Vestavia Hills
City Council Agenda
June 24, 2024
6:00 PM

1. Call to Order
2. Roll Call
3. Invocation - Chaplain Don Richards
4. Pledge Of Allegiance
5. Approval Of The Agenda
6. Announcements, Candidates and Guest Recognition
7. Proclamation - Alzheimer's & Brain Awareness Month - June 2024
8. City Manager's Report
9. Councilor Reports
10. Financial Reports - Zachary Clifton, Asst. Finance Director
11. Approval Of Minutes - June 10, 2024 regular meeting minutes

Old Business (Public Hearing)

12. 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
13. 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
14. Public Hearing - Resolution Number 5513 - Annexation - 90 day - 3365 Rosemary Lane; Lot 114, Buckhead, 4th Sector; Lalith and Judy Wijayasuriya, Owners
15. Public Hearing - Ordinance Number 3223 - Annexation - Overnight - 3365 Rosemary Lane; Lot 114, Buckhead, 4th Sector; Lalith and Judy Wijayasuriya, Owners
16. 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

17. Public Hearing - Ordinance Number 3224 - Annexation - Overnight - 3509 Pineland Drive; Lot 10, Block 2, Dolly Ridge Estates, 1st Addition; Matthew and Mary Griffin, owners

18. 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

19. Public Hearing - Ordinance Number 3225 - Annexation - Overnight - 2768 Altadena Lake Drive; Lot 5, Block 5, Altadena Valley, 5th Sector; David and Melinda Romine, Owner

20. 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 Vestavia Hills Library in the Forest.

21. 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

22. 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

New Business

23. Resolution Number 5519 - A Resolution declaring certain personal property as surplus and authorizing the City Mananger to sell/dispose of said items

New Business Requesting Unanimous Consent (Public Hearing)

24. Public Hearing - Ordinance Number 3228 - An Ordinance authorizing the payment of self-insured retention in the settlement of the case of Cinderella Reeder, as personal representative of the Estate of Douglas Hart, deceased, v. City of Vestavia Hills, Alabama, ET AL., being Civil Action Number 2:22-CV-00292-AMM, presently pending in the United States District Court for the Northern District of Alabama, Southern Division; authorizing and directing the Mayor and City Manager to pay the funds described herein and to take any action and execute and deliver any and all documents necessary to effectuate said settlement

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

25. Public Hearing - Ordinance Number 3229 - An Ordinance establishing rules and policies for electronic submission of public works bids

26. Citizens Comments

27. 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, over six million Americans, including more than 103,000 Alabamians, are living with Alzheimer's disease and someone new is added to those ranks every 65 seconds; and

WHEREAS, Alzheimer's disease is the sixth leading cause of death in the United States, and the only leading cause of death that cannot be cured or prevented; and

WHEREAS, Alabama has the second highest mortality rate from Alzheimer's and other dementia in the nation; and

WHEREAS, researchers are working diligently to develop accurate ways to diagnose and treat Alzheimer's disease; and

WHEREAS, the Alzheimer's Association is the largest non-profit funder of Alzheimer's and dementia care and support programs, and research; and

WHEREAS, the Alzheimer's Association is here today, encouraging Vestavia Hills businesses and residents to join the fight against this devastating disease by decorating their storefronts and spaces with purple as well as to wear purple to raise awareness about Alzheimer's disease and all other dementia.

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 2024 as

ALZHEIMER'S & BRAIN AWARENESS MONTH

in Vestavia Hills and urge all citizens to take steps to act now to end Alzheimer's, open their minds to learn the facts about Alzheimer's and all other dementia, voice their support, and become an advocate to move the mission of the Alzheimer's Association forward.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Vestavia Hills to be affixed this the 24th day of June 2024.

_____
Ashley C. Curry
Mayor

Summary
Financial Report
May 2023-2024

1.) Reconciled Cash Balance

The overall reconciled cash balance for the month of May was $55,671,861, which is comprised of the following funds:

General Funds	$48,104,850
Restricted Funds	$7,563,931
Petty Cash	$3,080
Total	**$55,671,861**

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

Monthly Revenues	$4,759,877	YTD Revenues	$57,066,870
Monthly Expenses	$4,622,369	YTD Expenses	$46,776,033
Monthly Fund Balance	$137,508	YTD Fund Balance	$10,290,836

3.) Comparative Fund Balances:

	YTD	Variance
Actual - 2023-2024	$10,290,836	
Budget - 2023-2024	$4,921,299	$5,369,537
Last Year - 2022-2023	$9,455,925	$834,912

Note:

The "Actual Fund Balance" is $5,369,537 greater than the "Budgeted Fund Balance" and $834,912 greater than "Last Year Fund Balance".

Summary
Financial Report
May 2023-2024

	MTD			YTD			Variance	
	Actual	Budget	Last Year	Actual	Budget	Last Year	Act vs. Bdgt	Act vs LY
REVENUES	4,759,877	3,740,096	3,728,542	57,066,870	50,893,803	52,353,936	6,173,067	4,712,934
EXPENSES	4,622,369	4,646,939	4,269,062	46,776,033	45,972,504	42,898,010	(803,529)	(3,878,023)
FUND BALANCE	137,508	(906,843)	(540,520)	10,290,836	4,921,299	9,455,925	5,369,537	834,911
Advalorem - Real	22,024	46,430	93,879	20,931,691	18,808,643	18,948,887	2,123,048	1,982,804
Sales Tax	2,578,072	2,395,255	2,666,726	18,452,677	18,604,153	19,471,966	(151,476)	(1,019,289)
Utility Franchise Fees	69	23	69	2,613,640	2,466,757	2,466,962	146,883	146,679
Business License	84,905	245,501	570,616	4,298,694	3,633,291	3,908,860	665,403	389,835
Advalorem - Personal	208,037	175,648	193,007	1,564,931	1,284,391	1,471,783	280,540	93,148

October thru May 2024 (8 months) **2023-2024**

	Actual	Budget Total	Outstanding Bal	% Received	% Outstanding	Verification
Advalorem - Real	20,931,691	18,855,007	2,076,684	111.01%	-11.01%	100.00%
Sales Taxes	18,452,677	28,351,365	(9,898,688)	65.09%	34.91%	100.00%
Utility Franchise Fees	2,613,640	2,466,893	146,747	105.95%	-5.95%	100.00%
Business License	4,298,694	3,975,640	323,054	108.13%	-8.13%	100.00%
Advalorem - Personal	1,564,931	2,016,972	(452,041)	77.59%	22.41%	100.00%

MAY	MTD			MTD	
			Variance	Last Year	Act vs LY
Advalorem - Real	22,024	46,430	(24,406)	93,879	(71,855)
Sales Taxes	2,578,072	2,395,255	182,817	2,666,726	(88,653)
Utility Franchise Fees	69	23	46	69	0
Business License	84,905	245,501	(160,596)	570,616	(485,712)
Advalorem - Personal	208,037	175,648	32,389	193,007	15,031

CITY OF VESTAVIA HILLS
MONTHLY CASH REPORT
"RECONCILED BALANCES"

General Funds	Banking Institutions	APR	May 2023	June 2023	July 2023	August 2023	Sept 2023	October 2023	Nov 2023	Dec 2023	Jan 2024	Feb 2024	Mar 2024	Apr 2024	May 2024
General / Operational Funds	Region Bank	5.04%	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	14,436,292.53
Enhanced Cash Strategy	Region Bank	5.11%	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	10,223,363.54
Payroll Fund	Region Bank	0.25%	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	0.00
Emergency Reserve Fund	PNC	5.37%	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	20,551,408.03
Court & Corrections Fund	Region Bank	0.25%	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	89,815.80
American Rescue Plan (COVID-19)	SouthPoint	4.40%	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	2,803,969.87
Total - Balance			**$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**	**$48,104,849.77**
Restricted Funds															
Court Cash Bonds	Regions Bank	0.25%	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	119,416.00
Contractors' Bonds & CDs on Hand	City Clerk's Office	n/a	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	4,187,938.42
Contractors' Cash Bonds	SouthPoint	0.25%	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	630,929.54
Confiscated Funds	SouthPoint	1.25%	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	59,184.90
Community Spaces	SouthPoint	1.65%	456.23	456.84	457.47	458.11	458.72	0.04	0.00	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	1,911,964.89	1,911,964.89	1,911,964.89	1,911,964.89	1,911,964.89	1,911,964.89	1,911,964.89	1,911,964.89
Library Campaign Fund/Donations	Pinnacle	earnings offset fees	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	0.00
Lease Escrow Funds	Truist & Robertson		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	654,497.10
Total Balance			**$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**	**$7,563,930.85**
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	600.00	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**	**$3,080.00**	**$3,080.00**	**$3,080.00**	**$3,080.00**	**$3,080.00**
Grand Total - All Funds			**$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**	**$55,671,860.62**

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
"MAY 2023-2024"

	MONTH OF MAY 2024							YEAR-TO- DATE THROUGH MAY 2024						
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
REVENUE SUMMARY	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
STATE REVENUE	26,524	9,384	25,439	17,140	182.66%	1,085	4.27%	134,194	120,416	141,699	13,778	11.44%	(7,505)	-5.30%
COUNTY REVENUE	252,321	243,950	310,922	8,371	3.43%	(58,601)	-18.85%	22,681,899	20,275,026	20,609,934	2,406,873	11.87%	2,071,965	10.05%
CITY REVENUE	4,169,812	3,219,523	3,107,731	950,289	29.52%	1,062,081	34.18%	33,173,177	29,740,053	30,749,733	3,433,124	11.54%	2,423,444	7.88%
PARK & RECREATION	311,220	267,239	284,450	43,981	16.46%	26,770	9.41%	1,077,601	758,308	852,570	319,293	42.11%	225,030	26.39%
TOTAL REVENUES	**4,759,877**	**3,740,096**	**3,728,542**	**1,019,781**		**1,031,335**		**57,066,870**	**50,893,803**	**52,353,936**	**6,173,067**		**4,712,935**	
EXPENDITURE SUMMARY														
NON DEPARTMENTAL	902,315	886,421	932,828	(15,894)	-1.79%	30,513	3.27%	17,142,435	15,964,654	15,875,031	(1,177,781)	-7.38%	(1,267,405)	-7.98%
CITY COUNCIL	6,714	6,265	5,259	(449)	-7.16%	(1,455)	-27.66%	60,485	66,410	62,864	5,925	8.92%	2,379	3.78%
MAYOR & ADMINISTRATION	170,536	166,311	139,296	(4,225)	-2.54%	(31,240)	-22.43%	1,388,050	1,450,806	1,299,472	62,756	4.33%	(88,578)	-6.82%
CITY CLERK	42,234	46,095	35,583	3,861	8.38%	(6,652)	-18.69%	359,215	380,520	334,517	21,305	5.60%	(24,698)	-7.38%
MUNICIPAL COMPLEX	22,623	33,296	26,960	10,673	32.06%	4,337	16.09%	281,155	259,913	219,973	(21,242)	-8.17%	(61,181)	-27.81%
INFORMATION SERVICES	64,296	66,871	45,868	2,575	3.85%	(18,428)	-40.18%	503,095	537,859	430,925	34,764	6.46%	(72,171)	-16.75%
POLICE	1,170,166	1,202,330	1,024,163	32,164	2.68%	(146,003)	-14.26%	9,089,354	9,509,531	8,158,844	420,177	4.42%	(930,510)	-11.40%
FIRE	1,105,415	1,095,300	985,798	(10,115)	-0.92%	(119,617)	-12.13%	8,773,019	8,802,005	7,919,160	28,986	0.33%	(853,859)	-10.78%
INSPECTION	69,324	98,416	122,830	29,092	29.56%	53,505	43.56%	556,537	584,157	479,736	27,620	4.73%	(76,801)	-16.01%
PUBLIC SERVICES	450,172	424,605	350,249	(25,567)	-6.02%	(99,924)	-28.53%	3,623,130	3,711,622	3,598,122	88,492	2.38%	(25,009)	-0.70%
PUBLIC LIBRARY	242,546	265,061	245,171	22,515	8.49%	2,625	1.07%	1,931,119	2,010,420	1,859,757	79,301	3.94%	(71,362)	-3.84%
PARKS & LEISURE SERVICES	376,029	355,968	355,058	(20,061)	-5.64%	(20,971)	-5.91%	3,068,437	2,694,607	2,659,609	(373,830)	-13.87%	(408,828)	-15.37%
TOTAL EXPENDITURES	**4,622,369**	**4,646,939**	**4,269,062**	**24,570**		**(353,307)**		**46,776,033**	**45,972,504**	**42,898,011**	**(803,529)**		**(3,878,023)**	
SURPLUS / (DEFICIT)	**137,508**	**(906,843)**	**(540,520)**	**1,044,351**		**678,028**		**10,290,837**	**4,921,299**	**9,455,925**	**5,369,538**		**834,912**	

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

1. Call to Order

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

2. Roll Call

Roll call was as follows:

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

MEMBERS ABSENT: None.

OTHER OFFICIALS PRESENT: Jeff Downes, City Manager; Patrick H. Boone, City Attorney; Cinnamon McCulley, Asst. City Manager; Rebecca Leavings, City Clerk; Shane Ware, Police Chief; Melvin Turner, Finance Director; Zachary Clifton, Asst. Finance Director; Lori Beth Kearley, Public Works Director; Daniel Tackett, Asst. Library Director.

3. Invocation - Melvin Turner, III, Finance Director

4. Pledge Of Allegiance

5. Approval Of The Agenda

The Mayor asked for a motion to amend the agenda to add Resolution 5518 with Unanimous Consent in order to meet a deadline mandated by the State of Alabama. The state notified him of an opportunity for our City to nominate a citizen who has at least five years of financial or real estate experience to be considered for selection as a member of the Jefferson County Board of Equalization. This member will be selected by the Alabama Department of Revenue from the pool of nominees from Vestavia Hills and other cities. The Mayor opened the floor

for a motion to amend the agenda as recommended.

MOTION: Add Resolution 5518 to the agenda with Unanimous Consent. Motion By: George Pierce. Seconded By: Rusty Weaver.
Roll call vote as follows: Yes: Ashley Curry, Rusty Weaver, Kimberly Cook, Paul Head, George Pierce.
No: None. Abstain: None. Motion passed.

6. Proclamation - Flag Day 2024

The Mayor presented a Proclamation designating June 14, 2024, as "Flag Day 2024." Mr. Downes read the Proclamation aloud and the Mayor presented it to John Patterson, President of the Vestavia Hills Flag Foundation.

The Mayor explained that Mr. Patterson is a retired veteran who formerly ran the annual Scout Square Christmas Tree Sale. He now serves as President of the Vestavia Hills Flag Foundation. He manages the inventory of flags that are put up along Highway 31 on the highway along with the retirement of the flags.

