 with correct legal entity name, and 3) Bill to Address.

\*Orders may be placed with the contract holder or authorized dealer as allowed by the terms and conditions of the contract. \*A Copy of all orders must be provided to Heather.Messmer@Doosan.com.

\*Contact Holder Information: Doosan Bobcat North America, Inc., Govt Sales, 250 E Beaton Drive, West Fargo, ND 58078. TID# 38-0425350.

\*Payment Terms: Net 60 Days. Credit cards accepted.

\*Remittance address: Clark Equipment Company d/b/a Bobcat Company, P. O. Box 74007382, Chicago, IL 60674-7382

\*Questions can be submitted via email to randy.fuss@doosan.com or by phone at: 1-800-965-4232

**Customer acceptance:**

Quotation Number:: MB572464

Purchase Order: \_\_\_\_\_

**Authorized Signature:**

Print: \_\_\_\_\_ Sign: \_\_\_\_\_

Date: \_\_\_\_\_ Email: \_\_\_\_\_

**Addresses**

Delivery Address \_\_\_\_\_

Billing Address (if different from ship to): \_\_\_\_\_

**Tax Exempt:** Y ☐ / N ☐

Exempt in the State of: \_\_\_\_\_

**Tax Exempt ID:**

Federal: \_\_\_\_\_

State: \_\_\_\_\_

Expiration Date: \_\_\_\_\_

**Vestavia Hills Parks and Leisure Services  
1090 Montgomery Highways  
Vestavia Hills, AL 35216**

**INTEROFFICE MEMO**

Date: June 4, 2024

TO: Jeff Downes  
City Manager

From: Jamie Lee  
Director of Parks and Leisure Services

RE: Skid Steer Replacement Request

Per our conversation, the parks and leisure service maintenance crew is in need of a new skid steer. The current machine is a 650 bobcat that is approximately 16 years old and in need of multiple repairs including a primary failure of the hydraulic pump. In discussing options with Loader Services, a new compatible machine would cost \$67,182.65 under our Sourcewell Purchasing Cooperative Agreement. With a current trade-in value of \$25,500 for the old equipment, we can reduce the total outlay to \$41,682.65.

At issue, is this is the last year the 650 bobcat is available. After this year, the new machine, T-770 bobcat, will carry a cost of \$100,000.

We are requesting approval to surplus the old equipment and receive supplemental funding from the City Council to trade in the current machine and purchase the 650 bobcat for \$41,682.65.

CC: Rebecca Leavings



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

**June 10, 2024**

**To:** Mayor and City Council

**From:** Jeff Downes, City Manager

**Cc:** Lori Beth Kearley, Public Services Director

**RE:** Public Hearing - Ordinance Number 3227 - An Ordinance authorizing the Mayor and City Manager to purchase an OpenGov-Cartegraph Asset Management System and execute any and all documents to implement said system

---

**Background:**

The City of Vestavia Hills does not currently have an asset management system to properly manage its capital assets and document long-term improvements and preventive maintenance of such assets. The City has implemented OpenGov software for permitting, budgeting and transparency/reporting purposes. OpenGov has an asset management module that interfaces with our existing suite of OpenGov software solutions as well as other existing City software such as VH Connect (GoGov). The ability to manage transportation, walkability, stormwater and building facilities owned and maintained by the City will help in capital planning, budgeting and effective preventive maintenance efforts. The system would replace a manual work order system with a digitized workflow that provides long-term historical information on domains including sidewalks, road

surfaces, vertical structures and drainage structures, to name a few. With a goal to implement this system early in the FY 2025 budget year, a start date of July 2024 could aid in the goal's execution. The OpenGov implementation team has the ability to begin implementation efforts in this time frame if we can commit to the project prior to the beginning of the next fiscal year. The FY 24 cost to begin implementation is \$30,321.25 (\$16,400-software and \$13,921.25- professional services). The recurring annual cost for use of the software is \$65,600 (with a future escalation clause) and a one-time FY 25 professional service implementation and integration fee of \$41,763.75. The contract period is three years and falls within the software and sole source exemption from the competitive bid law. The addition of a module to our existing system supports the sole source justification.

