

Vestavia Hills
City Council Agenda
July 13, 2015
5:00 PM

1. Call to Order
2. Roll Call
3. Invocation – Brian Davis, Public Services Director
4. Pledge Of Allegiance
5. Announcements and Guest Recognition
6. Presentation – Vestavia Hills Chamber of Commerce Foundation; Linda Parker
7. Presentation – Jefferson – Blount – St. Clair Mental Health Authority; James A. Crego, Controller/Associate Director
8. City Manager’s Report
9. Councilors’ Reports
10. Approval of Minutes –June 22, 2015 (Regular Meeting)

Old Business

11. Resolution Number 4725 - A Resolution Authorizing The City Manager To Purchase Radio Equipment From E-911 Funds (*public hearing*)
12. Resolution Number 4727 – A Resolution Authorizing The City Manager To Purchase A Drying Cabinet and Workstation (*public hearing*)

New Business

13. Resolution Number 4730 – A Resolution Declaring A Weed And Other Vegetation Nuisance Pursuant To Ordinance Number 2567 And Directing The City Manager To Abate Said Nuisance For The Property Located At 4004 North Cahaba Drive (*public hearing*)
14. Resolution Number 4731- A Resolution Accepting The 2013-2014 Audit For The City Of Vestavia Hills
15. Resolution Number 4733 – A Resolution Authorizing The City Manager To Execute And Deliver An Agreement For Cooperative Maintenance Of Public Right-Of-Way (Form MB-06) For Grading And Landscaping Permit No. 3-1-5968; Vesthaven Way And Chestnut Road

16. Resolution Number 4735 – A Resolution Authorizing Certain Action With Respect To General Obligation Warrants, Series 2015, Of The City Of Vestavia Hills, Alabama

New Business (Requesting Unanimous Consent)

First Reading (No Action Taken At This Meeting)

17. Resolution Number 4732 – Accepting A Bid With Alternates For Construction Of An ADA Ramp For The Vestavia Hills Library In The Forest
18. Resolution Number 4734 – A Resolution Requesting Additional Funding For Improvements At The “Adult” Softball Fields
19. Resolution Number 4736 - A Resolution Authorizing The City Manager To Execute And Deliver A Development Agreement With Hardin Grace Investments, LLC, Phillips And Todd Holdings, LLC And G. Fred Action, James Acton And Anne A Reardon For Sanitary Sewer Improvements To Properties Along A Certain Portion Of Dolly Ridge Road
20. Ordinance Number 2573 – Rezoning – 3786 And 3790 Poe Drive; Lots 5A And 5B, Overton Investments Resurvey Of New Merkle And Lots 6 & 7, Glass 3rd Add To New Merkle; Rezone From Vestavia Hills R-4 (Residential) To Vestavia Hills R-9 (Planned Residential) For Construction Of Four Single-Family Residences; David Horton And Overton Investments, Owners; Jason Kessler, Representing
21. Ordinance Number 2574 – Annexation – 90-Day Final – 3400 Kettering Lane; Lot 16, Ridgedell Park; Natan and Lindsey Shar, Owners
22. Ordinance Number 2575 – Rezoning – 3400 Kettering Lane; Lot 16, Ridgedell Park; Rezone From Jefferson County R-1 To Vestavia Hills R-2; Compatible Zoning For Annexation; Natan Shar, Owner
23. Ordinance Number 2576 – Annexation – 90-Day Final – 3405 Sagewood Lane; Lot 23A, Resurvey of Lots 21, 22 & 23, Sagewood; Donald and April Winningham, Owners
24. Ordinance Number 2577 – Rezoning – 3405 Sagewood Trail; Lot 23A, Resurvey Of Lots 21, 22 And 23, Sagewood; Rezone From Jefferson County R-1 To Vestavia Hills R-2; Compatible Zoning For Annexation; Donald And April Winningham, Owners
25. Citizens Comments
26. Motion For Adjournment

CITY OF VESTAVIA HILLS

CITY COUNCIL

MINUTES

JUNE 22, 2015

The City Council of Vestavia Hills met in regular session on this date at 5:00 PM. The Mayor called the meeting to order and the City Clerk called the roll with the following:

MEMBERS PRESENT:

Mayor Alberto C. Zaragoza, Jr.
Steve Ammons, Mayor Pro-Tem
George Pierce
Jim Sharp

MEMBERS ABSENT:

John Henley

OTHER OFFICIALS PRESENT:

Jeff Downes, City Manager
Rebecca Leavings, City Clerk
Melvin Turner, Finance Director
George Sawaya, Deputy Treasurer
Danny Rary, Police Chief
Jimmy Coleman, Compliance Officer
Jim St. John, Fire Chief
Marvin Greene, Asst. Fire Chief
Keith Blanton, Building Official
Brian Davis, Public Services Director
Lori Beth Kearley, Asst. City Engineer

Invocation was given by Robin Morgan, owner Morgan Properties, followed by the Pledge of Allegiance.

ANNOUNCEMENTS, GUEST RECOGNITION, CANDIDATES

- Mr. Pierce welcomed Ben Chambliss and Karen Odle, Vestavia Hills Chamber of Commerce, to the meeting.
 - Karen Odle, President of the Chamber, reminded everyone of the I Love America Day celebration beginning July 1 with lots of family activities. She invited everyone to attend.

CITY MANAGER REPORT

- Mr. Downes stated that the new Sprouts facility has been issued building permits and will soon be going vertical.

COUNCILOR REPORTS

- Mr. Pierce announced the loops have been repaired after the ALDOT paving completion which appears to be helping traffic flow.

FINANCIAL REPORT

Mr. Turner presented the financial reports for month ending May 2015. He read and explained the balances.

APPROVAL OF MINUTES

The minutes of Approval of Minutes of May 23, 2015 (Work Session) and June 8, 2015 (Regular Meeting) were presented for approval.

MOTION Motion to dispense with the reading of the minutes of May 23, 2015 (Work Session) and June 8, 2015 (Regular Meeting) and approve them as presented was by Mr. Pierce and second by Mr. Ammons. Roll call vote as follows:

Mr. Pierce – yes

Mr. Sharp – yes

Mr. Ammons – yes

Mayor Zaragoza – yes
motion carried.

OLD BUSINESS

RESOLUTION NUMBER 4723

Resolution Number 4723 – Annexation – 2308, 2312, and 2320 Rocky Ridge Road; Carl Schafer, Owner, Dan Sims, Taylor Burton, representing (*public hearing*)

MOTION Motion to approve Resolution Number 4723 was by Mr. Ammons and second was by Mr. Pierce.

Mr. Pierce gave a report from the Annexation Committee regarding this property. He stated that the location is at the intersection of Wisteria Drive and Rocky Ridge Road. The request has been studied by the Committee and it was determined this is a strategic

area desired for annexation and that the proposed subdivision should be vetted by the Planning and Zoning Commission, this 90-day annexation process is the beginning of that process.

Taylor Burton, Taylor Burton Homes, was present in regard to this request. He described his proposed 44-lot subdivision with access off Rocky Ridge Road and homes priced from \$500,000 to \$600,000.