Mr. Patterson stated that the City provides the flags and supplies. He stated that the Scouts from Troop 4 put up and take down the flags with the assistance of a VHPD escort, and he thanked the Police Department for that support.

Mrs. Cook added that Boy Scout Troop 76 puts up and takes down the flags along Liberty Parkway. Troop 76 also pays for the purchase of those flags.

7. Announcements, Candidates and Guest Recognition

- The Mayor presented a "Letter of Appreciation" to Jaclyn Hudson for her five years of service on the Vestavia Hills Board of Education. The Mayor stated that he appreciates the Traffanstedt family, as her dad, Jack Traffanstedt, also served on the Board. Mr. Downes read the letter of appreciation and the Mayor presented it to Mrs. Hudson and her family members who were in attendance.
    - Mrs. Cook indicated that Mrs. Hudson has overseen many challenges and opportunities during her tenure, and she appreciates the professionalism of Hudson and all her fellow members. She also thanked Hudson's family for sharing her with the City for the past five years.
    - Mr. Pierce stated that he gets comments from Board members about the high level of commitment and many hours of service required by members of this Board. He appreciates them.
    - Mr. Boone complimented Mrs. Hudson based on his five years of working with her on the Board.
- Mr. Pierce welcomed Chamber of Commerce member Jamie Pursell who was in attendance representing the Chamber.
- Mr. Weaver announced that the Planning and Zoning Commission will meet in regular session on Thursday at 6 PM.
- Mr. Head announced that the Parks and Recreation Board will meet on June 18, 2024, at 7:30 AM at the Civic Center.

8. City Manager's Report

- Mr. Downes asked Mrs. McCulley and Mrs. Kearley to give reports to the Council.
    - Cinnamon McCulley, Asst. City Manager, stated that the City applied for and was granted a $10,000 grant which will be used to place QR code interactive maps providing directions and information for city businesses near each Park. The Chamber has already placed some of these in businesses, and they will to keep tourism dollars in the City.
    - Mrs. McCulley announced that the City Bot is finally live on the City's website. She indicated that it has been active for a soft opening and so far has worked well. The city will market this aggressively to let people know they can send a text and City Bot will interactively prompt for information to enter into the Vestavia Hills Connect system. People can text to 855-322-VHGO (8446) to try it out. If you text "Hello," it will text the individual back, and one can save it as a contact.
    - Lori Beth Kearley, Public Services Director, reported that a notice to proceed for construction of the pedestrian bridge for Highway 31 has been issued. Everything is set to order components and mobilize for construction, which is expected to commence in early fall.
    - Mrs. Kearley stated there is one remaining utility before contruction can begin for the Sicard Hollow roundabout. Once mobilized, construction is expected to be completed in 9 to 12 months. Jefferson County is heading up this project and the City is working in coordination with them.
    - Mrs. Kearley answered several questions regarding various street paving jobs occurring as well as some sewer work being done by Jefferson County which will result in some lane closures.

9. Councilor Reports

- Mrs. Cook gave an update regarding the micro-transit system. She indicated that the City Council expressed previously that it was not interested in paying for a microtransit pilot program, but BJCTA and the Community Foundation of Greater Birmingham has come up with the funding to pay for the first year. They want to do an interest survey to assist them to determine how many vehicles will be needed for this pilot program. Mrs. McCulley is putting together that information. The City will be promoting it through various means and is under no obligation to continue it after the pilot is done. Paige Coker is present in case the Council has any questions. Mrs. Cook stated that this service will be driven by a phone app and rides will have some costs to the consumer associated with it, but will be cheaper than Lyft or Uber.
- Mr. Pierce stated he would attend the monthly luncheon of the Vestavia Hills Chamber of Commerce. He stated that Chris Stewart is the keynote speaker.

10. Financial Reports - Zachary Clifton, Asst. Finance Director

Zachary Clifton, Asst. Finance Director, presented the financial report for month ending April 2024. He read and explained the balances.

11. Approval Of Minutes - May 20, 2024

The Mayor announced that the minutes of the May 20, 2024 regular meeting minutes are being presented for approval. He opened the floor for a motion.

MOTION: Approve the minutes of the May 20, 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, Paul Head, George Pierce.
No: None. Abstain: None. Motion passed.

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

MOTION: For Unanimous Consent for the immediate consideration and action of Ordinance 3226 and Resolution 5518. Motion By: Rusty Weaver. Seconded By: Kimberly Cook.
Roll call vote as follows: Yes: Ashley Curry, Rusty Weaver, Kimberly Cook, Paul Head, George Pierce.
No: None. Abstain: None. Motion passed.

MOTION: Approve to approve Ordinance Number 3226 as presented. Motion by: Kimberly Cook. Seconded by: Rusty Weaver.

Mr. Boone explained the background of this request. He stated that the City sold some property to LPJV and, in return, the City purchased some property to the rear of SHAC from LPJV. There is a cell tower located in SHAC which is leased to a private property and the lease is attached to the property. This amendment releases that 3 acres purchased by LPJV from the original lease agreement. Mr. Boone stated that he recommends this amendment and indicated that this is how the City deals with land swaps such as this one. He further explained that the LPJV has entered numerous agreements throughout the last 30 years with the City which has resulted in a win/win on both sides as each endeavor has been successful.

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.

13. Public Hearing - Resolution Number 5518 - A Resolution nominating a member to the Jefferson County Board of Equalization

MOTION: Amend Resolution Number 5518 to insert the name Katherine Manush as the City's nominee. Motion by: George Pierce. Seconded by: Rusty Weaver.

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

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.

MOTION: Approve Resolution Number 5518 as amended. Motion By: George Pierce. Seconded By: Rusty Weaver.
VOTE: Roll call vote as follows: Yes: Ashley Curry, Rusty Weaver, Kimberly Cook, Paul Head, George Pierce.
No: None. Abstain: None. Motion passed.

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

14. 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

15. 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

16. Public Hearing - Resolution Number 5513 - Annexation - 90 day - 3365 Rosemary Lane; Lot 114, Buckhead, 4th Sector; Lalith and Judy Wijayasuriya, Owners

17. Public Hearing - Ordinance Number 3223 - Annexation - Overnight - 3365 Rosemary Lane; Lot 114, Buckhead, 4th Sector; Lalith and Judy Wijayasuriya, Owners

18. 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

19. Public Hearing - Ordinance Number 3224 - Annexation - Overnight - 3509 Pineland Drive; Lot 10, Block 2, Dolly Ridge Estates, 1st Addition; Matthew and Mary Griffin, owners

20. 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

21. Public Hearing - Ordinance Number 3225 - Annexation - Overnight - 2768 Altadena Lake Drive; Lot 5, Block 5, Altadena Valley, 5th Sector; David and Melinda Romine, Owner

22. 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.

23. 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

24. 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

25. Citizens Comments

- None.

26. Executive Session

The Mayor indicated that an Executive Session is needed for pending or existing litigation. He stated that the Executive Session was expected to last approximately 20 minutes and that no additional business would be discussed after that Executive Session. He stated that this had been approved by the City Attorney and Mr. Bent Owens, the City's legal counsel, will also attend. He opened the floor for a motion.

MOTION: Adjourn into Executive Session for an estimated 20 minutes for pending or existing litigation. Motion By: Rusty Weaver. Seconded By: Kimberly Cook.
Roll call vote as follows: Yes: Ashley Curry, Rusty Weaver, Kimberly Cook, Paul Head, George Pierce.
No: None. Abstain: None. Motion passed.

At 6:53 PM, the Council exited the Chamber and moved into Executive Session. At 7:13 PM, the Council re-entered the Chamber and the Mayor called the meeting/work session back to order.

27. Time Of Adjournment

There being no further business, Mr. Head made a motion to adjourn. The Mayor adjourned the meeting at 7:15 PM.

Ashley C. Curry, Mayor

ATTESTED BY:

Rebecca Leavings, City Clerk

CITY OF VESTAVIA HILLS
CITY CLERK
INTER-DEPARTMENT MEMO

June 24, 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

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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
Lot2 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 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 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 24th 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


CASTLE CREST DR
ALTALOMA DR
PANORAMA BROOK DR
PANORAMA BROOK CIR
BUCKHEAD DR
BUCKHEAD RD
BUCKHEAD LN
N
Subject
Property
TYROL LN
TYROL RD
ROCKY RIDGE RD
CROSSGATE TRL
BEND CIR
DEERWOOD RD

City of Vestavia Hills

Planning and Zoning Commission Review and Recommendation

Case Number:	RZ-24-2	Representative:	Thomas Scott Dreher
Owner Name:	Harry M Ezekiel	Rep. Address:	173 Oxmoor Road Homewood, AL 35209
Owner Address:	3030 Panorama Brook Circle		

Project Address:	3030 Panorama Brook
Legal Description:	LOT 10, LOT 11, LOT 12 PANORAMA BROOK PB 180 PG 55 & AMENDED PB 181 PG 46: 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 incorperate existing acreage tracts
P&Z Recommendation:	**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 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:	Vestavia Hills Planning and Zoning Commission, Michael Vercher, Chair
Issued by:	Conrad Garrison, City Planner

Rezoning Application

RZ-24-2

Submitted On: Mar 8, 2024

Applicant

Thomas Dreher
205-942-0086
@ Info@weygand.com

Primary Location

3030 PANORAMA BROOK CIR
VESTAVIA HILLS, AL 35216

Additional Locations

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

Property Information

Subject Property Address

3030 Panorama Brook

Tax Parcel ID Number

40 00 06 1 000 041.000

Legal Description

LOT 10, LOT 11, LOT 12 PANORAMA BROOK PB 180 PG 55 & AMENDED PB 181 PG 46:
Acreage Parcels shown in sketch of legal descriptions.

Existing Parking Spaces

0

Proposed Parking Spaces

0

Submission Date

03/08/2024

Type of Project

Annexation of a Single-Family Home

Action Requested:

From Existing Zoning Classification

Inst-1

To Requested Zoning Classification

R-6

For the Intended Purpose of:

Extending Rear/East Line of Lots to incorperate existing acreage tracts

Acreage of Subject Property

0.51

Acreage of Property to be Disturbed

0

Setbacks

Front

12

Back

20

Side

10

Open Space

--

Lot Coverage Percentage

--

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).

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

Harry M Ezekiel

Company Name

--

Owner Address City State Zip

3030 Panorama Brook Circle

Owner's Phone Number

2054107367

Email Address of Owner

HEZEKIEL@CHARTER.NET

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

Thomas Scott Dreher

Company Name

Weygand LLC

Contact Email of Responsible Party

scottie@weygand.com

Mailing Address of Responsible Party

173 Oxmoor Road Homewood, AL 35209

Phone No. of Responsible Party

2059420086

Email Address of Responsible Party

info@weygand.com

Project Engineer Information (if applicable)

Name

Thomas Scott Dreher

Company

Weygand LLC

Mailing Address

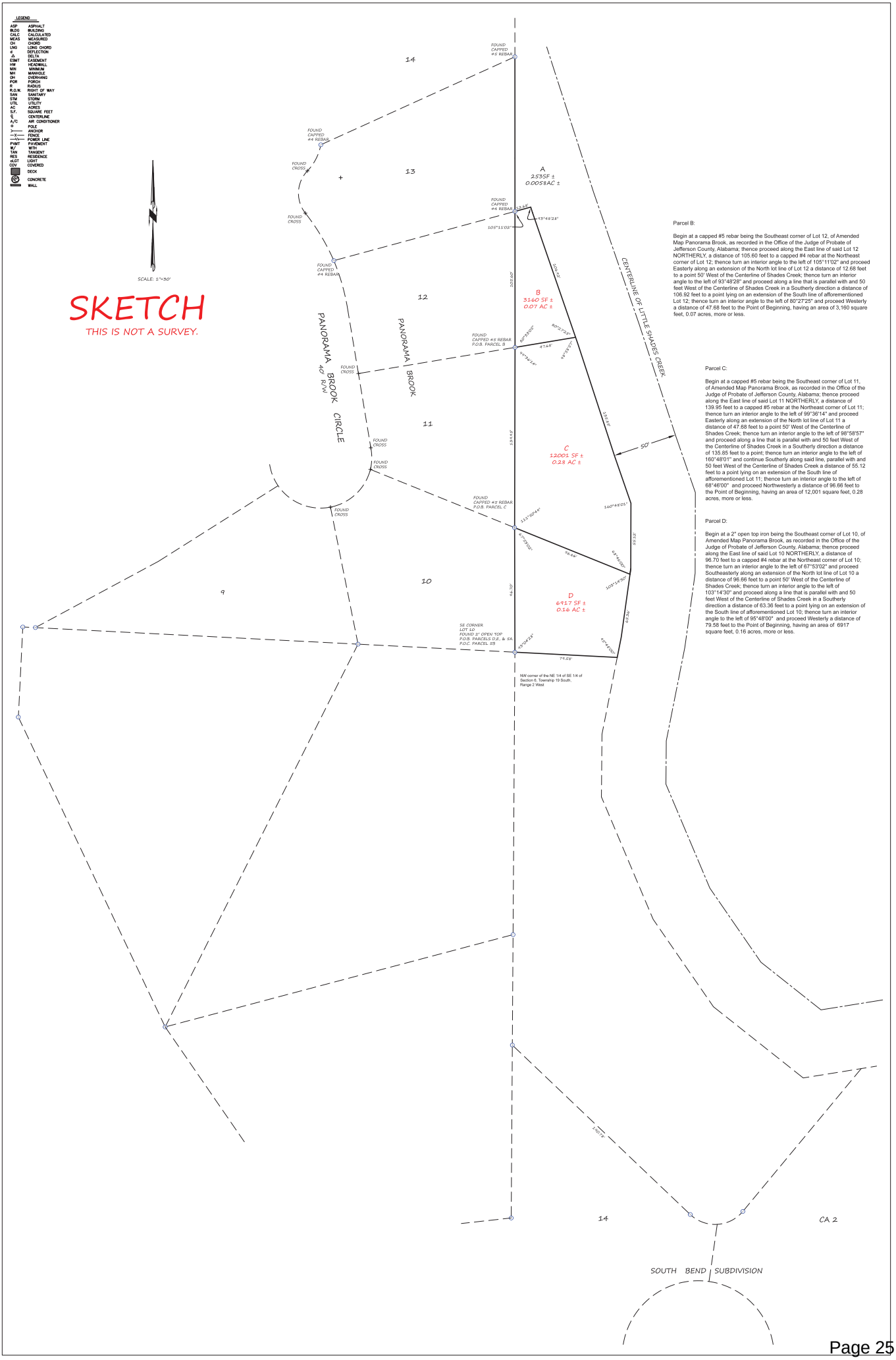
173 Oxmoor Road Homewood, AL 35209

Phone Number

2059420086

Email

info@weygand.com



Parcel B:

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 afforementioned 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 C:

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 afforementioned 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 D:

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 10; 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 afforementioned Lot 10; 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.