**Recommendation:**

The City staff review team recommends that the City Council give approval to a supplemental appropriation to allow immediate project commencement and authorize execution of project documents contingent on the City Attorney's approval as to the form of the documents.

**Fiscal Impact:**

Given a projected excess of revenues over expenditures in the City General Fund, the FY 24 cost of \$30,321.25 can be absorbed within the FY24 General Fund Budget.

**Attachments:**

1. Ordinance 3227
2. OpenGov Cloud Services
3. Vestavia Hills AL EAM ROI (1)



## **ORDINANCE NUMBER 3227**

### **AN ORDINANCE AUTHORIZING THE MAYOR AND CITY MANAGER TO PURCHASE AN OPENGOV-CARTEGRAPH ASSET MANAGEMENT SYSTEM AND EXECUTE AND AN ALL DOCUMENTS TO IMPLEMENT SAID SYSTEM**

**WHEREAS**, the City of Vestavia Hills (“the City”) does not currently have an asset management system to properly manage its capital assets and to document any long-term improvements and preventive maintenance of such assets; and

**WHEREAS**, the City has implemented OpenGov software for permitting, budgeting and transparency/reporting purposes; and

**WHEREAS**, OpenGov has an asset management module that interfaces with the City’s existing suite of OpenGov software solutions as well as other existing City software such as VH Connect (GoGov); and

**WHEREAS**, the ability to manage transportation, walkability, stormwater and building facilities owned and maintained by the City will help in capital planning, budgeting and effective preventive maintenance efforts; and

**WHEREAS**, the system would replace a manual work order system with a digitized workflow that provides long-term historical information on domains including sidewalks, road surfaces, vertical structures and drainage structures, just to name a few. With a goal to implement this system early in the FY25 budget year, a start date of July 2024 could aid in the goal's execution; and

**WHEREAS**, the OpenGov implementation team has the ability to begin implementation efforts in this time frame if the City would commit to the project prior to the beginning of the next fiscal year. The FY24 cost to begin implementation is \$30,321.25 (\$16,400-software and \$13,921.25- professional services). The recurring annual cost for use of the software is \$65,600 (with a future escalation clause) and a one-time FY25 professional service implementation and integration fee of \$41,763.75. The contract period is three years and falls within the software and sole source exemption from the competitive bid law. The addition of a module to the existing system supports the sole source justification; and

**WHEREAS**, upon review, the City staff review team recommends that the City Council give approval to a supplemental appropriation to allow immediate project commencement and

authorize execution of project documents contingent on the City Attorney's approval as to the form of the documents and

**WHEREAS**, given a projected excess of revenues over expenditures in the City General Fund, the FY24 cost of \$30,321.25 can be absorbed within the FY24 General Fund Budget; and

**WHEREAS**, the Mayor and City Council feel it is in the best public interest to begin implementation of said software in anticipation of the FY25 fiscal year as described above.

**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 take all actions necessary in order to secure the implementation of said OpenGov Cartegraph Asset Management software at a cost not to exceed \$30,321.25; and
2. Said expense shall be absorbed by the FY24 General Fund Budget; and
3. This Ordinance Number 3227 shall become effective immediately following adoption by the City Council following publishing/posting pursuant to Alabama law.

**DONE, ORDERED, ADOPTED AND APPROVED** this the 24<sup>th</sup> day of June, 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 Number 3227 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 24th day of June, 2024, as same appears in the official records of said City.

Posted at Vestavia Hills Municipal Center, Vestavia Hills Library in the Forest, Vestavia Hills New Merkel House and Vestavia Hills Recreational Center this the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

Rebecca Leavings  
City Clerk

# OpenGov Cloud



## BUDGETING & PLANNING

Operating Budget  
Capital Planning  
Workforce Planning  
Online Budget Book  
Publications



## PROCUREMENT

Solicitation Development  
Supplier Engagement  
Evaluations & Awards  
Contract Management



## FINANCIALS

Core Financials  
Utility Billing



## TAX & REVENUE

Property Tax  
Business Tax  
Operating Dashboard  
Public Portal



## ASSET MANAGEMENT

Asset Management  
Work Management  
Resource Management  
Infrastructure Planning