Discussion ensued with the Council concerning the value of the homes, land use from past development proposals, office versus residential uses, effect on the school system and acceptance from the Board when the total number of new units was proposed.

The Mayor opened the floor for a public hearing. There being no one to address the Council concerning this request, the Mayor closed the floor and asked for the question.

Roll call vote as follows:

Mr. Pierce – yes	Mr. Sharp – yes
Mr. Ammons – yes	Mayor Zaragoza – yes
	motion carried.

ORDINANCE NUMBER 2571

Ordinance Number 2571 – Conditional Use approval for a home occupation at 4755 Liberty Park Lane; Timothy and Robin York, Owners (*public hearing*)

MOTION Motion to approve Ordinance Number 2571 was by Mr. Pierce and second was by Mr. Ammons.

Mr. Downes stated that this request is for a home office at a residence in Liberty Park. It was considered by the Planning and Zoning Commission who recommended approval with certain conditions. He read the conditions as stipulated in the Ordinance.

Timothy York was present in regard to the request.

The Mayor opened the floor for a public hearing. There being no one to address the Council concerning this request, the Mayor closed the floor and asked for the question.

Roll call vote as follows:

Mr. Pierce – yes	Mr. Sharp – yes
Mr. Ammons – yes	Mayor Zaragoza – yes
	motion carried.

ORDINANCE NUMBER 2572

Ordinance Number 2572 – Conditional Use approval for an automobile dealership at 1475 Montgomery Highway; Michael Schefano, Hollywood Imports, owner (*public hearing*)

MOTION Motion to approve Ordinance Number 2572 was by Mr. Sharp and second was by Mr. Pierce.

Mr. Downes stated that this request is for a vehicle dealership to be used as a satellite lot for Hollywood Imports. Mr. Schefano purchased the property believing that he could open the dealership and improved the property and later found out that he needed this conditional use to continue to operate at this location.

Parrish Holley, Hollywood Imports, was present in regard to the request. He stated that he has met with the Building Official and done all the required improvements to meet building and fire codes and will bring the sign into compliance if the use is approved.

Mr. Blanton concurred that the applicant has done the required improvements.

Mr. Sharp asked about the sign.

Ms. Leavings stated that the signage would require funding and that the staff recommended obtaining the approval prior to changing the signage.

Mr. Ammons stated that the Commission had recommended some conditions concerning the Certificate of Occupancy and that these needed to be added to the approval: (1) the owner must receive a Certificate of Occupancy from the Building Safety Department; (2) Business must adhere to all ADA and building requirements; and (3) Building must obtain permits for sign and adhere to sign ordinance.

Mr. Holley indicated that they have met all conditions with the exception of the sign and cannot obtain the CO without getting that finalized.

The Mayor opened the floor for a public hearing. There being no one to address the Council concerning this request, the Mayor closed the floor and asked for the question.

Roll call vote as follows:

Mr. Pierce – yes

Mr. Sharp – yes

Mr. Ammons – yes

Mayor Zaragoza – yes

motion carried.

Mr. Ammons – yes

Mayor Zaragoza – yes
motion carried.

NEW BUSINESS (REQUESTING UNANIMOUS CONSENT)

UNANIMOUS CONSENT

The Mayor opened the floor for unanimous consent for the immediate consideration and action on Resolution Number 4728.

MOTION Motion for Unanimous Consent for immediate consideration and action of Resolution Number 4728 was by Mr. Pierce and second was by Mr. Ammons. Roll call vote as follows:

Mr. Pierce – yes

Mr. Sharp – yes

Mr. Ammons – yes

Mayor Zaragoza – yes
motion carried.

RESOLUTION NUMBER 4728

Resolution Number 4728 – A Resolution Declaring An Emergency And Authorizing The City Manager To Execute And Deliver Agreements For Construction Cost, Professional Services And Utility Relocation For A Proposed Road Project Adjacent To The Vestavia Hills Elementary School - Cahaba Heights (*public hearing*)

MOTION Motion to approve Resolution Number 4728 was by Mr. Sharp and second was by Mr. Ammons.

Mr. Downes stated that the City has been in the process of developing specifications to bid out a road access adjacent to the Vestavia Hills Elementary School - Cahaba Heights which needed to be completed prior to the beginning of the school year. Bids were let with only a single bid returned which was far in excess of the budgeted funds to construct the road. The City Engineer worked with the consultant and divided the project into three phases, the first of which provides access to the school and needed to be completed by the academic year. Because of the timeline for construction and the need for this access by the beginning of the school year, this Resolution now declares this first phase an emergency situation and authorizes the City to expend up to \$489,750 for construction of the first phase of the roadway along with the resurfacing of the school parking lot.

Discussion ensued with the Council questioning the timeline for construction, completion and continued access to the school's lunchroom. Mr. Brady explained the proposal in detail and Mr. Downes explained the specifics of the included agreements.

Mr. Sharp asked if the School Board was sharing in the expenses and Mr. Downes indicated that the School Board was paying a portion as previously approved.

The Mayor opened the floor for a public hearing. There being no one to address the Council concerning this request, the Mayor closed the floor and asked for the question.

Roll call vote as follows:

Mr. Pierce – yes	Mr. Sharp – yes
Mr. Ammons – yes	Mayor Zaragoza – yes

motion carried.

FIRST READING (NO ACTION TO BE TAKEN AT THIS MEETING)

The Mayor stated that the following Resolutions and/or Ordinances will be presented at a public hearing at the Council’s next regularly scheduled meeting on July 13, 2015 at 5 PM.

- Resolution Number 4725 - A Resolution Authorizing The City Manager To Purchase Radio Equipment From E-911 Funds (*public hearing*)
- Resolution Number 4727 – A Resolution Authorizing The City Manager To Purchase A Drying Cabinet and Workstation (*public hearing*)

CITIZENS COMMENTS

Mr. Downes stated that the Action Line has been up and running and he continues to derive data from it concerning information on complaints in various areas and when/how those problems are addressed.

MOTION Motion to adjourn was by Mr. Pierce and second was by Mr. Ammons. Meeting adjourned at 6:15 PM.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

RESOLUTION NUMBER 4725

A RESOLUTION AUTHORIZING THE PURCHASE OF RADIO EQUIPMENT BY UTILIZING E-911 FUNDS BY THE VESTAVIA HILLS CITY COUNCIL AS THE CITY'S EMERGENCY COMMUNICATIONS DISTRICT BOARD

WHEREAS, the City of Vestavia Hills maintains a special fund account for the City's E-911 funds; and

WHEREAS, the City Council of the City of Vestavia Hills, Alabama, as the governing body services as the City's Emergency Communications District Board ("ECD Board");

WHEREAS, as stated in the State of Alabama Attorney General Opinion Numbers 94-00020 and 2010-019, the Alabama Attorney General has opined that the ECD Board may provide radio equipment for the purpose of transmitting and receiving dispatch calls purchased with E-911 funds; and

WHEREAS, the City Manager received a memorandum from the Fire Chief dated June 15, 2015, a copy of which is marked as Exhibit A," attached to and incorporated into this Resolution Number 4725 as though written fully therein which requests that the ECD Board take action to allow the purchasing of radio equipment as described above with E-911 funds; and

WHEREAS, the City Manager has reviewed the requested and corresponding documentation and has recommended that the ECD Board take action as requested by the Fire Chief.