LEGEND

SQ. FT.....SQUARE FEET
AC.....ACRES
+/-.....MORE OR LESS
Δ.....DELTA ANGLE
d.....DEFLECTION ANGLE
T.....TANGENT
R.....RADIUS
CH.....CHORD
L.....LENGTH
ESMT.....EASEMENT
EX.....EXISTING
M.B.....MAP BOOK
PG.....PAGE
FND.....FOUND
ROW.....RIGHT-OF-WAY
O.....REBAR SET
MIN.....MINIMUM
℄.....CENTERLINE
D.B.....DEED BOOK
⊥.....NOT TO SCALE

LOTS 10,11, AND 12 PANORAMA BROOK RESURVEY

BEING A RESURVEY OF PART OF LOTS 10, 11, & 12 PANDARMA BROOK, AS RECORDED IN MAP BOOK 181 PAGE 46 IN THE OFFICE OF THE JUDGE OF PROBATE JEFFERSON COUNTY, ALABAMA

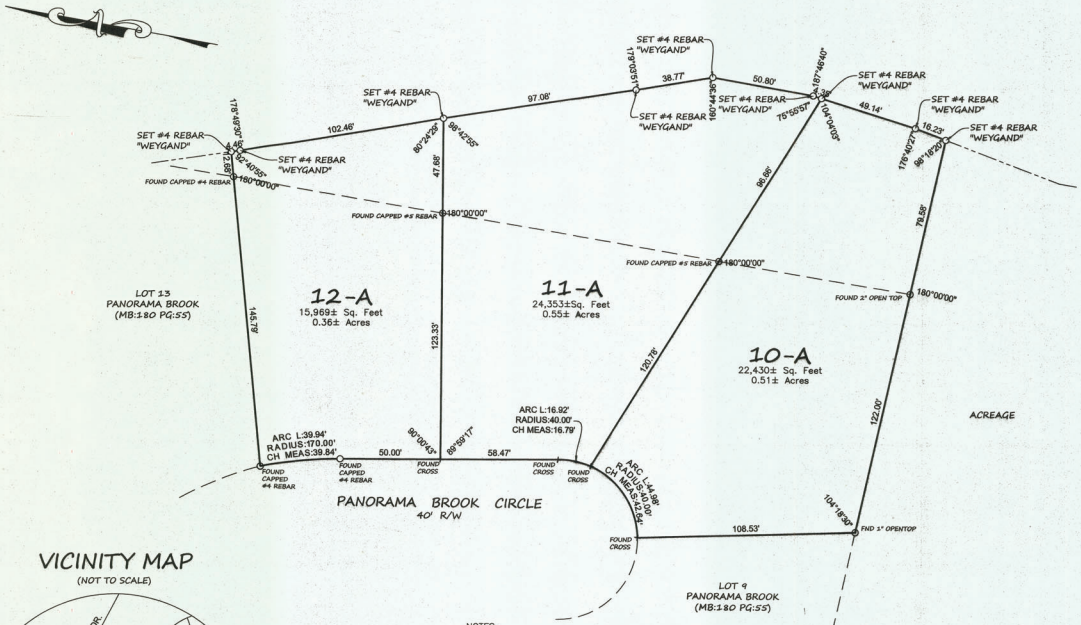
SITUATED IN THE NE ¼ OF SECTION 6, TOWNSHIP 19 SOUTH, RANGE 2 WEST, JEFFERSON COUNTY, ALABAMA

SCALE: 1"=30'

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

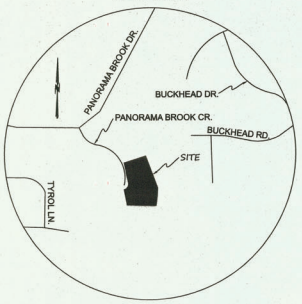
DATE: DECEMEBER 2022

0' 30' 60' 90'



VICINITY MAP

(NOT TO SCALE)



NOTE:

THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA (ZONE "X") AS PER MAP NO. 01073C0566J, DATED SEPTEMBER 24, 2021.

NOTES:

ALL EASEMENTS ON THIS MAP ARE FOR PUBLIC UTILITIES, SANITARY SEWERS, STORM SEWERS, STORM DITCHES, PRIVATE TELEVISION CABLE SYSTEMS, AND MAY BE USED FOR SUCH PURPOSES TO SERVE PROPERTY BOTH WITHIN AND WITHOUT THIS SUBDIVISION (UNLESS OTHERWISE NOTED). NO PERMANENT STRUCTURE OR OTHER OBSTRUCTION SHALL BE LOCATED WITHIN THE LIMITS OF A DEDICATED EASEMENT.

BUILDER IS RESPONSIBLE FOR THE DRAINAGE ON EACH LOT AND IN AND AROUND EACH BUILDING AND FOR ALL SOIL CONDITIONS. THIS ENGINEER/LAND SURVEYOR IS NOT RESPONSIBLE FOR EITHER.

BUILDER WILL BE RESPONSIBLE FOR ADJUSTING THE LIDS OR TOP ELEVATION FOR ALL MANHOLES AND YARD INLETS ON EACH LOT

THE LOT OWNER/BUILDER SHALL USE APPROPRIATE METHODS, WHETHER PIPES, UNDERDRAIN, DITCHES GRADING OR OTHER MEANS, TO PROVIDE A BUILDING SITE FREE OF SURFACE OR SUBSURFACE DRAINAGE PROBLEMS WITHOUT ADVERSELY AFFECTING ADJACENT LOTS.

THE LOT OWNER/BUILDER SHALL FIELD VERIFY THE LOCATION AND ELEVATION OF SANITARY SEWER SERVICE LINE OR SEPTIC TANK LOCATION PRIOR TO CONSTRUCTION OF BUILDING FOUNDATION

ELEVATION OF ALL SANITARY SEWER LATERALS TO EACH LOT SHOULD BE VERIFIED BY BUILDER PRIOR TO SETTING LOWEST FLOOR OF RESIDENCE TO BE SERVICED.

NO HOUSE SHALL HAVE A FINISHED FLOOR ELEVATION LESS THAN TWO (2) FEET ABOVE TOP OF ANY ADJACENT STORM SEWER WITHOUT ENGINEER'S APPROVAL.

NO FENCE SHALL IMPEDE THE FLOW OF WATER IN ANY DRAINAGE WAY.

WEYGAND SURVEYORS, INC. IS NOT RESPONSIBLE FOR SOIL COMPACTIONS AND DID NOT CONDUCT ANY SURFACE AND SUBSURFACE INVESTIGATIONS.

NORTH ARROW SHOWN ON THIS MAP IS NOT TRUE NORTH AND SHOULD ONLY BE CONSIDERED AS APPROXIMATE.

WEYGAND SURVEYORS

State of Alabama)
Jefferson County)

The undersigned, Ray Weygand, Registered Land Surveyor, State of Alabama, and, Harry Ezekiel, Virginia Ezekiel, Katherine Haley, Jan Dicesare, Owners, hereby certify that this plat or map was made pursuant to a survey made by said surveyor, and that this plat or map was made at the instance of said owner, that this plat or map is a true and correct plat or map of land shown therein and known or to be known as LOTS 10, 11, AND 12 PANORAMA BROOK RESURVEY, showing the subdivisions into which it is proposed to divide said lands, giving the length and bearings of the boundaries of each lot and its number, showing the streets, alleys and public grounds, giving the bearings, length, width and name of each street, as well as the number of each lot and block, and showing the relation of the lands to the maps of PANORAMA BROOK (MB 181, PG 46) and to the government survey of Section 6, Township 19 South, Range 2 West, and that iron pins have been installed at all lot corners and curve points as shown and designated by small open circles on said plat or map. I, Ray Weygand, state that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information and belief. Said owners also certify that they are the owners of said land, and that the same is not subject to any mortgage.

In Witness Whereof, the said Ray Weygand has set his name and seal, and Harry Ezekiel, Virginia Ezekiel, Katherine Haley, Jan Dicesare, as Owners, have caused these presents to be executed on their behalf, this the 21 day of DECEMBER, 2022.

By: _____
Ray Weygand
Reg.L.S. #24973

By: _____ Harry Ezekiel– Owner

By: Virginia Ezekiel – Virginia Ezekiel– Owner

By: _____ Katherine Haley– Owner

By: _____ Jan Dicesare– Owner

State of Alabama)
Jefferson County)

I, Dawson Mims, as Notary Public in and for said County and State, do hereby certify that Ray Weygand, whose name is signed to the foregoing certificate as Land Surveyor, who is known to me, acknowledged before me, on this date, that being informed of the contents of said certificate, he executed same voluntarily and with full authority therefor.

Given under my hand and seal this 21st day of December, 2022.

By: _____
Notary Public – Commission Exp.: 6/8/25

DAWSON MIMS NOTARY PUBLIC ALABAMA STATE AT LARGE MY COMMISSION EXPIRES 06-08-2025

State of Alabama)
Jefferson County)

I, Dawson Mims, as Notary Public in and for said County and State, do hereby certify that Harry Ezekiel, whose name is signed to the foregoing certificate as Member Found Properties LLC, Owner, who is known to me, acknowledged before me, on this date, that being informed of the contents of said certificate, he executed same voluntarily and with full authority therefor.

Given under my hand and seal this 21st day of December, 2022.

By: _____
Notary Public – Commission Expires: 6/8/25

DAWSON MIMS NOTARY PUBLIC ALABAMA STATE AT LARGE MY COMMISSION EXPIRES 06-08-2025

State of Alabama)
Jefferson County)

I, Dawson Mims, as Notary Public in and for said County and State, do hereby certify that Virginia Ezekiel, whose name is signed to the foregoing certificate as Member Found Properties LLC, Owner, who is known to me, acknowledged before me, on this date, that being informed of the contents of said certificate, he executed same voluntarily and with full authority therefor.

Given under my hand and seal this 5th day of January, 2022.

By: _____
Notary Public – Commission Expires: 6/8/25

DAWSON MIMS NOTARY PUBLIC ALABAMA STATE AT LARGE MY COMMISSION EXPIRES 06-08-2025

State of Alabama)
Jefferson County)

I, Dawson Mims, as Notary Public in and for said County and State, do hereby certify that Katherine Haley, whose name is signed to the foregoing certificate as Member Found Properties LLC, Owner, who is known to me, acknowledged before me, on this date, that being informed of the contents of said certificate, he executed same voluntarily and with full authority therefor.

Given under my hand and seal this 29th day of December, 2022.

By: _____
Notary Public – Commission Expires: 6/8/25

DAWSON MIMS NOTARY PUBLIC ALABAMA STATE AT LARGE MY COMMISSION EXPIRES 06-08-2025

State of Alabama)
Jefferson County)

I, Dawson Mims, as Notary Public in and for said County and State, do hereby certify that Jan Dicesare, whose name is signed to the foregoing certificate as Member Found Properties LLC, Owner, who is known to me, acknowledged before me, on this date, that being informed of the contents of said certificate, he executed same voluntarily and with full authority therefor.

Given under my hand and seal this 3rd day of January, 2023

By: _____
Notary Public – Commission Expires: 6/8/25

DAWSON MIMS NOTARY PUBLIC ALABAMA STATE AT LARGE MY COMMISSION EXPIRES 06-08-2025

APPROVED FOR RECORDING

_____
City Engineer

_____
Vestavia Hills Planning & Zoning Comission

_____
Manager City Clerk

NOTE:
Environmental Services Department approval indicates that this document has been reviewed for provision of future or existing sanitary sewers; however this does not mean sanitary sewers have been built or will be built in the future. Any change in Right of Way or Easement boundaries after this date may void this approval.

_____ 1/17/2023
Director of Environmental Services Date


Zoning1
PARCELID 4000061000042000
DISTRICT 020
ESN_NUM 62
PROPADD 3026 PANORAMA BROOK CIR
TAX_TOWNSH 40
SECTION 06
QSECTION 1
BLOCK 000
PARCEL 042000
VH_ZONING R-6
ZNG_ORD 1446
ZNG_ORD_DT 05/16/1994
ZNG_ORD2 1413
Zoom to
3345
3341
3350
3358
3346
3337
3342
3333
3338
3341
3328
3334
3337
3328
3324
3333
3000
3008
3012
3014
3026
3030
3280
1218
3351
1237
1241
1245
3352
1214
1215
3345
1210
1209
3348
3339
1206
3333
1205
3344
1200
1201
3340
3336
3332
1400
1404
1408
1412
1396
1416
1422
1430
1395
3416
1409
1413
1417
1421
1425
3412
3411
3408
3407
2328
3404
3403
3400
2322

CITY OF VESTAVIA HILLS
CITY CLERK
INTER-DEPARTMENT MEMO

June 24, 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

---

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 24th day of June 2024.