## PERMITTING & LICENSING

Forms & Workflows  
Public Portal  
Inspections  
Online Payments



## REPORTING & TRANSPARENCY

Dashboards | Performance  
Public Engagement



Confidential, Do not share



VESTAVIA HILLS

# Vestavia Hills, AL | OpenGov

Modern Cloud Tools for High Performing Government  
**OpenGov Asset Management**

**May 24th, 2024**

# Implementation Overview at Vestavia Hills, AL

## Asset Management

**Key Deliverables:** *Please refer to SOW for complete implementation overview*

### Domains - includes:

- Transportation
- Walkability
- Stormwater
- Facilities

### Integrations:

- GoGov (VH Connect)
- Esri (ArcGIS)

### Conversions:

- PCI Data Upload from First Step Pavement Management

### Training:

- Onsite Requirements gathering
- Onsite Train the Trainer
- Remote Go-Live

### Functional Areas:

- Request Management
- Work Management
- Asset Management
- Resource Management
- Mobile Application
- Administrator Functions
- Reporting
- Preventative Maintenance
- Asset Inspections & Conditions
- Dashboarding



# Project Timeline @ Vestavia Hills, AL

| Phase 1                                                                                                                                                                                                                          | Deliverable                                                               | Month 1 | Month 2 | Month 3 | Month 4 | Month 5 | Month 6 | Month 7 | Month 8 |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------|---------|---------|---------|---------|---------|---------|---------|---------|
| Initiate                                                                                                                                                                                                                         | Project Preparation and Kick Off                                          |         |         |         |         |         |         |         |         |
| Validate                                                                                                                                                                                                                         | Requirements Gathering, Project Workbook                                  |         |         |         |         |         |         |         |         |
| Configure                                                                                                                                                                                                                        | Test conversion, Test integration, Start Up Data upload, GIS integrations |         |         |         |         |         |         |         |         |
| Train                                                                                                                                                                                                                            | Train the Trainer, Advanced trainings, Weekly Q&A                         |         |         |         |         |         |         |         |         |
| Launch                                                                                                                                                                                                                           | Go Live Readiness, Production Cut over, Go Live Support, Project Closure  |         |         |         |         |         |         |         |         |
| Customer is responsible for attending the kick off of each phase, providing any necessary data for each phase, participating in working sessions during active phases, and signing off on deliverables at the end of each phase. |                                                                           |         |         |         |         |         |         |         |         |

# Cost Proposal at Vestavia Hills, AL

Annual Software Subscription, Professional Services Implementation, Ongoing Support & Maintenance for OpenGov Enterprise Asset Management. All Future Software Enhancements, Fixes, Updates

| OpenGov Proposal - Vestavia Hills, AL   EAM |        |             |                       |              |
|---------------------------------------------|--------|-------------|-----------------------|--------------|
| Subscription Year                           | Months | Software    | Professional Services | Annual Total |
| July 1, 2024 - September 30, 2025           | 3      | \$16,400.00 | \$13,921.25           | \$30321.25   |
| October 1, 2024 - September 30, 2025        | 12     | \$65,600.00 | \$41,763.75           | \$107363.75  |
| October 1, 2025 - September 30, 2026        | 12     | \$68,880.00 | \$0                   | \$68,880.00  |
| October 1, 2026 - September 30, 2027        | 12     | \$72,324.00 | \$0                   | \$72,324.00  |

## OpenGov Pricing Includes:

\*Estimated travel costs - \$4,800

- OpenGov Enterprise Asset Management Domains:
  - Transportation, Walkability, Stormwater, Facilities
- Unlimited Users, Usage, Data, Work Orders, Assets within Domains, Reports, Advanced Inspections, Request Management, Internal Requests



# Supporting Documentation

Confidential, Do not share

# Vestavia Hills, AL

**Challenge/Priority:** The City of Vestavia Hills, AL is using a few system to manage their assets and work orders (Excel & VH Request), that is described as “antiquated” and “disconnected”. Issues amongst infrastructure in the Birmingham area have caused some negative impacts such as damage to residential communities due to stormwater system failure and pollution into the Cahaba River.