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

1. The Mayor and City Council, as the ECD Board of the City of Vestavia Hills, Alabama, hereby authorize the City Manager to purchase radio equipment from special E-911 funds pursuant to Alabama Attorney General Opinion Numbers 94-00020 and 2010-019; and
2. All purchases of equipment shall be made pursuant to existing or future special fund budget approvals or special approvals of the governing body; and
3. This Resolution Number 4725 shall become effective immediately upon adoption and approval.

ADOPTED and APPROVED this the 13th day of July, 2015.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

**VESTAVIA HILLS FIRE DEPARTMENT
513 MONTGOMERY HIGHWAY
VESTAVIA HILLS, ALABAMA 35216
(205) 978-0225
(205) 978-0205 (FAX)**

**JAMES R. ST. JOHN
FIRE CHIEF**

MEMORANDUM

TO: Jeff Downes, City Manager
FROM: Jim St. John, Fire Chief
DATE: June 15, 2015
RE: Request to purchase radio equipment from E-911 funds

I request that the City Council, as the ECD board, approve the expenditure of \$12,008.00 from E-911 funds for the purchase of radio equipment. The purchase will include a radio and headset system for the new fire engine under construction and the relocation and installation of radio equipment to the new City Hall location.

While this expenditure is not in the FY 2015 budget, it will not cause a negative fund balance through the end of the fiscal year.

RESOLUTION NUMBER 4727

**A RESOLUTION AUTHORIZING THE PURCHASE
OF A DRYING CABINET AND WORKSTATION**

WHEREAS, the Vestavia Hills Police Department has analyzed the need for a drying cabinet and workstation; and

WHEREAS, the Vestavia Hills Police Department has determined that there is a need for a drying cabinet and workstation designed to protect the technician and the environment from harmful bacteria, viruses, and odors associated with the drying and processing of evidence, as well as preventing cross contamination; and

WHEREAS, the Police Department has requested that the expense for the drying cabinet and workstation of approximately \$7,750.00 be expensed to the Traffic Safety Fund account; and

WHEREAS, the City Manager has reviewed the request and has recommended the acceptance of said purchase; and

WHEREAS, the Mayor and City Council have concurred with the City Manager and feel it is in the best public interest to accept the request as presented and recommended by the City Manager.

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

1. The City Manager is hereby authorized to purchase a drying cabinet and workstation designed to protect the technician and the environment in the amount not to exceed \$7,750.00 to be expensed to the Traffic Safety Fund account; and
2. This Resolution shall become effective immediately upon its approval and adoption.

APPROVED and ADOPTED this the 13th day of July, 2015.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

Wendy Appling

From: Jeff Downes
Sent: Wednesday, June 17, 2015 9:57 AM
To: Wendy Appling; Danny Rary
Cc: Rebecca Leavings
Subject: FW: Purchase of equipment for new PD building - Agenda item



Chief

I support your request and ask that you coordinate inclusion on the agenda for a first read.



JEFF DOWNES

Vestavia Hills City Manager
P 205 978 0195 | vhal.org
Vestavia Hills

  WWW.ALIFEABOVE.ORG

From: Danny Rary
Sent: Wednesday, June 17, 2015 9:52 AM
To: Jeff Downes
Subject: Purchase of equipment for new PD building - Agenda item

To: Jeff Downes
From: Dan Rary
Re: Agenda request

I am requesting to utilize funds from the court referral account to purchase a drying cabinet and workstation for the new Police Department building. These items are designed to protect the technician and the environment from harmful bacteria, viruses and odors associated with the drying and processing of evidence, as well as prevent cross contamination.

Cost: \$7,375.00 + \$350.00 shipping

I spoke with Mr. Sawaya to clarify the amount of Court Referral funds available to us. Specifically, we discussed the availability of funds from previous years.

The funds roll over each year to the general Court Fund. The spread sheet we were given shows the portion of the Court Fund that came from our Court Referral program as well as positive balance for each of the last three years. According to Mr. Sawaya, past years funds are still available for us to spend with Council approval. As of April 30th, 2015, the total amount available is \$85,000. This is the combined amount from 2013-present.

RESOLUTION NUMBER 4730

**A RESOLUTION DECLARING A WEED AND
OTHER VEGETATION NUISANCE PURSUANT TO
ORDINANCE NUMBER 2567 AND DIRECTING THE
CITY MANAGER TO ABATE SAID NUISANCE**

WHEREAS, ON May 11, 2015, the City Council of the City of Vestavia Hills, Alabama, adopted and approved Ordinance Number 2567 to establish a procedure for the abatement of grass and weeds and for the prosecution and abatement of grass and weed violations; and

WHEREAS, the City's Compliance Officer has made a "First Demand" on the property located at 4004 North Cahaba Drive; a copy of which is marked as "Exhibit A," attached to and incorporated into this Resolution Number 4730 as if written fully therein; and

WHEREAS, a public hearing was conducted at the regularly scheduled City Council meeting of July 13, 2015 at 5:00 PM in which the facts of the matter were discussed; and

WHEREAS, the Mayor and City Council feel it is in the best public interest to declare the property a nuisance and direct the City Manager to abate said nuisance pursuant to the provisions set forth in Ordinance Number 2567; and

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

1. The property located at 4004 North Cahaba Drive is hereby declared a nuisance pursuant to the provisions of Ordinance Number 2567 and the City Manager is hereby authorized to abate said nuisance pursuant to the terms and provisions of said ordinance.
2. This Resolution shall become effective immediately upon its approval and adoption.

APPROVED and ADOPTED this the 13th day of July, 2015.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