Ashley C. Curry
Mayor

ATTESTED BY:

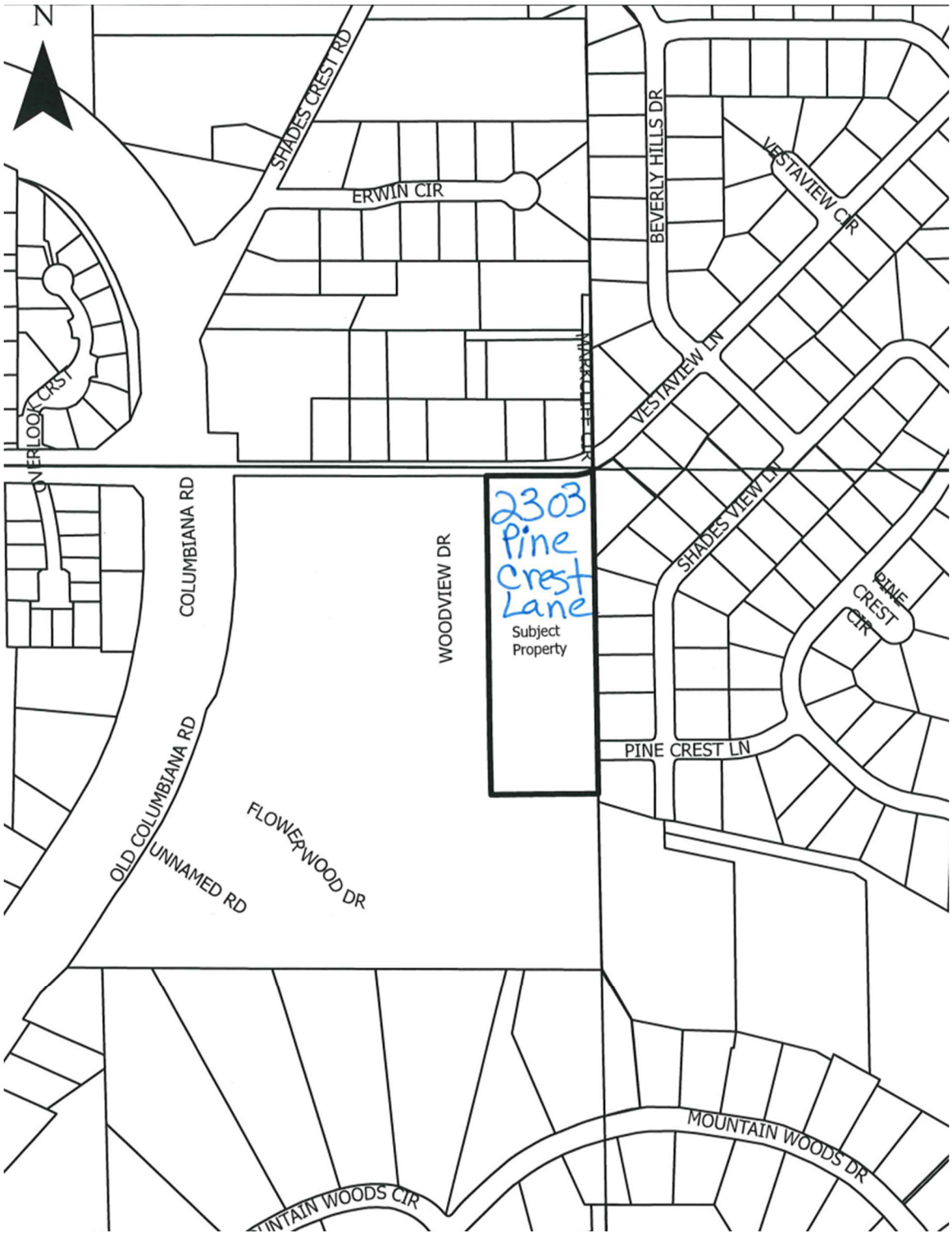
Rebecca Leavings
City Clerk

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 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 24th 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


N
SHADES CREST RD
ERWIN CIR
BEVERLY HILLS DR
VESTAVIEW CIR
VESTAVIEW LN
MARYCLIFF CIR
OVERLOOK CRST
COLUMBIANA RD
WOODVIEW DR
2303 Pine Crest Lane
Subject Property
SHADES VIEW LN
PINE CREST CIR
PINE CREST LN
OLD COLUMBIANA RD
UNNAMED RD
FLOWERWOOD DR
MOUNTAIN WOODS DR
MOUNTAIN WOODS CIR

City of Vestavia Hills

Planning and Zoning Commission Review and Recommendation

Case Number:	RZ-24-3	Representative:	Neil Byrd / Dir. Campus Operations
Owner Name:	Tom Boston / Business Administrator	Rep. Address:	2017 Columbiana Road Vestavia Hills, AL 35216
Owner Address:	2017 Columbiana Road 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.
P&Z Recommendation:	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. 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:	Vestavia Hills Planning and Zoning Commission, Michael Vercher, Chair
Issued by:	Conrad Garrison, City Planner

Rezoning Application

RZ-24-3

Submitted On: Mar 28, 2024

Applicant

Neil Byrd
205-822-1670
@ nbyrd@shades.org

Primary Location

2303 PINE CREST LN
VESTAVIA HILLS, AL 35216

Property Information

Subject Property Address

2303 Pine Crest Lane

Tax Parcel ID Number

29 00 25 3 001 001.000

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.

Existing Parking Spaces

0

Proposed Parking Spaces

2

Submission Date

03/28/2024

Type of Project

New Non-Residential Development/use

Action Requested:

From Existing Zoning Classification

residential

To Requested Zoning Classification

institutional

For the Intended Purpose of:

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

Acreage of Subject Property

5.4

Acreage of Property to be Disturbed

0.014

Setbacks

Front

0

Back

0

Side

0

Open Space

0

Lot Coverage Percentage

0

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).

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

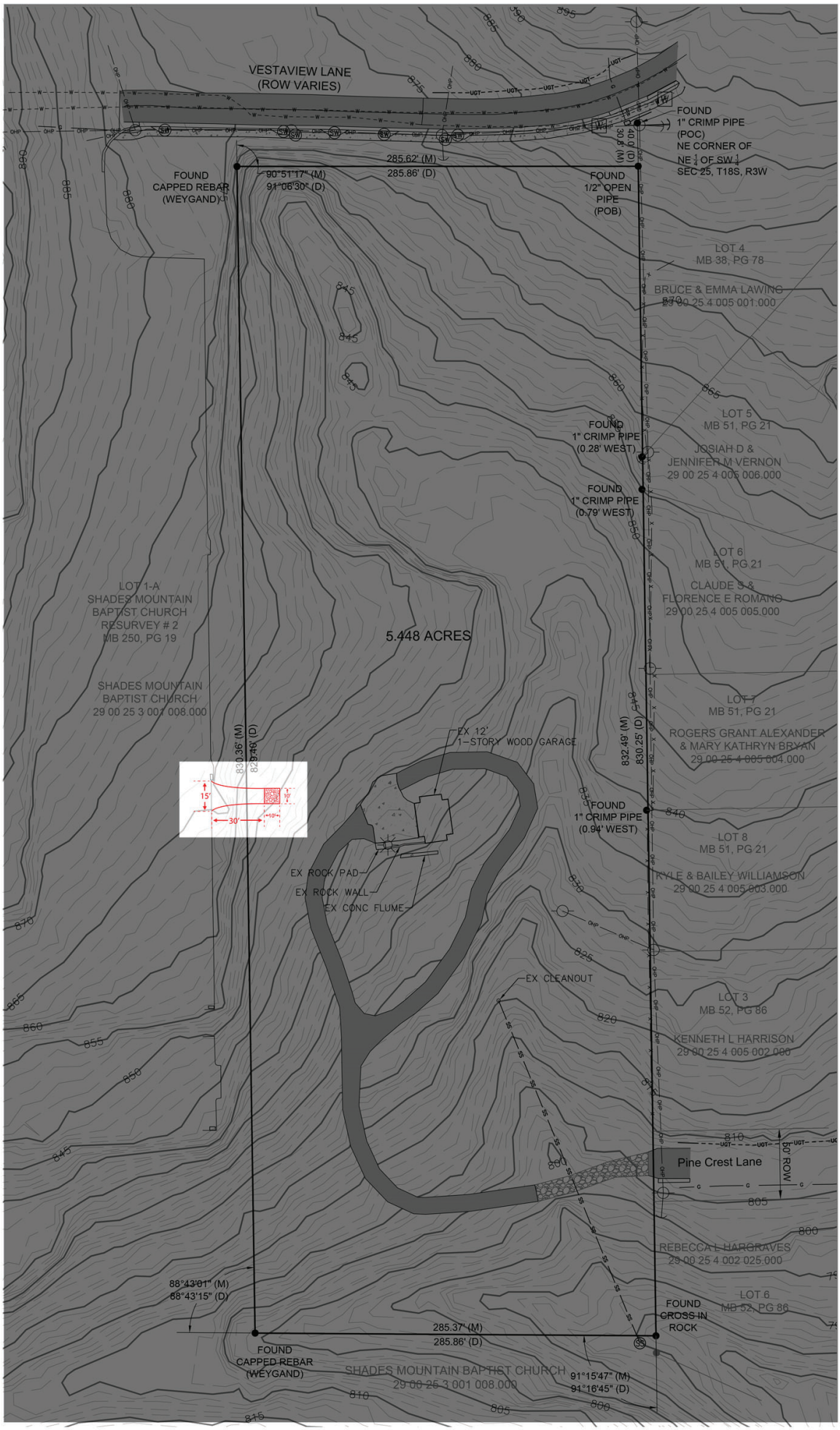
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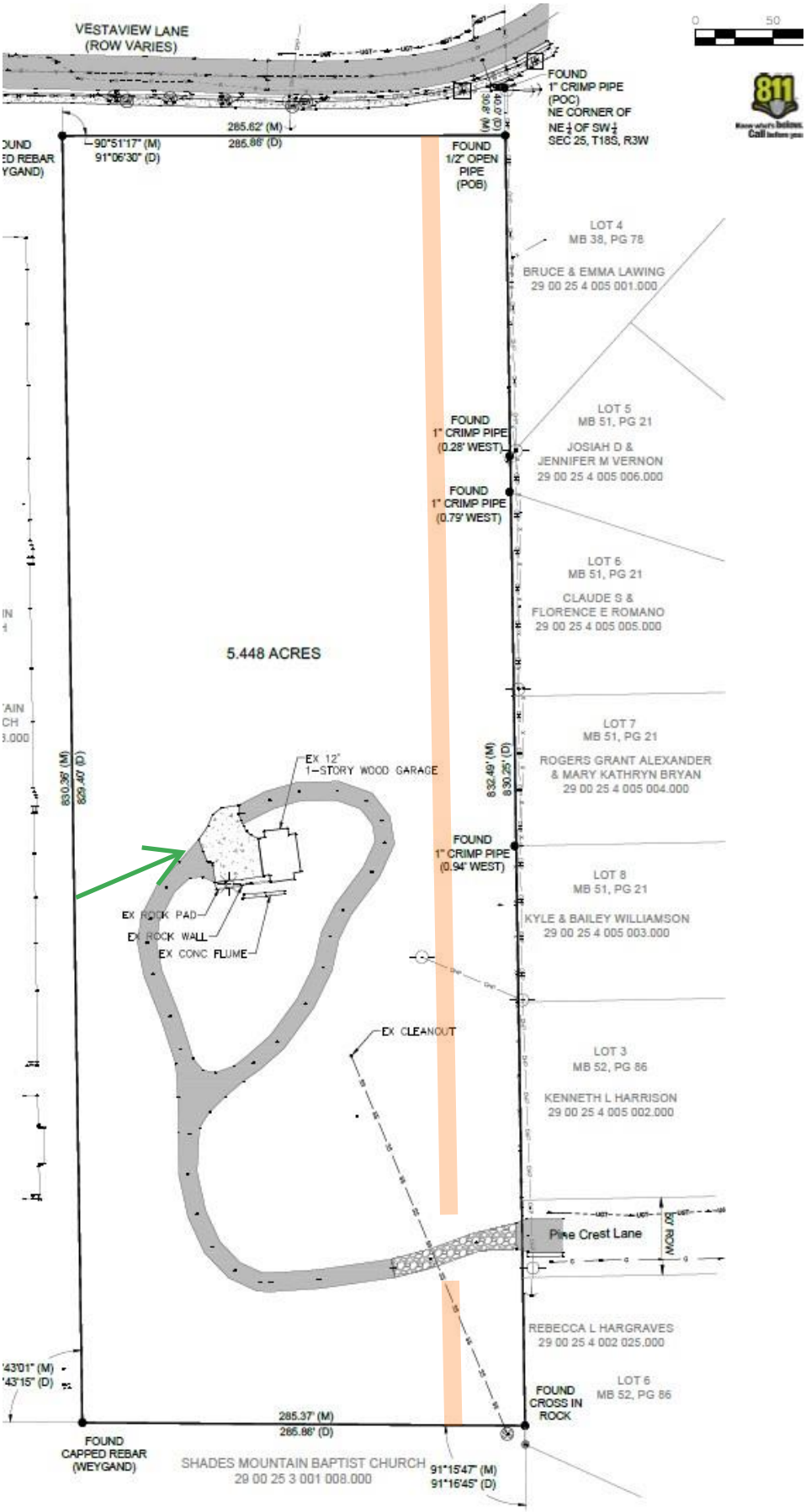
Phone Number

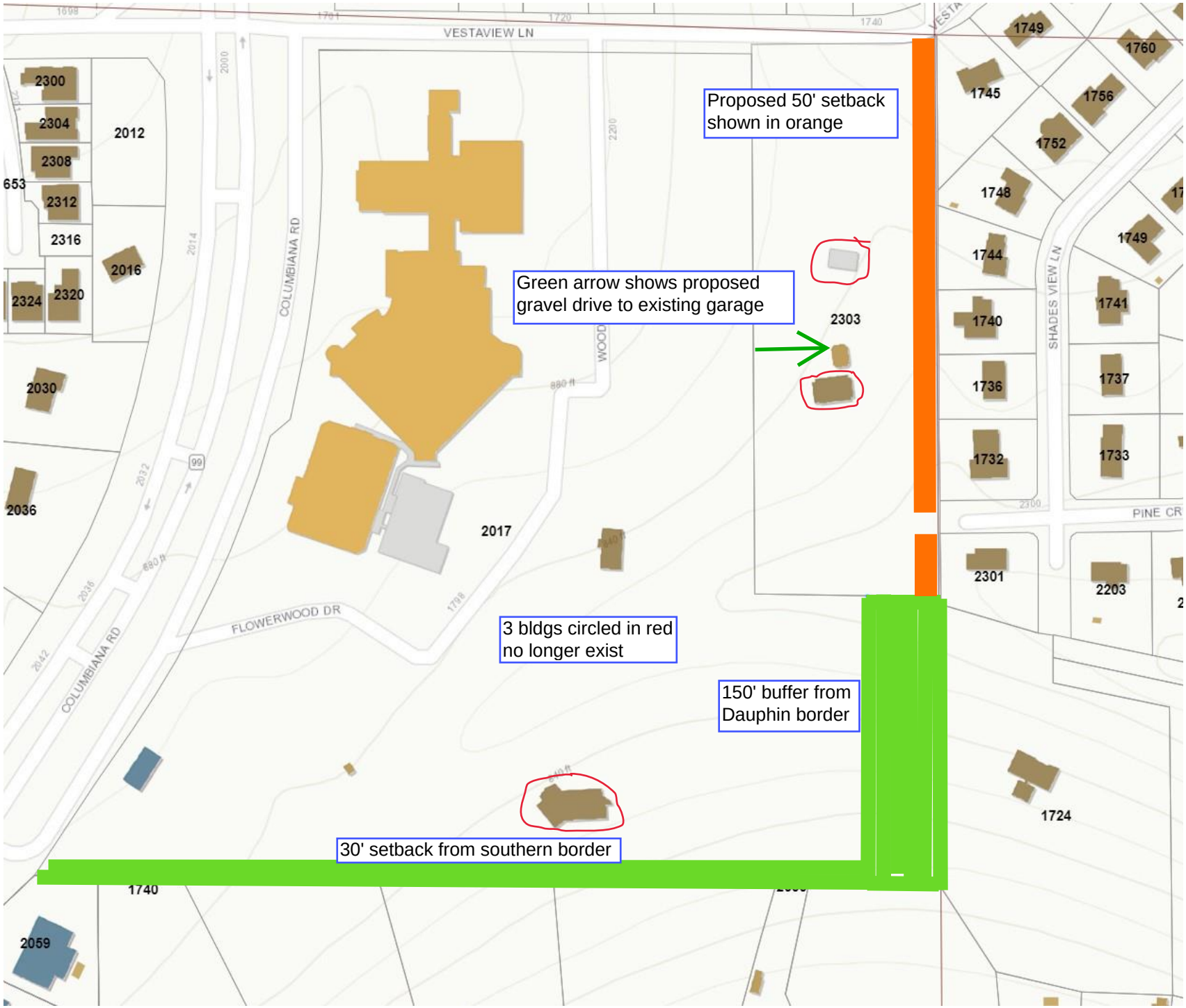
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Email