## Contributing Factors:

- **Excel based** asset management causing issues of finding work history has caused on average a few hours to find. (sometimes it might not even be there). Current system has **no log of maintenance on assets** creating uncertainty of what work has been done, recreating this search process.
- **Manual data entry** of assets such as the 240 miles of roads that has taken hours to put into appropriate excel spreadsheet. Any time a change is made this database becomes instantly **outdated**.
- **Disconnected** current system creates lack of transparency of departments outside of Public Services. This creates more work and time to route updates on work, projects, improvements, asset conditions, etc.

## Desired Capabilities:

- Centralize assets, inventory, & Work Order Management in a easy to use purpose built system
- Schedule transparent preventative maintenance cycles to longate asset lifespan
- Create transparency and ease of communication on assets and work orders with all of town staff
- Ability to capture and use data driven decisions regarding where maintenance dollars should be spent
- Locate, Track, & Maintain all of City's Assets
- Automate Work Order Processes
- Build out high level reporting to report to City Manager & Council
- Track projects by seeing progress completion & tracking of labor/costs

## Key Dates:

- FY Beginning 10/1

# City of Vestavia Hills, AL | Why OpenGov

- **Mission Driven. Government Only. Cloud Only. USA Only.**
  - Powering More Effective and Accountable Government
  - How Do we Help our Partners Close the Gap Between Public Expectation and Government Delivery?
- **Change Management**
  - We Push our Partners to be as Self-Service as Possible
  - 500+ Years of Public Sector Experience
  - 90%+ Post-Deployment Customer Satisfaction Rating
- **Best-in-Breed Integrated Asset Management Suite**
  - Commitment to Sustainable Quality Products Through Significant Investment and Customer Feedback
    - >35% of Revenue reinvestment in R&D
    - Entirely customer-driven product roadmap
    - Over 340 product updates and improvement delivered in H1 of 2023 (*\*across all technology suites*)

# OpenGov Cloud



## BUDGETING & PLANNING

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Capital Planning  
Workforce Planning  
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Work Management  
Resource Management  
Infrastructure Planning



## PERMITTING & LICENSING

Forms & Workflows  
Public Portal  
Inspections  
Online Payments



## REPORTING & TRANSPARENCY

# Mission-Driven Public Sector Expertise

Decades of Combined Public Works/GIS Experience

Customer Success Engineer



**MATT DANIELS**

Former Asset Manager at the City and County of Denver, CO

Customer Success Engineer



**SCOTT DEGRANT**

Former Asset System Administrator at City of Arlington, TX

Senior Director of Services



**JEFF BOOTH**

Former Sr. IT Project Manager at Bexar County, TX

Director, Solutions Engineer



**QUINT PERTZSCH**

Former GIS Coordinator at the City of Golden, Colorado

Sr. Implementation Consultant



**GILBERT SANCHEZ**

Former Technical Support Manager at the County of Bexar, TX

Solutions Engineer



**JAMIE BIRKETT**

Former Administrative Services Director at City of Ashland, OR

Solutions Consultant



**KENNEDY HAYES**

Former Project Planner at the Chicago Department of Transportation

Solutions Engineer



**BRANT SCHEIDECKER**

Former IT Director/GIS Analyst at Lee County, IL



# Value of Support and Services

Investing in Services to Make you Successful is Key to Change Management

## Typical Competitor Services

- Customer sends vendor documents
- Vendor builds modules themselves in 2-3 months
- Vendor sends completed system to customer
- 1-Hour User Training
- Access to Vendor Resource Center