1 ORI # AL0010900		2 Date of Report 07 01 15		3 Time of Report 12:30		4 Incident Type <input type="checkbox"/> AM <input type="checkbox"/> PM <input checked="" type="checkbox"/> ML		5 Supplement Date		6 Agency Case Number 2015-00020641													
8 Agency Name Vestavia Hills Police Department										9 Sector													
10 Type of Incident or Offense <input type="checkbox"/> Felony <input checked="" type="checkbox"/> Misdemeanor <input type="checkbox"/> Attempted <input checked="" type="checkbox"/> Completed Weeds						11 Degree (Circle) 1 2 3		12 UCR Code		13 State Code/Local Ordinance VHC 302.4													
14 Type of Incident or Offense <input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor <input type="checkbox"/> Attempted <input type="checkbox"/> Completed						15 Degree (Circle) 1 2 3		16 UCR Code		17 State Code/Local Ordinance													
18 Place of Occurrence <input type="checkbox"/> Check here if event occurred at victim's residence						Victim Demographics (Where victim is an individual)																	
16 Place of Occurrence (For offense at residence, list approximate location; for elsewhere, list specific address)						19 Sex <input type="checkbox"/> M <input type="checkbox"/> F		20 Race <input type="checkbox"/> W <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> I		21 Ethnicity <input type="checkbox"/> Hispanic <input type="checkbox"/> Other													
						22 Multiple Victims <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		23 Age		24 Offender Suspected of Using <input type="checkbox"/> Alcohol <input type="checkbox"/> Computer Equipment <input checked="" type="checkbox"/> Drugs <input checked="" type="checkbox"/> N/A		25 Juvenile Gang <input type="checkbox"/> Adult Gang <input type="checkbox"/> None/Unknown		26 Hate Bias <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		27 Bias Code							
29 Point of Entry <input type="checkbox"/> Door <input type="checkbox"/> Roof <input type="checkbox"/> Window <input type="checkbox"/> Other		30 Method of Entry <input type="checkbox"/> Forcible <input type="checkbox"/> Attempted Forcible <input type="checkbox"/> No Force		31 Local Use		32 Lighting <input checked="" type="radio"/> Natural 2 Moon 3 Artificial Exterior 4 Artificial Interior 5 Unknown		33 Weather 1 Clear 2 Cloudy 3 Rain 4 Fog 5 Snow 6 Hail 7 Unknown		34 Location Type (Circle) 01 Terminal 09 Drug Store 17 Liquor Store 02 Bank 10 Field/Woods 18 Parking Lot/Garage 03 Bar 11 Govt/Public Building 19 Storage Facility 04 Church 12 Supermarket 20 Residence/Home 05 Commercial 13 Highway/Street 21 Restaurant 06 Construction 14 Hotel/Motel 22 School/College 07 Conv Store 15 Jail/Prison 23 Service/Gas Station 08 Dept Store 16 Lake/Waterway 24 Specialty Store 25 Other/Unknown													
35 Occurred from MM/DD/YY 06 01 15		36 Time of Event <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM <input checked="" type="checkbox"/> MIL		37 Day of Week Monday		38 Occurred to MM/DD/YY 06 01 15		39 Time of Event <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM <input checked="" type="checkbox"/> MIL		40 Day of Week Monday		41 # Premises Entered (Burglary)											
42 Type Criminal Activity B Buying/Receiving D Distributing/Selling O Operating/Promoting T Transporting/Importing C Cultivating/Manu E Exploiting Children P Possessing/Concealing U Using/Consuming						43 Victim Type I Individual F Financial (Bank) R Religious Org B Business G Government S Society																	
44 Loss Code				45 Property Code				46 Qty				47 Property Description Include Make, Model, Size Type, Serial #, Color, Drug Type, Drug Qty, Etc.				48 Dollar Value Stolen Damaged		49 Recovered Date Value					
Loss Code (Enter letter in loss code column) S Stolen B Burned R Recovered F Forged D Damaged/Counterfeit Destroyed N None C Confiscated/Seized				Property Code (Enter # in property type column) 01 Aircraft 02 Alcohol 03 Autos 04 Bicycles 05 Buses 06 Clothes				07 Computer 08 Consumables 09 Credit Card 10 Drugs 11 Drug Equip 12 Farm Equip 13 Firearms 14 Gambling Equipment 15 Heavy Construction				16 Household Goods 17 Jewelry 18 Livestock 19 Merchandise 20 Money 21 Negotiable Instrument 22 Non-negotiable Instru 23 Office Equipment 24 Other Motor Vehicle				25 Purse/Wallet 26 Radios/TV/VCR 27 Recordings 28 RV's 29 Structure - Single Occupancy Dwelling 30 Structure - Other Dwelling 31 Structure - Other Commercial 32 Structure - Industrial/Manufacturing 33 Structure - Public/Community				34 Structure - Storage 35 Structure - Other 36 Tools - Power/Hand 37 Trucks 38 Vehicle Parts/Accessories 39 Watercraft 77 Other			
50 Stolen Vehicle Only		Area Stolen <input type="checkbox"/> Business <input type="checkbox"/> Rural		Residence <input type="checkbox"/> Residence <input type="checkbox"/> Rural		51 Ownership verified by <input type="checkbox"/> Tag Receipt <input type="checkbox"/> Title <input type="checkbox"/> Bill of Sale <input type="checkbox"/> Other		52 Veh. Categories <input type="checkbox"/> Recovered <input type="checkbox"/> Stolen <input type="checkbox"/> Victim's Vehicle <input type="checkbox"/> Suspect's Vehicle <input type="checkbox"/> Abandoned <input type="checkbox"/> Unauthorized Use <input type="checkbox"/> Other		53 Vehicle Year		54 Vehicle Make		55 Vehicle Model		56 Number Veh Stolen		57 Vehicle Description					
58 Vehicle Style		59 Vehicle Color Top Bottom		60 License		61 LST		62 LIY		63 Tag Color		64 Vehicle VIN Number		65 Warrant Signed <input type="checkbox"/> Yes <input type="checkbox"/> No		Warrant Number							
Motor Vehicle Recovery Only Required For 24XX UCR Code				66 Stolen in your jurisdiction? <input type="checkbox"/> Yes <input type="checkbox"/> No Where?				67 Recovered in your jurisdiction? <input type="checkbox"/> Yes <input type="checkbox"/> No Where?				68 Case #		69 SFX		70 Case #		71 SFX		72 Case #		73 SFX	
74 Case Status <input checked="" type="radio"/> Pending <input type="radio"/> Inactive <input type="radio"/> Closed		75 Multiple Cases Closed Listed Above Multiple Cases Closed Listed On Supplement <input type="checkbox"/>				77 Case Disposition 1 Cleared by Arrest (Juvenile) 2 Cleared by Arrest (Adult) 3 Unfounded 4 Exceptional Clearance 5 Administratively Cleared				76 Exceptional Clearance (Circle One) A Suspect/Offender Dead B Prosecution Declined/ Other Prosecution C Extradition Denied D Victim Refused to Cooperate E Juvenile (No Custody) F Death of Victim				79 Reporting Officer Coleman, James Officer ID Number									
76 Entered NCIC/ACJIC <input type="checkbox"/> Yes <input type="checkbox"/> No		Date (MM/DD/YY)		NIC/AIN #		80 Assisting Officer Officer ID Number				81 Supervisor Approval Officer ID Number				82 Watch Commander Officer ID Number									