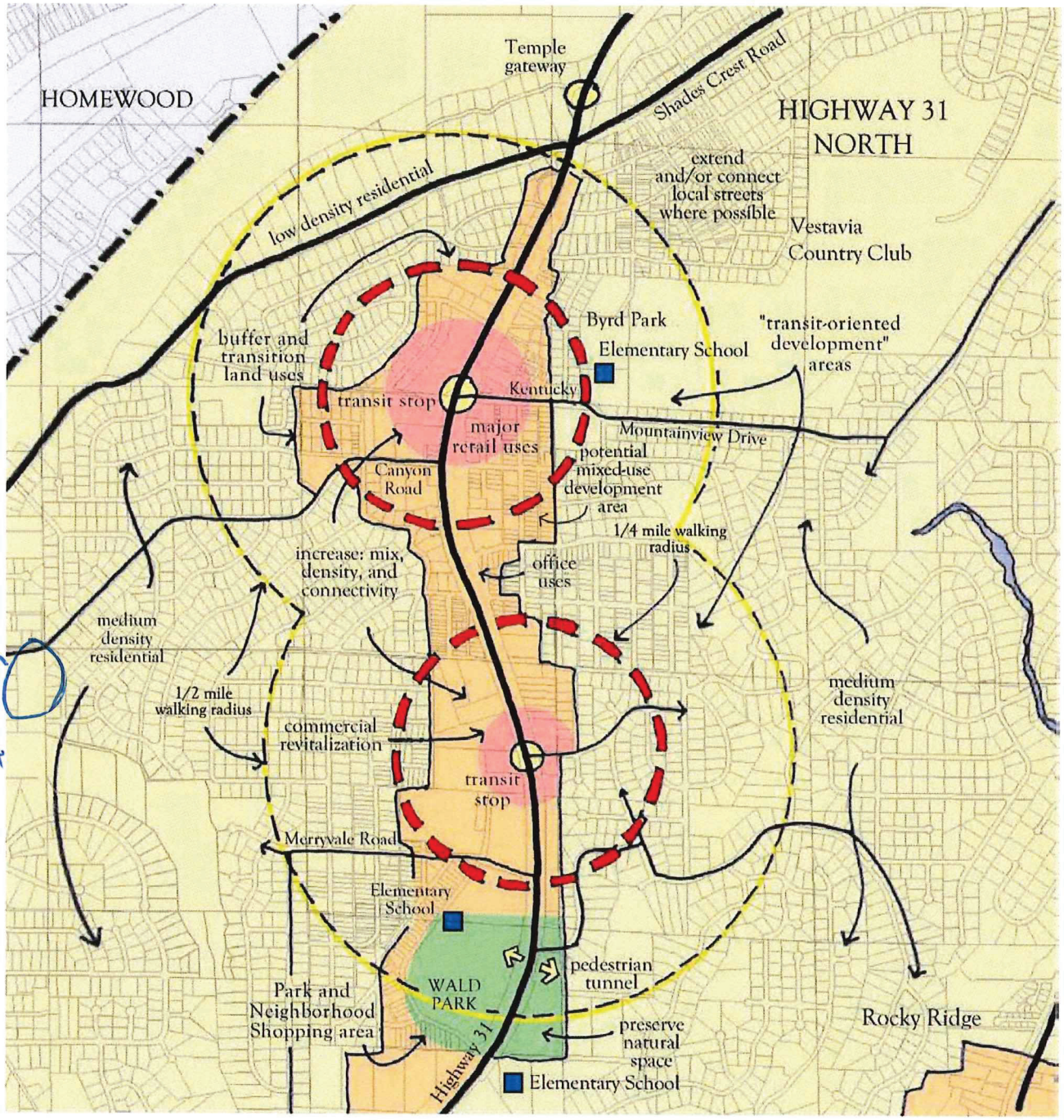
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VESTAVIEW LANE
(ROW VARIES)
FOUND
1" CRIMP PIPE
(POC)
NE CORNER OF
NE ¼ OF SW ¼
SEC 25, T18S, R3W
FOUND
CAPPED REBAR
(WEYGAND)
90°51'17" (M)
91°06'30" (D)
285.62' (M)
285.86' (D)
40.0' (D)
30.6' (M)
FOUND
1/2" OPEN
PIPE
(POB)
LOT 4
MB 38, PG 78
BRUCE & EMMA LAWING
29 00 25 4 005 001.000
FOUND
1" CRIMP PIPE
(0.28' WEST)
LOT 5
MB 51, PG 21
JOSIAH D &
JENNIFER M VERNON
29 00 25 4 005 006.000
FOUND
1" CRIMP PIPE
(0.79' WEST)
LOT 6
MB 51, PG 21
CLAUDE S &
FLORENCE E ROMANO
29 00 25 4 005 005.000
LOT 1-A
SHADES MOUNTAIN
BAPTIST CHURCH
RESURVEY # 2
MB 250, PG 19
5.448 ACRES
SHADES MOUNTAIN
BAPTIST CHURCH
29 00 25 3 001 008.000
830.36' (M)
830.48' (D)
832.49' (M)
830.25' (D)
LOT 7
MB 51, PG 21
ROGERS GRANT ALEXANDER
& MARY KATHRYN BRYAN
29 00 25 4 005 004.000
EX 12'
1-STORY WOOD GARAGE
15'
10'
10'
30'
FOUND
1" CRIMP PIPE
(0.94' WEST)
LOT 8
MB 51, PG 21
KYLE & BAILEY WILLIAMSON
29 00 25 4 005 003.000
EX ROCK PAD
EX ROCK WALL
EX CONC FLUME
EX CLEANOUT
LOT 3
MB 52, PG 86
KENNETH L HARRISON
29 00 25 4 005 002.000
Pine Crest Lane
50' ROW
REBECCA L HARGRAVES
29 00 25 4 002 025.000
88°43'01" (M)
88°43'15" (D)
285.37' (M)
285.86' (D)
FOUND
CROSS IN
ROCK
LOT 6
MB 52, PG 86
FOUND
CAPPED REBAR
(WEYGAND)
SHADES MOUNTAIN BAPTIST CHURCH
29 00 25 3 001 008.000
91°15'47" (M)
91°16'45" (D)


VESTAVIEW LANE
(ROW VARIES)
FOUND
1" CRIMP PIPE
(POC)
NE CORNER OF
NE ¼ OF SW ¼
SEC 25, T18S, R3W
285.62' (M)
285.86' (D)
90°51'17" (M)
91°06'30" (D)
FOUND
1/2" OPEN
PIPE
(POB)
LOT 4
MB 38, PG 78
BRUCE & EMMA LAWING
29 00 25 4 005 001.000
LOT 5
MB 51, PG 21
JOSIAH D &
JENNIFER M VERNON
29 00 25 4 005 006.000
FOUND
1" CRIMP PIPE
(0.28' WEST)
FOUND
1" CRIMP PIPE
(0.79' WEST)
LOT 6
MB 51, PG 21
CLAUDE S &
FLORENCE E ROMANO
29 00 25 4 005 005.000
5.448 ACRES
LOT 7
MB 51, PG 21
ROGERS GRANT ALEXANDER
& MARY KATHRYN BRYAN
29 00 25 4 005 004.000
830.36' (M)
829.40' (D)
832.49' (M)
830.25' (D)
EX 12'
1-STORY WOOD GARAGE
FOUND
1" CRIMP PIPE
(0.94' WEST)
LOT 8
MB 51, PG 21
KYLE & BAILEY WILLIAMSON
29 00 25 4 005 003.000
EX ROCK PAD
EX ROCK WALL
EX CONC FLUME
EX CLEANOUT
LOT 3
MB 52, PG 86
KENNETH L HARRISON
29 00 25 4 005 002.000
Pine Crest Lane
REBECCA L HARGRAVES
29 00 25 4 002 025.000
LOT 6
MB 52, PG 86
FOUND
CROSS IN
ROCK
285.37' (M)
285.86' (D)
FOUND
CAPPED REBAR
(WEYGAND)
SHADES MOUNTAIN BAPTIST CHURCH
29 00 25 3 001 008.000
91°15'47" (M)
91°16'45" (D)


Proposed 50' setback shown in orange
Green arrow shows proposed gravel drive to existing garage
3 bldgs circled in red no longer exist
150' buffer from Dauphin border
30' setback from southern border
VESTAVIEW LN
COLUMBIANA RD
FLOWERWOOD DR
SHADES VIEW LN
PINE CR
2017
2303
2012
2030
2036
2059
1740
1724


Zoning1
PARCELID 2900253001001000
DISTRICT 020
ESN_NUM 62
PROPADD 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
1718
1720
1722
1724
1730
1750
1757
1772
1777
2236
1753
1764
1773
1749
2240
1760
1769
2244
1745
1756
1765
2248
1752
1761
2252
1748
1757
2260
2253
1749
1744
2264
2255
1741
1740
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2272
1736
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2259
2257
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2281
2285
2289
2278
2301
2203
2201
2280
2284
2288
2290
2017
2332
2035
2233
1709



Subject Parcel

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 administrated by the Vestavia Hills School System.

N W E S

500 0 500 1000 1500 feet

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 LAFAYATTE LA 70503
LOCATION:	3365 ROSEMARY LN BHAM AL 35216

[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
201414-29725	7/11/2014
201414/29725	7/11/2014
200907-15641	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

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 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 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)
$2,150.41	**TOTAL ANNEXATION REVENUE BENEFIT**		

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

City of Vestavia Hills, AL

Apr 17, 2024

ANX-23-4

Engineering/Public Works Review

Annexation Application

Status: Complete

Assignee: Ethan Fisher

Became Active: Mar 13, 2024

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

Assignee: Scott Brown

Became Active: Mar 13, 2024

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:

_____ Lot _____ Blk_____ Survey _____

Judy B. Wijayasuriya Lot _____ Blk_____ Survey _____

_____ Lot _____ Blk_____ Survey _____

_____ Lot _____ Blk_____ Survey _____

_____ Lot _____ Blk_____ Survey _____

_____ Lot _____ Blk_____ Survey _____

STATE OF ~~ALABAMA~~ LOUISIANA

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 of Certifier

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

CAREY CHOPIN
Notary Public No. 69308
State of Louisiana
Parish of Lafayette
My Commission Is for Life

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:

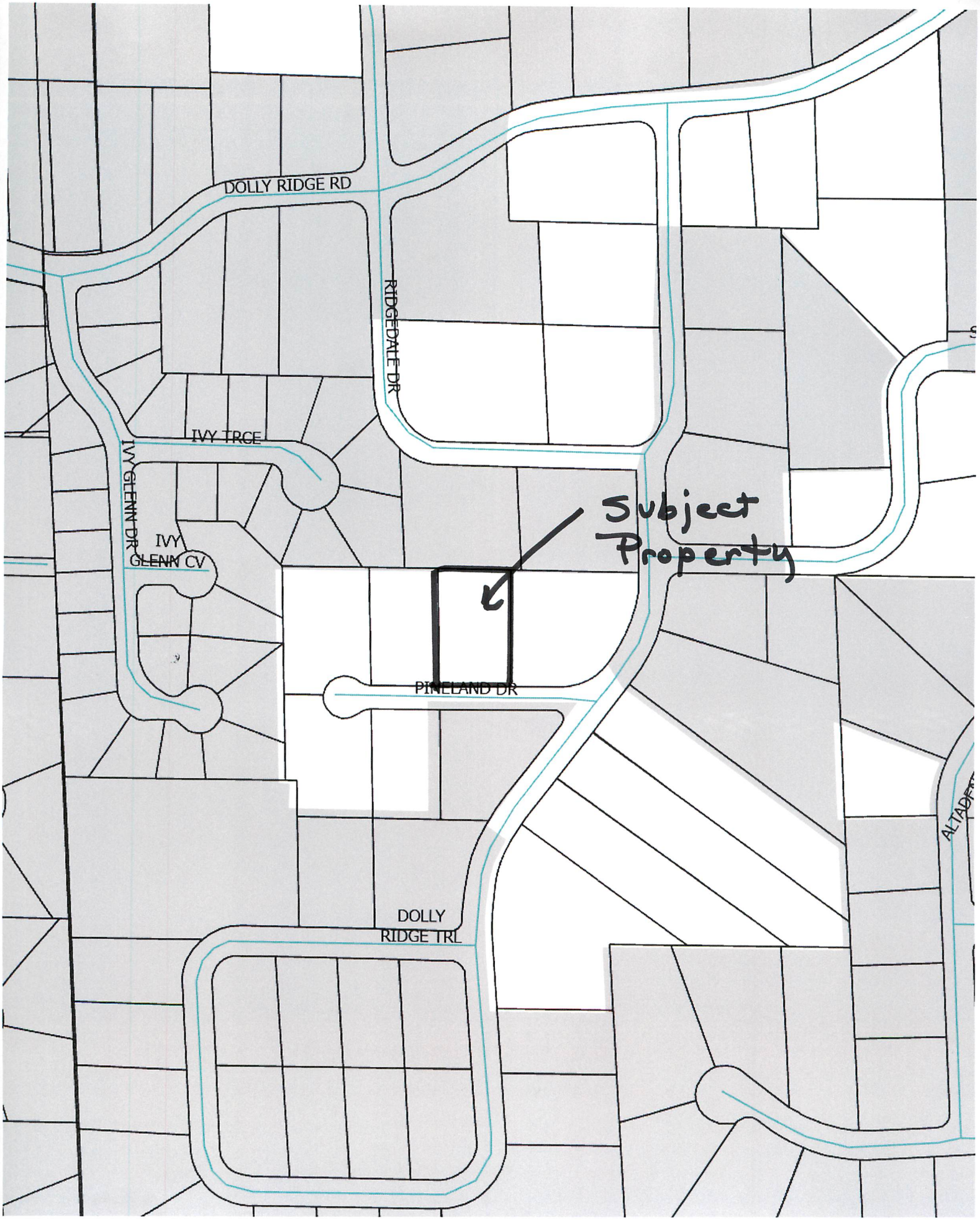
3509 Pineland Drive
Lot 10, Block 2, Dolly Ridge Estates, 1st Addition
Matthew and Mary Griffin, Owner(s)

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

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk


DOLLY RIDGE RD
RIDGEDALE DR
IVY TRCE
IVY GLENN DR
IVY GLENN CV
Subject Property
PINELAND DR
DOLLY RIDGE TRL

PARCEL #:	**28 00 32 4 001 047.000**	**[111-C-]**	Baths: **3.0**	H/C Sqft: **1,827**
OWNER:	GRIFFIN MATTHEW ALLEN & MARY BYRNE	**18-034.0**	Bed Rooms: **4**	Land Sch: **G1**
ADDRESS:	3509 PINELAND DR VESTAVIA AL 35243-4632	Land: **154,000**	Imp: **221,800**	Total: **375,800**
LOCATION:	3509 PINELAND DR BHAM AL 35243	Acres: **0.000**	Sales Info: **06/21/2022**	**$425,000**

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
2022068367	6/21/2022
200507-4857	05/18/2005
200317-3350	10/29/2003
1820-588	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 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 5-21-24

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**

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	**BOOK:**2022 **PAGE:**068367	Land & Building	GRIFFIN MATTHEW ALLEN & MARY BYRNE
5/1/2005	$162,200.00	1	**BOOK:**200507 **PAGE:**004857	Land & Building	
11/1/2003	$155,100.00	1	**BOOK:**200317 **PAGE:**003350	Land & Building	
10/1/1979	$65,000.00	1	**BOOK:**84 **PAGE:**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 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 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)
$2,728.31	**TOTAL ANNEXATION REVENUE BENEFIT**		

Legend
City Revenue
BOE Revenue

Apr 17, 2024

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.