## OpenGov Services

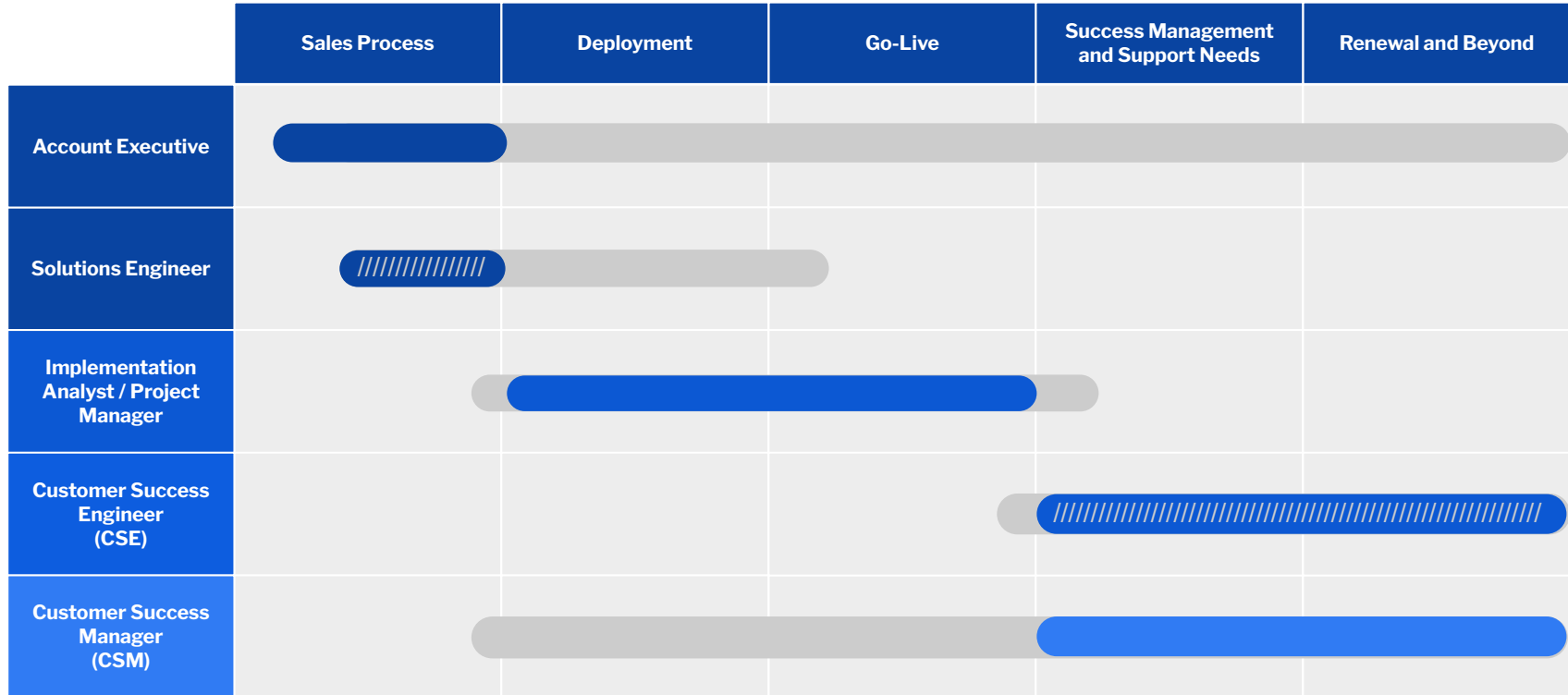
- Dedicated Project Team
- Regular Communication
  - Weekly/Bi-Weekly
- Project Tracking & Reporting
- Historical Data Uploading
- Video Training Setup
- User Creation and Setup Support
- Data Validation & Phased Signoff
- Local Government Subject Matter Expert Consultants
- Reporting Build & Design
- Dashboard Creation
- Ongoing Support through Go-Live
- Tailored Training
  - Administrative
  - End User
- Dedicated CSM

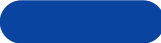
# The OpenGov Advantage

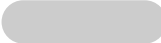
- Seamless, bi-directional integration with ESRI (Gold Partner)
- Automation manager to configure workflows tailored to your organization
- Purpose-built domains for each asset class
- Scenario builder to easily plan for future work & capital expenditures
- Native, bi-directional integration with OpenGov Permitting
- Ease of use for quick and robust adoption across staff of all levels
- Robust 311 integration
- 811 Locates integration with Positive Response
- Simple, flexible and intuitive mobile solution to empower field employees to easily manage work
- Strong, executive level reporting & Dashboarding capabilities
- Best in Class Customer Support
- Quarterly Product Enhancements, delivered seamlessly over the cloud
- Unlimited Users, Usage, Data Storage