Vestavia Hills Police Department

Resolution No. 4730 - Exhibits

Incident/Offense Report - Continued	83 Date of Report (MM/DD/YY) 07 01 15	84 Time of Report 12:30	<input type="checkbox"/> AM <input type="checkbox"/> PM <input checked="" type="checkbox"/> MIL	85 Agency Case Number 2015-00020641	87 <input type="checkbox"/> Offender <input checked="" type="checkbox"/> Suspect <input type="checkbox"/> Missing Person	<input type="checkbox"/> Check if Multiple
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88 Reported By (Last, First, Middle Name) Ofc. J. Coleman,	<input type="checkbox"/> Victim Or	89 Suffix	90 <input type="checkbox"/> Resident <input checked="" type="checkbox"/> Non-Resident	91 Home Phone	92 Work Phone (205)978-0113	93 Other Phone
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94 Victim #	95 Victim (Last, First, Middle Name) City of Vestavia	96 Suffix	97 Address (Street, City, State, Zip) 513 Montgomery Highway Vestavia Hills, AL 35216	98 Home Phone	99 Work Phone (205)978-0140	100 Other Phone
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101 Employer/School	102 Occupation	103 Address (Street, City, State, Zip)	104 Work Phone	105 Other Phone
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105 Sex <input type="checkbox"/> M <input type="checkbox"/> F	107 Race <input type="checkbox"/> W <input type="checkbox"/> B	<input type="checkbox"/> English <input type="checkbox"/> Spanish <input type="checkbox"/> Other	108	109 HGT	110 WGT	111 Date of Birth	112 Age	113 Victim SSN	114 Complainant SSN
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<input type="checkbox"/> Multiple Victims <input type="checkbox"/> LE Officer	115 116 Ethnicity <input type="checkbox"/> Hispanic <input type="checkbox"/> Other	117 Injury <input type="checkbox"/> Yes <input type="checkbox"/> No	118 Offender known to victim? <input type="checkbox"/> Yes <input type="checkbox"/> No	119 Victim was? (Explain Relationship.)	120 Relationship Code
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121 Weapons Used <input type="checkbox"/> Firearm <input type="checkbox"/> Knife <input type="checkbox"/> Hands, Fist, Feet, Voice, etc. <input type="checkbox"/> Other Dangerous	122 Description of Weapons/Firearms/Tools Used in Offense Describe:	<input type="checkbox"/> Handgun <input type="checkbox"/> Rifle <input type="checkbox"/> Shotgun <input type="checkbox"/> Unknown
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123 Place of Occurrence 4004 North Cahaba Drive Vestavia Hills, AL 35243	(Enter exact street address here)	124 Type of Injury N None B Broken Bones I Internal Injury L Severe Laceration M Minor Injury O Other Major Injury T Loss of Teeth U Unconscious	125 Sector
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126 Circumstances: Homicide & Assault	128 Assault <input type="checkbox"/> Simple <input type="checkbox"/> Aggravated	129 Treatment for Assault? <input type="checkbox"/> Yes <input type="checkbox"/> No	130 Verify for Rape Exam? <input type="checkbox"/> Yes <input type="checkbox"/> No	131 Treatment for Rape? <input type="checkbox"/> Yes <input type="checkbox"/> No
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132 Off #	133 Name (Last, First, Middle) Clement, Jan, M.	134 SFX	135 Alias	136 Social Security #	137 Race <input checked="" type="checkbox"/> W <input type="checkbox"/> B <input type="checkbox"/> A <input type="checkbox"/> I	138 Sex <input type="checkbox"/> M <input checked="" type="checkbox"/> F	139 Date of Birth	140 Age
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141 Address (Street, City, State, Zip)	142 HGT	143 WGT	144 Ethnicity <input checked="" type="checkbox"/> Other	<input type="checkbox"/> Hispanic	145 Language <input type="checkbox"/> English <input type="checkbox"/> Spanish <input type="checkbox"/> Other
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146 Probable Destination	147 Eye	148 Hair	149 Complexion	150 Armed <input type="checkbox"/> Yes <input type="checkbox"/> No	Weapon
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151 Clothing	152 <input type="checkbox"/> Scars <input type="checkbox"/> Marks <input type="checkbox"/> Tattoos <input type="checkbox"/> Amputations	153 <input type="checkbox"/> Arrested <input type="checkbox"/> Wanted	<input type="checkbox"/> Dual Arrest (Domestic Violence)
--------------	-----------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------	----------------------------------------------------------

154 Off #	155 Name (Last, First, Middle)	156 SFX	157 Alias	158 Social Security #	159 Race <input type="checkbox"/> W <input type="checkbox"/> B <input type="checkbox"/> A <input type="checkbox"/> I	160 Sex <input type="checkbox"/> M <input type="checkbox"/> F	161 Date of Birth	162 Age
-----------	--------------------------------	---------	-----------	-----------------------	----------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------	-------------------	---------

163 Address (Street, City, State, Zip)	164 HGT	165 WGT	166 Ethnicity <input type="checkbox"/> Other	<input type="checkbox"/> Hispanic	167 Language <input type="checkbox"/> English <input type="checkbox"/> Spanish <input type="checkbox"/> Other
----------------------------------------	---------	---------	-------------------------------------------------	-----------------------------------	------------------------------------------------------------------------------------------------------------------------

168 Probable Destination	169 Eye	170 Hair	171 Complexion	172 Armed <input type="checkbox"/> Yes <input type="checkbox"/> No	Weapon
--------------------------	---------	----------	----------------	--------------------------------------------------------------------------	--------

173 Clothing	174 <input type="checkbox"/> Scars <input type="checkbox"/> Marks <input type="checkbox"/> Tattoos <input type="checkbox"/> Amputations	175 <input type="checkbox"/> Arrested <input type="checkbox"/> Wanted	<input type="checkbox"/> Dual Arrest (Domestic Violence)
--------------	-----------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------	----------------------------------------------------------

Name (Last, First, Middle)	Sex	Race	Date of Birth	Address	Contact Telephone Numbers
----------------------------	-----	------	---------------	---------	---------------------------

176	177 <input type="checkbox"/> M <input type="checkbox"/> F	178 <input type="checkbox"/> W <input type="checkbox"/> B <input type="checkbox"/> A <input type="checkbox"/> I	179	180	181 Home 182 Work 183 Other
-----	-----------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------	-----	-----	-----------------------------------

184	185 <input type="checkbox"/> M <input type="checkbox"/> F	186 <input type="checkbox"/> W <input type="checkbox"/> B <input type="checkbox"/> A <input type="checkbox"/> I	187	188	189 Home 190 Work 191 Other
-----	-----------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------	-----	-----	-----------------------------------

192	193 <input type="checkbox"/> M <input type="checkbox"/> F	194 <input type="checkbox"/> W <input type="checkbox"/> B <input type="checkbox"/> A <input type="checkbox"/> I	195	196	197 Home 198 Work 199 Other
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200 Witness # 1 SSN	201 Witness # 2 SSN	202 Witness # 3 SSN
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NARRATIVE

393 7-1-2015 414 Violation of the Weed Ordinance

Officer has limited information on the suspect in this case. The suspect in this case bought the listed location, 4004 North Cahaba Dr. for her daughter while the daughter was attending school at Samford University. While attending the University the daughter passed away, this was in 2004. The house has sat vacant since then. The neighbors in the area have been complaining about the yard and rodents. The neighbors told officer that the yard has been cut a couple of times since the daughter passed away, it now has been several years since the property has been cut. Officer observed that the yard is well over four feet high in weeds and other voluntary or spontaneous growth of like nature. The suspect in this case lives in Russellville, Arkansas. Officer found a telephone number for the suspect's other daughter, Maghan Follis. Mrs. Follis lives in Tennessee. Officer talked to the daughter twice in a three

204 Continued on Supplement <input type="checkbox"/> Yes <input type="checkbox"/> No	205 Assisting Agency ORI	206 Assisting Agency Case Number	207 SFX	208 Warrant Signed <input type="checkbox"/> Yes <input type="checkbox"/> No	Warrant #	209 Add. Cases Closed Narrative <input type="checkbox"/> Y <input type="checkbox"/> N
--------------------------------------------------------------------------------------------	--------------------------	----------------------------------	---------	-----------------------------------------------------------------------------------	-----------	---------------------------------------------------------------------------------------------

I hereby affirm that I have read this report and that all the information given by me is correct to the best of my knowledge. I will assume full responsibility for notifying the agency if any stolen property or missing person herein reported is returned.