Apr 17, 2024

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 REQUIRED

20240404144841280.pdf

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

Dolly Ridge Estates 1st Edition

Mary Bayne Griffin Lot 10 Blk 2 Survey Map Book 42, Page 80

[signature] Lot 10 Blk 2 Survey "

_____ Lot _____ Blk _____ Survey _____

_____ Lot _____ Blk _____ Survey _____

_____ Lot _____ Blk _____ Survey _____

_____ Lot _____ Blk _____ Survey _____

STATE OF ALABAMA

Jefferson COUNTY

Matthew Burton 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:

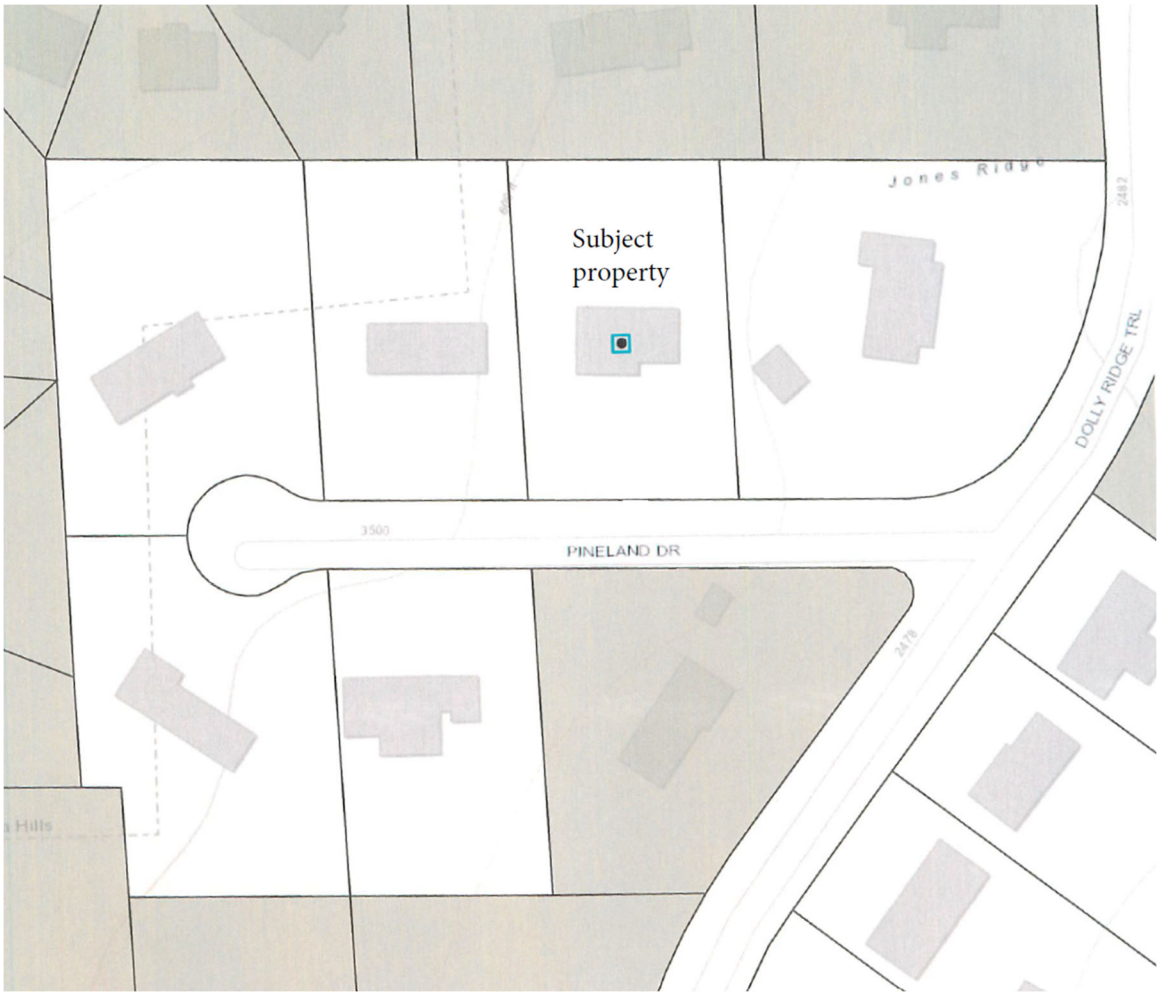
Rebecca Leavings
City Clerk

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


Subject
property
Jones Ridge
DOLLY RIDGE TRL
PINELAND DR
3500
2478
2482

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**	**[111-B-]**	Baths: **2.0**	H/C Sqft: **2,360**
OWNER:	ROMINE DAVID M & MELINDA F	**18-036.0**	Bed Rooms: **4**	Land Sch: **G1**
ADDRESS:	2768 ALTADENA LAKE DR VESTAVIA AL 35243-3005	Land: **108,000**	Imp: **244,700**	Total: **352,700**
LOCATION:	2768 ALTADENA LAKE DR BHAM AL 35243	Acres: **0.000**	Sales Info: **02/01/1984**	**$81,000**

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 $352,700 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 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 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)
$2,560.60	**TOTAL ANNEXATION REVENUE BENEFIT**		

Legend
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?

–

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 REQUIRED
Owners Affidavit.jpg
Uploaded by Lindsey Romine on Apr 10, 2024 at 1:41 PM



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



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 F Romine Lot 5 Blk 5 Survey _____

_____ Lot ____ Blk____ Survey _____

_____ Lot ____ Blk____ Survey _____

_____ Lot ____ Blk____ Survey _____

_____ Lot ____ Blk____ 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 10th day of April, 2024

SANDRA C. CAPTAIN NOTARY PUBLIC ALABAMA STATE AT LARGE

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 24, 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 Vestavia Hills Library in the Forest.

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 24th day of June, 2024.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

COMFORT SYSTEMS USA
Mid South

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 COMMERCIALLY 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 party 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.

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.

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DocuSign Envelope ID: EE490751-E62D-4B9B-81D2-90E848A08142

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.

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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:
FCD33446F5224DE...

Signature
Anthony Billups

Name
VP of Sales & Market Development

Title
8/16/2023 | 6:19 PM CDT

Date

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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

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DocuSign Envelope ID: EE490751-E62D-4B9B-81D2-90E848A08142

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 24, 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

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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 24th 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

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
T650 T4 Bobcat Compact Track Loader (Current)	M0233	1	55,923.84	55,923.84
Standard Equipment: 74 HP Tier 4 Turbo Diesel Engine Auxiliary Hydraulics: Variable Flow Backup Alarm Bob-Tach Bobcat Interlock Control System (BICS) Controls: Hand and Foot (Manual) Cylinder Cushioning - Lift, Tilt Engine/Hydraulic Systems Shutdown Glow Plugs (Automatically Activated) Horn Instrumentation: Engine Temperature & Fuel Gauges, Hour meter, RPM and Warning Indicators Lift Arm Support Lift Path: Vertical Lights, Front & Rear Operator Cab: Includes: Adjustable Suspension Seat, Top & Rear Windows, Seat Bar, Seat Belt Roll Over Protective Structure (ROPS) meets SAE-J1040 & ISO 3471 Falling Object Protective Structure (FOPS) meets SAE-J1043 & ISO 3449, Level I; (Level II is available through Bobcat Parts) Parking Brake: Spring Applied, Pressure Released (SAPR) Solid Mounted Carriage with 4 Rollers Tracks: Rubber, 12.6" wide Warranty: 2 years, or 2000 hours whichever occurs first				
Comfort Package *Included:* 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
Selectable Joystick Controls (SJC)	M0233-R01-C04	1	680.40	680.40
Deluxe Instrumentation Panel	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	

Swapping Tracks and adding keyless start	2,500.00
Discount	
Trade Value	-25,500.00
Quote Total - USD	**41,682.65**

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 24, 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

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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 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 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

OPENGOV Confidential, Do not share

Vestavia Hills, AL | OpenGov

VESTAVIA HILLS

Modern Cloud Tools for High Performing Government

OpenGov Asset Management

May 24th, 2024

Jacob Harrold, Account Executive

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:

- 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

*Estimated travel costs - $4,800

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

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

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

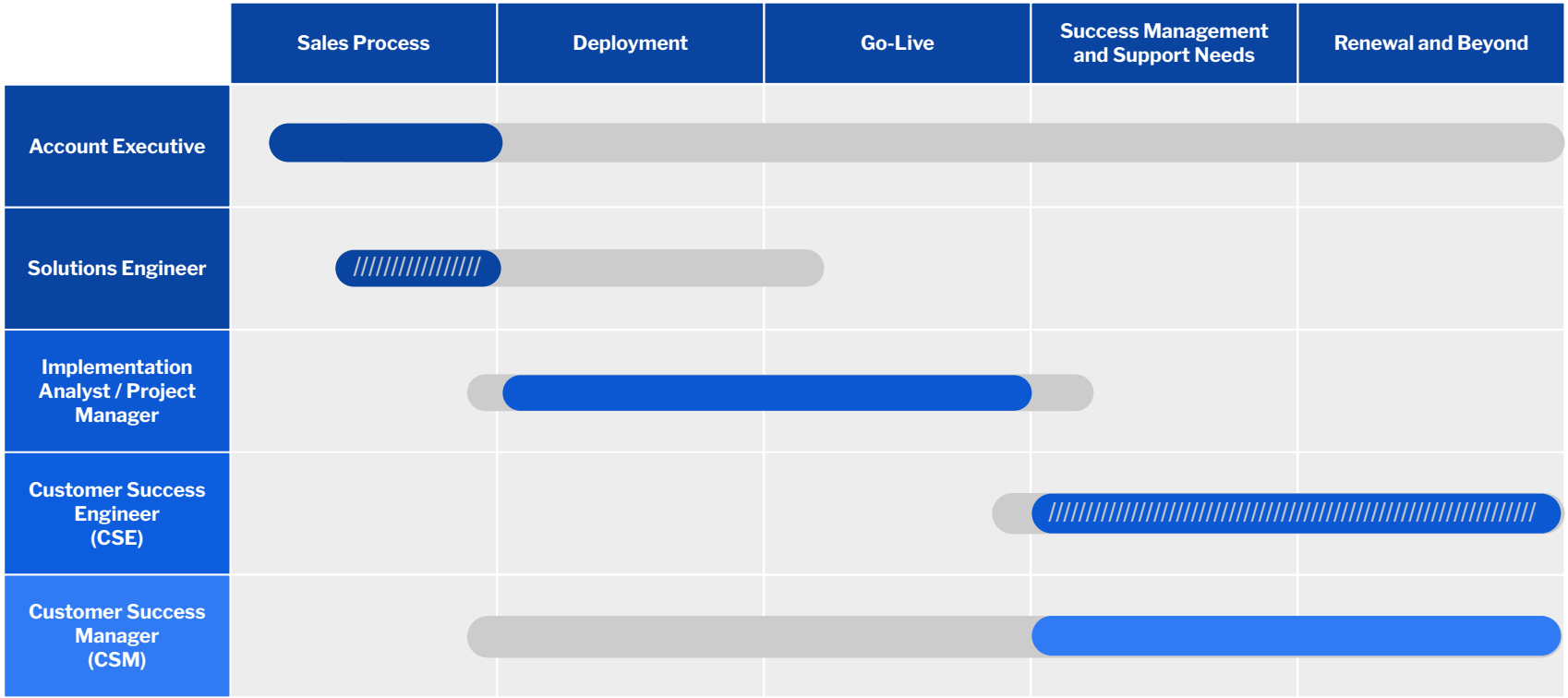
- Seamless, bi-directional integration with ESRI (Gold Partner)
- Automation manager to configure workflows tailored to your organization
- Purpose-built domains for each asset class
- Scenario builder to easily plan for future work & capital expenditures
- Native, bi-directional integration with OpenGov 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

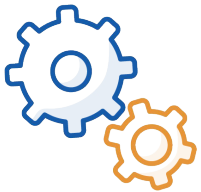


Professional Services

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



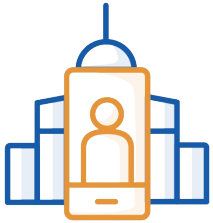
In-App Guidance

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



Point of Contact

We schedule regular communications to build a strong partnership



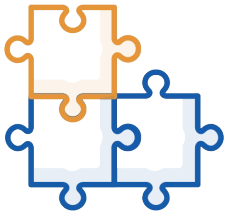
Product Updates

Point of contact to learn about new solutions and roadmap developments



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

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



Chat

support.opengov.com

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



Email

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
POLICE DEPARTMENT
INTER-DEPARTMENT MEMO

June 24, 2024

To: Jeff Downes, City Manager

From: Robert Wilson, Forensic Services

Cc: Shane Ware, Police Chief
Jason Hardin, Deputy Police Chief

RE: Resolution Number 5519 - A Resolution declaring certain personal property as surplus and authorizing the City Mananger to sell/dispose of said items

---

Background:
Please deem the following vehicles as surplus at the next meeting and authorize the City Manager to sell/dispose of said vehicles.