# Customer Journey



 = Primary Day-to-Day Administrator

 = Secondary Day-to-Day Administrator

 = Key strategic partner for primary customer administrator, if necessary

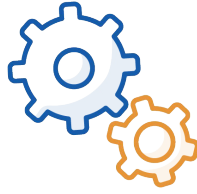
# Professional Services

## Structured Approach for Success



---

Focus on Short-term and Long-term goals, not just replicating processes



---

Validate understanding and process across government teams



---

Balance change management with culture, goals and vision



---

Expediting time-to-value by tailoring to your unique needs

# Key Project Delivery Roles

## Core Delivery Team

### PROJECT MANAGER

Ownership of Project End-to-End  
Creates & Manages Project Plan  
Manages OG Delivery Team

### IMPLEMENTATION ANALYST

Configures Solution for Systems  
Provides Functional Expertise

### DATA SOLUTIONS ENGINEER

Performs data integration/uploads  
Completes end-to-end data flows  
Provides technical support on mappings

## OPENGOV PROJECT ADVISOR



## Extended Delivery Team

### SOLUTION ARCHITECT

Gathers Requirements  
Provides Subject Matter Expertise  
Validates Solution Blueprint

### IMPLEMENTATION CONSULTANT

Analyzes Design complexities  
Manages & Monitors Progress with IA  
Product Suite Expert

### TECHNICAL CONSULTANT

Advises on technical complexities  
Resolves items through integration  
Product Suite Infrastructure Expert

# OpenGov University

Supporting Continuous Learning



## Self-Paced Learning

Learn OpenGov with on demand training in our specialized system



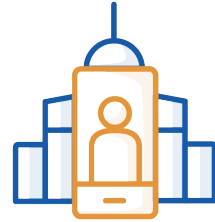
## In-App Guidance

Point of contact to learn about new solutions and roadmap developments



## Training Workshops

Access our recurring, virtual training series on product best practices



## Live Training Events

Join OpenGov's hybrid or live trainings around the country.

# Customer Success

Your Advocate within OpenGov



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## Point of Contact

We schedule regular communications to build a strong partnership



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## Product Updates

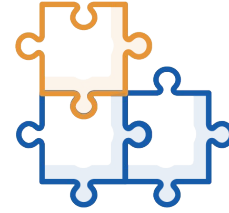
Point of contact to learn about new solutions and roadmap developments



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## Value Realization

Source for best practices, technical support, and training resources



---

## Future Services

Advise when Professional Services might help you realize additional value



# Support First Response SLAs

Premium Support Significantly Improves First Response Times

| Severity Level | Standard Support        | Premium Support          |
|----------------|-------------------------|--------------------------|
| Urgent         | One (1) Business Hour   | One (1) Calendar Hour    |
| High           | One (1) Business Day    | Two (2) Business Hours   |
| Normal         | Four (4) Business Days  | Eight (8) Business Hours |
| Low            | Eight (8) Business Days | Two (2) Business Days    |

Support Hours: Monday-Friday, 7:00 AM EST - 10:00 PM EST excluding holidays

# How to Engage OpenGov Support



## Web

[support.opengov.com](https://support.opengov.com)

Ask for support on specific problems and reference "how to" documentation 24/7



## Chat

[support.opengov.com](https://support.opengov.com)

Find answers to your questions in real time, powered by automated tools and technical support experts



## Email

[support@.opengov.com](mailto:support@.opengov.com)

Kickoff getting support for your questions and challenges directly from your email inbox



## Phone

(650) 336-7167

Talk through your questions with one of our technical support experts 4:00 AM PT to 7:00 PM PT, Mon-Fri

# THANK YOU



## VESTAVIA HILLS



## **CITY OF VESTAVIA HILLS**

### **INTER-DEPARTMENT MEMO**

**June 10, 2024**

**To:** Jeff Downes, City Manager

**From:**

**Cc:**

**RE:** Citizens Comments

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**Background:**

**Recommendation:**

**Fiscal Impact:**

**Attachments:**

None



**CITY OF VESTAVIA HILLS  
CITY CLERK  
INTER-DEPARTMENT MEMO**

**June 10, 2024**

**To:** Jeff Downes, City Manager

**From:**

**Cc:**

**RE:** Executive Session

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**Background:**

**Recommendation:**

**Fiscal Impact:**

**Attachments:**

None