210 _____
Signature

211 Local Use _____
212 State Use _____

**ADDITIONAL INCIDENT/OFFENSE
NARRATIVE CONTINUED**

76 Date and Time of Report

070115

12:30

AV
 PV
 SW

80 Case #

2015-00020641

82 Type Report: 1 Continuation 2 Follow-up

NARRATIVE

7-1-2015 414 Violation of the Weed Ordinance

month period. Mrs. Follis told the officer she would have her Mother call officer. The suspect never called. Mrs. Follis told officer that the house has bad memories for her Mother and she won't talk about the house or do anything with the house. The last time officer talked to Mrs. Follis, officer received the suspect's address. Officer sent a certified letter to the suspect on 6-1-2015, officer has yet to hear from the suspect. This property is a health hazard for the neighborhood and it is devaluing the property values.

Maghan Follis
479-236-2127

Jan M. Clement
P.O. Box 10202
Russellville, Ar. 72812

NARRATIVE

NARRATIVE



CITY OF VESTAVIA HILLS

POLICE DEPARTMENT

ALBERTO "BUTCH" ZARAGOZA
MAYOR

DANNY P. RARY
CHIEF OF POLICE

June 1, 2015

Property Location: 4004 North Cahaba Drive Vestavia Hills, Al. 35243

A complaint has been received that the following Violation exists on the above referenced property.

City Ordinance Number 2567

All premises and exterior property shall be maintained free from weeds or plant growth in excess of (12) twelve inches. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation. The bushes need to be trimmed as well.

Legal action could be taken against you if the yard is not taken care of.

Please give me a call so we can resolve this matter at 205-978-0113

Respectfully,
Officer Jimmy Coleman
Code Enforcement
Vestavia Hills Police Department

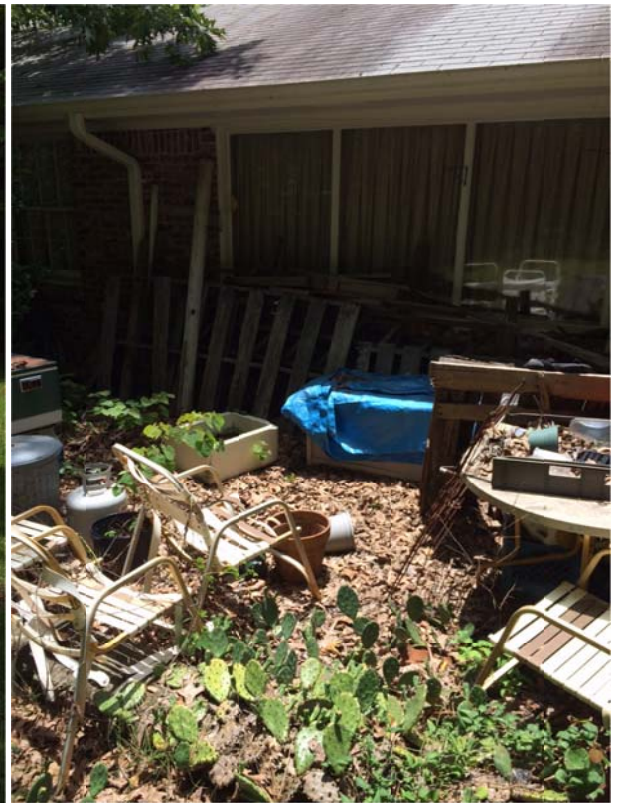
Notice

This property is in Violation of the
Vestavia Hills Weed Ordinance Number 2567

Grass and bushes have not been cut within
90 days of this notice, remedial action will be
taken in accordance with the provisions of
Vestavia Hills Ordinance Number 2567.

Contact Officer Jimmy Coleman
Vestavia Hills Police Department
205-978-0113

Date: 6-12-15 Time Posted: 1:19 PM





RESOLUTION NUMBER 4731

**A RESOLUTION ACCEPTING THE 2013-2014 AUDIT
FOR THE CITY OF VESTAVIA HILLS, ALABAMA**

WHEREAS, the audit for the fiscal year 2013-2014 has been submitted to the Mayor and the City Council for review; and

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

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

1. That the City Council wishes to accept the audit for the fiscal year 2013-2014;
and
2. That a copy of the submitted audit be affixed to this resolution marked "Exhibit A."

ADOPTED and APPROVED this the 13th day of July, 2015.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

City of Vestavia Hills, Alabama

Financial Statements

September 30, 2014



CRI CARR
RIGGS &
INGRAM

CPAs and Advisors

CRIcpa.com | blog.cricpa.com

City of Vestavia Hills, Alabama
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September 30, 2014

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Carr, Riggs & Ingram, LLC

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Suite 300
Birmingham, AL 35205

(205) 933-7822

(205) 933-7944 (fax)

www.cricpa.com

Independent Auditors' Report

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

Report on the Financial Statements

We have audited the accompanying financial statements of the governmental activities, each major fund, and the aggregate remaining fund information of City of Vestavia Hills, Alabama (the "City") as of and for the year ended September 30, 2014, and the related notes to the financial statements, which collectively comprise the City's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

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

Auditor's Responsibility

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Basis for Disclaimer of Opinion on the Aggregate Discretely Presented Component Units

The financial statements of the Library Foundation and the Park and Recreation Foundation (the Foundations') have not been audited, and we were not engaged to audit the Foundations' financial statements as part of our audit of the City's basic financial statements. The Foundations' financial activities are included in the City's basic financial statements as the only discretely presented component units and represent .48% percent, .82% percent, and .48% percent of the assets, net position, and revenues, respectively, of the City's governmental activities.

Disclaimer of Opinion

Because of the significance of the matter described in the "Basis for Disclaimer of Opinion on the Aggregate Discretely Presented Component Units" paragraph, we have not been able to obtain sufficient appropriate audit evidence to provide a basis for an audit opinion on the financial statements of the aggregate discretely presented component units of the City of Vestavia Hills, Alabama. Accordingly, we do not express an opinion on these financial statements.

Unmodified Opinions

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, each major fund, and the aggregate remaining fund information of the City of Vestavia Hills, Alabama, as of September 30, 2014, and the respective changes in financial position, for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis, budgetary comparison information, and the defined benefits and OPEB plan information on pages 4.1-4.11 and 37-40 be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the City's basic financial statements. The introductory section and combining and individual nonmajor fund financial statements are presented for purposes of additional analysis and are not a required part of the basic financial statements.