(Unit SRO 6) 2012 Chevrolet Tahoe VIN 1GNLC2E02CR188102 Miles 175,379
(Unit SRO 10) 2013 Chevrolet Tahoe VIN 1GNLC2E02DR347735 Miles 170,543
(Unmarked) 2016 Ford Fusion VIN 3FA6P0G72GR262028 Miles 135,815

Recommendation:
na

Fiscal Impact:
na

Attachments:
1. Resolution 5519

RESOLUTION NUMBER 5519

A RESOLUTION DETERMINING THAT CERTAIN PERSONAL PROPERTY IS NOT NEEDED FOR PUBLIC OR MUNICIPAL PURPOSES AND DIRECTING THE SALE/DISPOSAL OF SAID SURPLUS PROPERTY

WITNESSETH THESE RECITALS

WHEREAS, the City of Vestavia Hills, Alabama, is the owner of personal property detailed in the attached "Exhibit A"; and

WHEREAS, the City has determined that it would be in the best public interest to sell or dispose of said property.

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

1. The City Manager is hereby authorized to sell or dispose of the above-referenced surplus personal property; and
2. This Resolution Number 5519 shall become effective immediately upon adoption and approval.

DONE, ORDERED, APPROVED and ADOPTED on this the 24th day of June, 2024.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

EXHIBIT A

(Unit SRO 6)	2012 Chevrolet Tahoe	VIN 1GNLC2E02CR188102	Miles 175,379
(Unit SRO 10)	2013 Chevrolet Tahoe	VIN 1GNLC2E02DR347735	Miles 170,543
(Unmarked)	2016 Ford Fusion	VIN 3FA6P0G72GR262028	Miles 135,815

CITY OF VESTAVIA HILLS
CITY CLERK
INTER-DEPARTMENT MEMO

June 24, 2024

To: Jeff Downes, City Manager

From: Rebecca Leavings, City Clerk

Cc:

RE: Public Hearing - Ordinance Number 3228 - An Ordinance authorizing the payment of self-insured retention in the settlement of the case of Cinderella Reeder, as personal representative of the Estate of Douglas Hart, deceased, v. City of Vestavia Hills, Alabama, ET AL., being Civil Action Number 2:22-CV-00292-AMM, presently pending in the United States District Court for the Northern District of Alabama, Southern Division; authorizing and directing the Mayor and City Manager to pay the funds described herein and to take any action and execute and deliver any and all documents necessary to effectuate said settlement

---

Background:
This Ordinance authorizes the Mayor and City Manager to settle an existing lawsuit following mediation and pursuant to the recommendations of the City's legal counsel.

Recommendation:
Recommendation for approval was made by the City's legal counsels (see exhibits A and B).

Fiscal Impact:
Funding for the City's portion of the settlement shall be expensed to the City's Self Insured Retention fund.

Attachments:
1. Ordinance 3228
2. Exhibits A and B to Ordinance

ORDINANCE NUMBER 3228

AN ORDINANCE AUTHORIZING THE PAYMENT OF SELF INSURED RETENTION IN THE SETTLEMENT OF THE CASE OF *CINDERELLA REEDER, AS PERSONAL REPRESENTATIVE OF THE ESTATE OF DOUGLAS HART, DECEASED, V. CITY OF VESTAVIA HILLS, ALABAMA, ET AL,* BEING CIVIL ACTION NUMBER 2:22-CV-00292-AMM PRESENTLY PENDING IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ALABAMA, SOUTHERN DIVISION; AUTHORIZING AND DIRECTING THE MAYOR AND CITY MANAGER TO PAY THE FUNDS DESCRIBED HEREIN AND TO TAKE ANY ACTION AND EXECUTE AND DELIVER ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE SAID SETTLEMENT.

THIS ORDINANCE NUMBER 3228 is approved, adopted and enacted by the City Council of the City of Vestavia Hills, Alabama on this the 24th day of June, 2024.

WITNESSETH THESE RECITALS:

WHEREAS, Alabama law at Title 11-43-56, *Code of Alabama, 1975,* provides that the City Council shall have the management and control of the finances and all of the property, real and personal, belonging to the City; and

WHEREAS, Title 11-43-43, *Code of Alabama, 1975,* provides that all legislative powers granted to cities shall be exercised by the City Council; and

WHEREAS, Title 11-40-1, *Code of Alabama, 1975,* declares municipalities bodies corporate and gives them the power to contract and be contracted with; provided, however, that the contract is in writing as required by Title 11-47-5, *Code of Alabama, 1975;* that the execution and delivery of the contract shall have first been approved by the City Council, *Town of Boligee v. Greene County Water and Sewer Authority,* 77 So.3d 1166 (2011), in the form of an ordinance or resolution, *Van Antwerp, et al v. Board of Commissioners of City of Mobile,*217 Ala. 201, 115 So. 239 (1928); that the contract be signed by the Mayor as required by Title 11-43-83, *Code of Alabama, 1975;* and that the contract be signed by the City Manager as required by Title 11-43-21(b)(7), *Code of Alabama, 1975;*and

WHEREAS, Title 11-47-24(b), *Code of Alabama, 1975,* provides that all municipal corporations of the State of Alabama are authorized to contract at governmental expense for policies of liability insurance to protect the City and its employees in the course of their employment; and

WHEREAS, Title 11-47-24(a), *Code of Alabama, 1975,* provides that a city may provide a legal defense for municipal employees sued for damages and indemnify those employees; and

WHEREAS, in 2020, States Self-Insured Risk Retention Group, Inc. (the "**insurance company**") (*emphasis added)* wrote and issued a general comprehensive liability insurance policy providing insurance coverage for the City and its employees, hereinafter referred to as the "**insurance policy** (*emphasis added)*," that was managed by Berkley Risk Administrators Company, LLC ("Berkley Risk"); and

WHEREAS, the insurance policy provided, among other things, that the City was self-insured for the first Two Hundred Fifty Thousand Dollars ($250,000.00), hereinafter referred to as "Self Insured Retention"; and

WHEREAS, the insurance policy provided that the amount of Self Insured Retention to be paid by the City on any and all claims resolved by the insurance company would be the Self Insured Retention of $250,000.00, less any and all expenses paid by the City in defense of the claim, specifically including but not limited to, attorney fees; and

WHEREAS, the case of *Cinderella Reeder, as Personal Representative of the Estate of Douglas Hart, Deceased, v. City of Vestavia Hills, Alabama, et al,* (hereinafter referred to as "**lawsuit**") (*emphasis added)* was filed on February 7, 2022 and is presently pending as civil action number 2:22-CV-00292-AMM in the United States District Court for the Northern District of Alabama, Southern Division; and

WHEREAS, the City of Vestavia Hills, Alabama ("City') engaged attorney, J. Bentley Owens, III, and the law firm of Ellis, Head, Owens, Justice, Arnold and Graham as legal counsel to defend the City and its employees ("Defendants") in the lawsuit; and

WHEREAS, City Attorney Patrick H. Boone, although not legal counsel of record in this lawsuit, has monitored the lawsuit and assisted J. Bentley Owens, III when needed; and

WHEREAS, Alabama law at Title 6-6-20(a), *Code of Alabama, 1975*, defines "mediation" as "a process in which a neutral third party assists the parties to a civil action in reaching their own settlement but does not have the authority to force the parties to accept a binding decision"; and

WHEREAS, mediations are conducted pursuant to the *Alabama Civil Court Mediation Rules* ("ACCMR"); and

WHEREAS, Rule 11 of ACCMR provides in pertinent part as follows:

> "**11. Confidentiality.**
>
> (a) All information disclosed in the course of a mediation, including oral, documentary, or electronic information, shall be deemed confidential and shall not be divulged by anyone in attendance at the mediation except as permitted under this Rule

> or by statute. The term 'information disclosed in the course of a mediation' shall include, but not be limited to:
>
> (1) views expressed or suggestions made by another party with respect to a possible settlement of the dispute;
>
> (2) admissions made by another party in the course of the mediation proceedings;
>
> (3) proposals made or views expressed by the mediator;
>
> (4) the fact that another party had or had not indicated a willingness to accept a proposal for settlement made by the mediator; and
>
> (5) all records, reports, or other documents received by a mediator while serving as mediator"; and

WHEREAS, Plaintiff and Defendants and their attorneys participated in mediations on April 12, 2023 and June 6, 2024; and

WHEREAS, a representative of Berkley Risk Administrators Company, LLC representing States Self-Insured Risk Retention Group, Inc. ("the insurance company") for Defendants participated in both mediations; and

WHEREAS, Plaintiff and the insurance company agreed to a settlement of the lawsuit at and during the mediation conducted on June 6, 2024 by Confidential Agreement; and

WHEREAS, the Settlement Agreement requires the City to pay the Self Insured Retention amount as partial payment of the Settlement Agreement pursuant to the terms, provisions and conditions of the insurance policy; and

WHEREAS, the amount of the Self Insured Retention as of June 24, 2024 amounts to $131,804.60 calculated as follows:

$250,000.00	Deductible
- 118,195.40	Attorney Fees Paid By the City to Date
$131,804.60	Amount of Self Insured Retention; and

WHEREAS, Special Counsel, J. Bentley Owens, III, by letter dated June 21, 2024, a copy of which is attached hereto, marked as Exhibit A and incorporated by reference as though set out fully herein, recommends that the settlement made by the insurance company is in the best interest of the City and that the City Council approve this Ordinance Number 3228 authorizing the payment of the Self Insured Retention; and

WHEREAS, City Attorney Patrick H. Boone by letter dated June 21, 2024, a copy of which is attached hereto, marked as Exhibit B and incorporated by reference as though set out fully herein, recommends that the settlement made by the insurance company is in the best

interest of the City and that the City Council approve this Ordinance Number 3228 authorizing the payment of the Self Insured Retention; and

WHEREAS, the Open Meetings Act (OMA) at Title 36-25A-1(a), *Code of Alabama, 1975,* provides "The deliberative process of governmental bodies shall be open to the public during meetings as defined in Title 36-25A-2(6), *Code of Alabama, 1975*; and

WHEREAS, based upon the Alabama legal authorities cited above, the payment of the Self Insured Retention must be approved by ordinance at and during an open and public meeting after providing notice pursuant to the requirements of Title 36-25A-3, *Code of Alabama, 1975*; and

WHEREAS, the City Council finds and determines that the City is legally obligated to pay the Self Insured Retention and that said payment will be in the best interest of the City of Vestavia Hills, Alabama.

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

I. RECITALS: The recitals set forth in the premises above are hereby incorporated into this ordinance by reference as though set out fully herein.

II. EXHIBITS: Exhibit A, being the letter from attorney, J. Bentley Owens, III, and Exhibit B, being the letter from City Attorney Patrick H. Boone, are attached hereto marked as Exhibits A and B and are incorporated into this Ordinance Number 3228 by reference as though set out fully herein.

III. ACCEPTANCE OF RECOMMENDATIONS BY ATTORNEYS FOR THE CITY: The City Council hereby accepts the recommendations of attorneys, J. Bentley Owens, III and Patrick H. Boone, as set forth in Exhibits A and B.

IV. AUTHORITY TOI PAY SELF INSURED RETENTION: The City Manager is hereby authorized and directed to pay to Plaintiff's attorney the Self Insured Retention in the amount of One Hundred Thirty-one Thousand Eight Hundred Four and 60/100 Dollars ($131,804.60). If additional attorney fees are required to be paid by the City to either attorney, J. Bentley Owens, III or City Attorney Patrick H. Boone, for legal services rendered in connection with this case, then in such event the amount of the Self Insured Retention shall be reduced by the total amount of additional attorney fees paid. Stated another way, the amount of Self Insured Retention when added to the total amount of attorney fees shall not exceed Two Hundred Fifty Thousand Dollars ($250,000.00).

V. EXECUTION AND DELIVERY OF SETTLEMENT DOCUMENTS: The City Manager and the Mayor are hereby authorized and directed to take any actions and to execute and deliver any and all documents necessary to complete and effectuate the settlement made and entered into by the insurance company and Plaintiff.

VI. NO ADMISSION OF LIABILITY: While the settlement authorized herein is a compromise of a doubtful and disputed claim and the payment of the sum recited in Section IV above is not an admission of liability by the City for which liability is expressly denied, it is nevertheless in the best interest of the City to amicably resolve the dispute rather than prolong the litigation and the attendant risk of an adverse verdict.

VII. RELEASE: The Plaintiff shall forever discharge and release all of the named Defendants in the lawsuit from any and all damages arising out of the incident made the basis of this lawsuit and shall make no claim for any attorney fee whatsoever against the Defendants.

VIII. DISMISSAL OF LAWSUIT: The lawsuit shall be dismissed with prejudice.

IX. SEVERABILITY: If any part, section or subdivision of this ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this ordinance, which shall continue in full force and effect notwithstanding such holding.

X. EFFECTIVE DATE: The provisions of this Ordinance Number 3228 shall become effective immediately upon the passage, approval and adoption thereof by the City Council of the City of Vestavia Hills, Alabama and the publication and/or posting thereof as required by Alabama law.

ORDAINED, APPROVED, **ADOPTED, DONE and ORDERED** on this the 24th day of June, 2024.

Ashley C. Curry
Mayor

ATTESTED BY

Rebecca Leavings
City Clerk

CERTIFICATION OF CITY CLERK

STATE OF ALABAMA)
JEFFERSON COUNTY)

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

Witness my hand and seal of office this _____ day of June, 2024.

_____
Rebecca Leavings, City Clerk

WALLACE | ELLIS
ELLIS · HEAD · OWENS · JUSTICE · ARNOLD · GRAHAM
Attorneys at Law

Frank C. Ellis, Jr.
J. Frank Head
J. Bentley Owens, III
William R. Justice
Joshua D. Arnold
Grace Graham
G. Daniel Head

Wales W. Wallace, Jr. (1919-1986)
Frank Head (1891-1979)
Conrad M. Fowler, Jr. (1946-2020)

Retired:
Judge Oliver P. Head

June 21, 2024

VIA E-MAIL – jdownes@vhal.org
and U. S. MAIL

Mr. Jeff Downes
City Manager
City of Vestavia Hills
1032 Montgomery Highway
Vestavia Hills, Alabama 35216

Re: Douglas Hart/Cinderella Reeder v. City of Vestavia Hills

Dear Mr. Downes:

This letter is written to you as City Manager for the benefit of the City Council in their deliberations and decision-making process concerning the contemplated settlement of the captioned litigation. As you know, I serve as outside litigation counsel for the City, and it is in that capacity that I recommend to the City Council that it approve the Resolution authorizing the City's self-insured retention reserved by the City for litigation purposes.

This case was mediated and conditionally settled earlier this month, pending approval by the City Council of the authorization and release of the self-insured retention. Under Rule 11 of the Civil Court Mediation Rules, the negotiations and settlement agreement reached by the parties are confidential. The settlement was reached in coordination and collaboration with the City's excess insurer. Under the City's agreement with the insurer, the City has the duty to cooperate with the excess carrier. In that regard, as outside counsel for the City, I provided advice and recommendations to the excess carrier during the negotiating process. In the end, however, the excess carrier has both the opportunity and the obligation to settle the case under the terms and conditions of the excess policy of insurance. I believe that

113 North Main Street • Post Office Box 587 • Columbiana, Alabama 35051
PHONE 205.669.6783 • FAX 205.669.4932 • wallaceellis.com

EXHIBIT A

the settlement the insurer reached is reasonable and in the best interests of the City and the two individually named police officers.

Both the City and two (2) of its police officers were defendants in the case. Plaintiff in the case alleged civil rights violations incidental to an encounter with several officers of the Vestavia Hills Police Department and Mr. Hart on February 8, 2020. While several defendants and counts in the original complaint were dismissed, the claims for Fourth Amendment violations remained. The settlement was reached prior to the submission of summary judgment motions to challenge the legal sufficiency of the allegations. The officers, who were sued individually, enjoy both federal qualified and state agent immunities. These immunities are required to be decided by the trial court prior to a jury trial. In the circumstances confronting the defendants, the facts were such that predicting the likelihood that immunity would be granted to the individual officers was uncertain. Furthermore, since the City enjoys no immunity, it was equally unclear as to whether summary judgment would be granted to the City by the court.

For these reasons, given the uncertainty of the Court's decision on the legal issues of immunity, combined with the unpredictability of a jury verdict, I recommend that the Resolution be adopted. I believe it is in the best interest of the City and its individual police officers to settle rather than try this case because it eliminates all risk of a substantial adverse verdict.

Should you have any questions or instructions prior to the City Council's consideration of the Resolution, please let me know.

Very truly yours,

J. Bentley Owens, III

JBO/kf

PATRICK H. BOONE
ATTORNEY AND COUNSELOR AT LAW
NEW SOUTH FEDERAL SAVINGS BUILDING, SUITE 705
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June 21, 2024

By Electronic Mail

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

In Re: Ordinance Number 3288 Authorizing and Directing the Payment of Self Insured Retention

Dear Mr. Downes:

The following case is presently pending in the United States District Court for the Northern District of Alabama, Southern Division: *Cinderella Reeder, as Personal Representative of the Estate of Douglas Hart, Deceased, Plaintiff v. City of Vestavia Hills, Alabama, et al, Defendants,* Civil Action number 2:22-CV-00292-AMM.

Although I am not the attorney of record representing the Defendants in the above captioned case, I am very familiar with the facts, legal issues and the applicable laws. I have read all of the pleadings and assisted Special Counsel J. Bentley Owens, III when requested to do so.

The case was mediated on April 12, 2023 and again on June 6, 2024. I was present in person along with Bent Owens and you at both mediations. A representative of Berkley Risk Administrators Company, LLC representing States Self-Insured Risk Retention Group, Inc. that wrote and issued the general comprehensive liability policy insuring the City and its employees participated in both mediations.

On June 6, 2024, the insurance company settled this case with the Plaintiff pursuant to a Confidential Settlement Agreement authorized by Rule 11 of the *Alabama Civil Court Mediation Rules* ("ACCMR").

EXHIBIT B

LEGAL OPINIONS

I am of the legal opinions that:

A. The City Council should authorize and direct the payment of the Self Insured Retention as required by the insurance policy; and

B. That the settlement by and between the insurance company and the Plaintiff is in the best interest of the City of Vestavia Hills, Alabama and its employees.

BASIS FOR LEGAL OPINIONS

I base my legal opinions upon the following reasons and Alabama legal authorities:

A. The City is self-insured for the first $250,000.00 known as the "Self Insured Retention." The amount of the Self Insured Retention to be paid by the City is the difference between $250,000.00 and the amount of the attorney fees paid by the City to date in defense of the case. The City is contractually obligated to pay the Self Insured Retention pursuant to the terms, provisions and conditions of its general comprehensive insurance policy.

B. The settlement by the insurance company and the Plaintiff is in the best interest of the City and its employees.

1. It is dangerous from a legal standpoint for the named insured to object to a settlement made by its insurance carrier. If the case is tried and results in a verdict for the Plaintiff, then in such event it may very well create coverage problems for the named insured.

2. Juries are very unpredictable.

MY RECOMMENDATIONS

A. I recommend that the City approve and enact Ordinance Number 3288 at its meeting on June 24, 2024 by unanimous consent for immediate consideration.

B. I recommend that the City not object to the settlement made by and between the insurance company and the Plaintiff.

CONCLUSION

A. All City business must be conducted at an open and public meeting required by the Open Meetings Act (OMA). The City business in this case is limited to the payment of the Self Insured Retention. That action must be done by Ordinance Number 3288, which I have prepared and enclose.

B. The payment by the insurance company is confidential pursuant to Rule 11 of ACCMR. Therefore, my ability to discuss the resolution of this case will be limited to the City business part of the settlement. The confidentiality requirement pursuant to Alabama law prohibits me from answering questions about the insurance company.

Sincerely,

Patrick H. Boone
Vestavia Hills City Attorney

PHB:gp
Enclosure

CITY OF VESTAVIA HILLS
CITY CLERK
INTER-DEPARTMENT MEMO

June 24, 2024

To: Jeff Downes, City Manager

From:

Cc: Lori Beth Kearley, Public Services Director

RE: Public Hearing - Ordinance Number 3229 - An Ordinance establishing rules and policies for electronic submission of public works bids

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Background:
Act 2023-497 of the the regular session of the Alabama legislature, amended the public works bid to allow collection of public works bids through an electronic process provided that the polices and procedures for said bidding be approved by the governing body. This Ordinance establishes the policies and procedures for electronic bidding by the City through a proven secure electronic procedure.

Recommendation:
This Ordinance has been reviewed by the Public Services Director and the City Attorney who recommend approval.

Fiscal Impact:
na

Attachments:

1. Ordinance 3229
2. PH Boone Legal Opinion to City Clerk June 18, 2024

ORDINANCE NUMBER 3229

AN ORDINANCE ESTABLISHING RULES AND POLICIES FOR ELECTRONIC SUBMISSION OF PUBLIC WORKS BIDS

WHEREAS, Alabama law regarding the solicitation, execution and administration of public improvements contracts ("public works") by municipalities is set forth in Title 39, Chapters 1 through 5, of the Code of Alabama, 1975; and

WHEREAS, Act 2023-497 of the Alabama Legislature, further codified in Section 39-2-2(k), Code of Alabama, 1975, reads as follows:

> *"(k) For the purposes of this chapter, sealed bids may also be solicited and submitted through electronic means including, but not limited to, electrical, digital, magnetic, optical, electromagnetic, or any other similar technology, provided that the awarding authority adopts rules and policies to ensure that all electronic submissions are transmitted securely and bids remained sealed until bid opening*;"
>
> and

WHEREAS, the City of Vestavia Hills City Council set a strategic goal for the continuing reduction of paper usage in City business by embracing available technologies and software developments in order to successfully complete endeavors of the City through electronic means; and

WHEREAS, the City of Vestavia Hills is desirous of soliciting and submitting bids for public works projects through electronic means pursuant to §39-2-2(k), Code of Alabama, 1975, with said rules and policies as detailed in the attached "Rules and Policies of Electronic Bidding of Public Works Projects," marked as Exhibit A and attached to and incorporated into this Ordinance Number 3229 as if written fully therein; and

WHEREAS, the Mayor and City Council feel it is in the best public interest to adopt said public works bidding process as detailed in the attached Exhibit A.

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

1. The City Council hereby adopts the rules and policies detailed in the Exhibit A as the procedure to solicit, open and process public work bids electronically pursuant to Section 39-2-2(k), Code of Alabama, 1975; and

2. The purchasing agent shall retain a copy of said rules and policies and utilize this listing for the solicitation, opening and processing of public works bid as of the effective date of this Ordinance Number 3229; and
3. This Ordinance Number 3229 shall become effective immediately upon adoption and approval following publishing/posting pursuant to Alabama law.

DONE, ORDERED, ADOPTED AND APPROVED this the 8th day of July, 2024.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CERTIFICATION:

I, Rebecca H. Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance Number 3229 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 8th day of July, 2024, as same appears in the official records of said City.

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

Rebecca Leavings
City Clerk

Rules and Policies of Electronic Bidding of Public Works Projects

The following steps shall be utilized in the solicitation, collection, opening and processing of Public Works Bids for the City of Vestavia Hills.

1. Designs, developed and written specifications, and front-end documents for a said public works project bid shall be prepared, advertised and issued in the current manner and procedures of the City; and
2. A notification will be added to bid terms and conditions stating bidders should submit responses electronically through the City's service provider at the appropriate electronic address listed. An automatic "email return notification" will be sent to the submitting bidder upon receipt of their bid or proposal; and
3. Once the City Department has approved said documents, all documents shall be submitted to the Office of the Purchasing Agent for review; and
4. When all documents are approved and ready for bidding, said documents shall be uploaded to a password secured platform by the Purchasing Agent or his designee and made available for bidders to review and download. The software utilized by the City shall ensure the identification, security and confidentiality of electronic bids or proposals and ensure that electronic bids remain effectively unopened until the designated time and date; and
5. Any and all costs to be incurred by the review and/or download of documents for bidding shall be borne by the City; and
6. Addenda and messages to/from bidders may be added to the bid by the Purchasing Agent or his designee up until the published deadline as needed to answer questions, clarify information, etc.; and
7. The bids shall be uploaded and secured until bid opening. Said platform shall allow the bidder sole access to his bid until the time of bid opening for the purpose of revisions as determined needed by the bidder; and
8. At the specified bid closing time/date, the Purchasing Agent or his designee, password-enabled, will unseal and download all bids. A bid that is submitted non-electronically may be accepted manually and then entered electronically by the Purchasing Agent after the bid opening, as stated in the bid and proposal document terms and conditions; and
9. Staff will read all bid responses received by the closing time and date aloud to any interested parties present at the bid opening. After tabulation of bids or proposals, an official bid tabulation will be created and the Purchasing Agent will post the bid tabulation on the City's website until acceptance by the Governing Body or for a period of 30 days, whichever is less. If technology allows, said bid opening meeting may be available by means of an electronic meeting, i.e. virtually via Zoom, etc.; and
10. Bids shall be held securely until such time as the City Council accepts a successful bidder and an executed contract is secured; and
11. Records for bids shall be maintained pursuant to the city's current record management system.

PATRICK H. BOONE
ATTORNEY AND COUNSELOR AT LAW
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BIRMINGHAM, ALABAMA 35203-3720

TELEPHONE (205) 324-2018
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E-Mail: patrickboone@bellsouth.net

June 18, 2024

By Electronic Mail

City Clerk Rebecca Leavings
Vestavia Hills Municipal Center
1032 Montgomery Highway
Vestavia Hills, Alabama 35216

In Re: Electronic Bidding of Public Works Projects

Dear Mrs. Leavings:

On May 14, 2024, you sent to me via electronic mail a proposed ordinance establishing rules and policies for electronic submission of public works bids, together with a request that I review the ordinance and provide you with my written legal opinion. The purpose of this letter is to comply with your request.

I. FACTS

Alabama law regarding the solicitation, execution and administration of public improvements contracts ("public works") by municipalities is set forth in Title 39, Chapters 1 through 5, of the *Code of Alabama, 1975.* Act 2023-497 of the Alabama Legislature (effective September 1, 2023), further codified in Title 39-2-2(k), *Code of Alabama, 1975*, reads as follows:

> "(k) For the purposes of this chapter, sealed bids may also be solicited and submitted through electronic means including, but not limited to, electrical, digital, magnetic, optical, electromagnetic, or any other similar technology, **provided that the awarding authority adopts rules and policies** *(emphasis added)* to ensure that all electronic submissions are transmitted securely and bids remained sealed until bid opening."

II. MY LEGAL RESEARCH

Before writing this opinion, I completed the following research:

A. ACT 2023-497 NOW TITLE 39-2-2(K), CODE OF ALABAMA, 1975: Although Act 2023-497 authorizes electronic bidding for public projects, it did not establish the rules and policies described in the Act.

B. OTHER ALABAMA MUNICIPALITIES: It is my understanding, based upon your May 14, 2024 e-mail, that no other municipality in Alabama has yet established the required "rules and policies."

C. ALABAMA LEAGUE OF MUNICIPALITIES: It is my understanding, based upon your May 14, 2024 e-mail, that you worked together with the Alabama League of Municipalities in the preparation of the proposed ordinance.

D. ALABAMA DEPARTMENT OF FINANCE: The latest Memorandum from the State of Alabama Department of Finance dated February 1, 2024 advises "Note, the electronic procedures in this provision are only for bid submission. Advertisements for sealed bids must comply with *Ala. Code* §39-2-2(a), which still requires advertisement in a newspaper of general circulation." The Alabama Department of Revenue has amended Section 355-4-3-.02 3(b) of the *Alabama Administrative Code* to allow submission of bids electronically but has not adopted any "rules or policies."

E. THE ALABAMA DEPARTMENT OF FINANCE DIVISION OF CONSTRUCTION MANAGEMENT: State agencies, as well as municipalities and counties, are subject to the public works competitive bid laws. The Division of Construction Management ("DCM") has amended Chapter 6D of the *Manual of Procedures* to authorize electronic bidding, but I do not find that DCM has prepared any "rules and policies" to date.

III. LEGAL OPINION

It is my legal opinion that your ordinance meets the requirements of Act No. 2023-497 now codified as Title 39-2-2(k), *Code of Alabama, 1975.*

IV. BASIS OF LEGAL OPINION

I base my opinion upon the fact that Act No. 2023-497 requires that the bids submitted electronically be secure until such time as they are opened. Your ordinance complies with that requirement.

V. MY RECOMMENDATION

I recommend that ordinance be prepared in final form and placed on the agenda for the City Council meeting scheduled for June 24, 2024 for a first read.

Your leadership and initiative in moving forward with the newly authorized electronic bidding is just another example why you are considered as and recognized to be the best City Clerk in the State of Alabama.

Please call me if you have any questions regarding this matter.

Sincerely,

Patrick H. Boone
Vestavia Hills City Attorney

PHB:gp
cc: City Manager Jeffrey D. Downes (by e-mail)

CITY OF VESTAVIA HILLS

INTER-DEPARTMENT MEMO

June 24, 2024

To: Jeff Downes, City Manager

From:

Cc:

RE: Citizens Comments

Background:

Recommendation:

Fiscal Impact:

Attachments:
None