The combining and individual nonmajor fund financial statements are the responsibility of management and were derived from and relate directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the combining and individual nonmajor fund financial statements are fairly stated, in all material respects, in relation to the basic financial statements as a whole.

Other Reporting Required by *Government Auditing Standards*

In accordance with *Government Auditing Standards*, we have also issued our report dated June 17, 2015, on our consideration of the City's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering City's internal control over financial reporting and compliance.

Carly Riggs & Ingram, L.L.C.

Birmingham, Alabama

June 17, 2015

**City of Vestavia Hills
Management's Discussion & Analysis (MD&A)
September 30, 2014**

The City of Vestavia Hills' Management Discussion and Analysis report provides an overview of the City's financial activities for fiscal year ended September 30, 2014. Please read the report in conjunction with the City's financial statements and notes to the financial statements that immediately follow this analysis.

Financial Highlights: Significant Items to Note

- ❖ The assets of the City exceeded the liabilities at the close of the 2014 fiscal year by \$95.27 million (net position).
- ❖ The City's net position increased 1.2% (\$1.17 million) in the 2014 fiscal year.
- ❖ The total cost of the City's programs for the 2014 fiscal year was \$36.9 million. The net cost was \$30 million after subtracting grants and charges for services.
- ❖ At the end of the 2014 fiscal year, the general fund unassigned fund balance, excluding the City's committed funds for economic stabilization fund balance of \$9.01 million, was \$2.5 million, or 8.7% of the total general fund operating expenses before debt service.
- ❖ Major capital expenditures for the 2014 fiscal year totaled \$7.4 million including \$2.4 million for projects in progress and \$5 million for completed projects.
- ❖ The City increased its outstanding General Obligation Warrants by \$20.6 million resulting from 2013 and 2014 warrant issues to construct municipal facilities and to restore and improve wetlands and green space.

Using the Annual Financial Report - An Overview for the User

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

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

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

Government-wide statements report both long-term and short-term information about the City's overall financial status including the capitalization of capital assets and depreciation of all exhaustible capital assets and the outstanding balances of long-term debt and other obligations. These statements report all assets and liabilities perpetuated by these activities using the accrual basis of accounting. The accrual basis takes into account all of the City's current year's revenues and expenses regardless of when cash is

received or paid. This approach moves the financial reporting method for governmental entities closer to the financial reporting methods used in the private sector.

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

The *statement of net position* (on page 5) is most closely related to a balance sheet. It presents information on all of the City's assets (what it owns) and liabilities (what it owes), with the difference between the two reported as net position. The net position reported in this statement represents the accumulation of changes in net position for the current fiscal year and all fiscal years in the past combined. Over time, the increase or decrease in net position reported in this statement may serve as a useful indicator of whether the financial position of the City is improving or deteriorating.

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

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

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

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

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

funds reported in the *fund financial statements* are reconciled on pages 8 and 10 of these financial statements. These reconciliations are useful to readers in understanding the long-term impact of the City's short-term financing decisions.

Notes to the Basic Financial Statements - The *notes to the basic financial statements* provide additional information that is essential for the statements to fairly represent the City's financial position and its operations. The notes contain important information that is not part of the basic financial statements. However, the notes are an integral part of the statements, not an appendage to them. The *notes to the basic financial statements* begin on page 11 in this section.

After the presentation of the basic financial statements, the *required supplementary information* is presented following the notes to the basic financial statements. The *required supplementary information* beginning on page 36 provides a comparison of the adopted budget of the City's General Fund to the actual operating results for the fiscal year. The comparison of this data allows users to assess management's ability to project and plan for its operations throughout the year.

Analysis of the City of Vestavia Hills' Overall Financial Position

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

Table 1: Summary of Net Position

	As of September 30, (dollars in thousands)	
	<u>2014</u>	<u>2013</u>
Assets:		
Current and other assets	\$ 44,432	\$ 29,491
Capital assets	<u>118,355</u>	<u>113,955</u>
Total Assets	<u>162,787</u>	<u>143,446</u>
Liabilities:		
Other liabilities	3,705	3,795
Long-term liabilities	<u>63,814</u>	<u>45,549</u>
Total Liabilities	<u>67,519</u>	<u>49,344</u>
Net position:		
Net investment in capital assets	82,529	84,740
Restricted	890	458
Unrestricted	<u>11,850</u>	<u>8,903</u>
Total Net Position	<u>\$ 95,269</u>	<u>\$ 94,101</u>

The City's assets exceeded liabilities by \$95.27 million at September 30, 2014.

Net investment in capital assets of \$82.5 million reflect the City's investment in capital assets (e.g., land, infrastructure, buildings, improvements other than buildings, fixtures, furniture, equipment and transportation equipment), less accumulated depreciation and

debt related to the acquisition of the assets. Since these capital assets are used in governmental activities, this portion of net position is not available for future spending or funding of operations.

Restricted net position in the amount of \$890,000 represents the net position of the Four, Five and Seven Cent State Shared Gasoline Tax Funds. This net position has been restricted by enabling legislation. Unrestricted net position of \$11.9 million may be used at the City's discretion to meet ongoing obligations to citizens and creditors and for future operations. Additionally, the unrestricted net position include funds established in fiscal 2009 designated for "Other Post Employment Benefits" (OPEB) Actuarial Trust fund of \$138,000 (net of current liability, \$27,000).

Analysis of the City of Vestavia Hills' Operating Results

The results of this fiscal year's operations as a whole are reported in detail in the *Statement of Activities* on page 6. *Table 2* below condenses the results of operations for the fiscal year into a format where the reader can easily see the total revenues of the City for the year. It also shows the impact that operations had on changes in net position as of September 30, 2014 and 2013.

Table 2: Summary of Changes in Net Position

	Fiscal Year Ended September 30, (dollars in thousands)	
	2014	2013
Program Revenues:		
Charges for services	\$ 6,037	\$ 5,718
Operating grants/contributions	553	592
Capital grants/contributions	326	806
General Revenues:		
Taxes	27,343	27,187
Utility franchise fees	2,684	2,542
Investment earnings	143	96
Interest on notes receivable	-	13
Misc	216	125
Sale of assets	139	295
Donations	5	30
Donated infrastructure assets	627	763
Total Revenues	38,073	38,167
Program Expenses:		
General government	6,259	6,214
Public safety	16,332	16,058
Public works	5,428	5,675
Library	2,472	2,341
Parks & recreation	3,563	3,237
Interest on long term debt	2,853	1,560
Total Expenses	36,907	35,085

Change in net position	1,166	3,082
Net Position, beginning	94,101	93,405
Prior Period Adjustment	-	(2,386)
Net Position, restated	-	91,019
Net Position, ending	\$ 95,267	\$ 94,101

The City’s revenues, excluding donated infrastructure assets and donated property, which do not provide spendable funds, increased .18% (\$67,000). The increase resulted primarily from the following revenue categories: 6% (\$319,000) in charges for services, .6% (\$156,000) in taxes and 5.6% (\$142,000) in utility franchise fees. The revenue increase was partially offset by a decrease in several revenue categories, principally by a 60% (\$480,000) decrease in capital grants/contributions.

The charges for services increase was primarily due to a 57.4% (\$120,300) increase in court fines & fees, 29% (\$160,900) increase in building permits, new construction. The decrease in capital grants/contributions was a result of reduced awards.

The City’s program expenses increased 5.2% (\$1.8 million). The increase resulted principally from an increase of 83% (\$1.3 million) in interest on long term debt.

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

Table 3: Net Cost of Government-Wide Activities

	Fiscal Year Ended September 30, 2014 (dollars in thousands)	
	<u>Total Cost of Services</u>	<u>Net Cost of Services</u>
General government administration	\$ 6,259	\$ 2,337
Public safety	16,332	15,130
Public works	5,428	4,157
Library	2,472	2,316
Parks and recreation	3,563	3,197
Interest on long term debt	2,853	2,853
Total	\$ 36,907	\$ 29,990

Performance of City Funds

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

Governmental Funds - The focus of the City's governmental funds is to provide information on near-term inflows, outflows, and balances of available resources. Such information is useful in assessing the City's financial requirements (Note: the reconciliation statement between the *fund financial statements* and the *government-wide financial statements* are presented on pages 8 and 10). At the end of the fiscal year, the City's governmental funds reported a combined fund balance of \$40.9 million, which includes a \$9.01 million committed fund balance to be used for economic stabilization in the event of an unforeseen emergency and \$2.5 million of unassigned general fund balance which is available for future needs.

Budgetary Highlights of the General Fund

On or before October 1 of each year, the City Manager prepares and submits an annual budget to be adopted by the City Council. The fiscal 2014 budget was adopted September 9, 2013. The comparison of the general fund budget to the actual results is detailed in the "Statement of Revenues, Expenditures and Changes in Fund Balances - Budget and Actual" on page 37. The City's actual results as compared to the City's budget can be briefly summarized as follows:

- ❖ Actual revenues exceeded budget by \$776,800 or 2.4%. Charges for services were under budget totaling \$30,200; however, the decrease was offset due to taxes, licenses and permits, fines and forfeitures, fees, grants, proceeds from sale of assets, investment revenues and other revenues exceeding budget totaling \$807,000.
- ❖ Actual expenditures exceeded budget by \$106,800 or .37%. Public safety, public works, library and debt service were under budget totaling \$331,500; however, the decrease was offset due to expenditures exceeding budget in general government administration, parks and recreation and capital outlay totaling \$438,300. General government administration, parks and recreation and capital outlay expenditures exceeded budget principally due to authorized non-budgeted expenditures: economic development consultant fees, maintenance agreements, installation of new heating and air unit, purchase of new thermal imaging cameras and books and reading materials.

Capital Assets and Debt Administration

Capital Assets - The City's investment in capital assets for governmental activities for the year ended September 30, 2014, amounted to \$82.5 million, net of accumulated depreciation and debt related to the acquisition of the assets. The City's investment in capital assets, which includes land, land improvements, infrastructure, buildings and

improvements, fixtures, equipment, vehicles and furniture at actual or estimated historical cost, equipment under capital lease, and construction in progress, is shown in *Table 4*. Assets are presented net of accumulated depreciation.

Table 4: Capital Assets (net of accumulated depreciation)

	Fiscal Year Ended September 30, (dollars in thousands)	
	<u>2014</u>	<u>2013</u>
Land	\$ 70,445	\$ 67,628
Construction-in-progress	4,636	2,224
Buildings	10,805	11,262
Improvements	5,563	5,990
Recreational facilities	13,209	13,742
Vehicular equipment	3,470	2,359
Equipment and fixtures	3,029	3,480
Books and artwork	712	711
Infrastructure	<u>6,486</u>	<u>6,558</u>
Capital assets, net of depreciation	<u>\$ 118,355</u>	<u>\$ 113,954</u>

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

Donated Infrastructure assets (streets)	\$ 244
Construction-in-progress projects (includes sidewalk design and construction)	2,411
Land improvements	-
Buildings	-
Land	2,817
Vehicles	1,555
Equipment, furniture & fixtures	385
Computer equipment and software	56
Recreational facilities	432
Library books & Artwork	<u>188</u>
	<u>\$ 8,088</u>

Long-Term Debt - At year-end, the City had \$62.4 million in general obligation warrants, capital lease contracts payable and other long-term debt outstanding. This is an increase of 40.59% in debt from last year, as shown in *Table 5* below.

Table 5: Outstanding Debt

As of September 30, 2014
(dollars in thousands)

	<u>Beginning Balance</u>	<u>Net Change</u>	<u>Ending Balance</u>
Governmental activities:			
Warrants payable	\$ 39,830	\$ 18,475	\$ 58,305
Capital leases	3,038	(551)	2,487
Compensated absences	1,557	109	1,666
Totals	\$ 44,425	\$ 18,033	\$ 62,458

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

- ❖ The City reduced its General Obligation Warrants by \$2.01 million but added an additional \$20.6 million in General Obligation Warrants (Series 2013A, 2014 and 2014CWSRF) for a net increase of \$18.5 million. The proceeds of the Warrants shall be used to construction new municipal facilities and restore and improve wetlands and green space
- ❖ The long-term liability in compensated absences increased due to accumulated compensatory time city wide.
- ❖ A favorable bond rating facilitates the City’s ability to meet financial obligations. Moody’s Investors Service and Fitch Ratings assigned the City of Vestavia Hills a rating of Aa1 and AA+ in 2013/2014, respectively.

Economic Factors and Next Year’s Budget

Ad Valorem Tax – The City’s ad valorem tax is based on an annual reassessment of real property. Over the previous six years, ad valorem taxes have shown some volatility resulting primarily from tornados which severely damaged and/or destroyed local residence and businesses. The rebuilding of residential structures and businesses will result in increase collections of ad valorem taxes. The corresponding annual percentage changes are reflected below.

Ad Valorem Taxes - Real			
<u>Fiscal Year</u>	<u>Collection</u>	<u>Variance</u>	<u>% Change</u>
2009	12,235,165	587,707	5.05%
2010	12,065,106	(170,059)	-1.39%
2011	11,860,083	(205,023)	-1.70%
2012	12,246,789	386,706	3.26%
2013	11,892,447	(354,342)	-2.90%
2014	12,284,147	391,700	3.30%

Personnel Administration Costs – The City’s personnel administration is provided by the Personnel Board of Jefferson County (PBJC). Participating municipalities pay an annual fee based on the number of classified employees employed by the municipality times a percentage of the PBJC’s operating budget. The City of Vestavia Hills paid \$210,875 in fiscal 2014, a 1.35% increase.

Medical Costs – Employee health insurance is provided through the State of Alabama Insurance Board. The City of Vestavia Hills retained its preferred insurance classification rating resulting from minimal medical claims and employees’ participation in the State of Alabama Wellness Screening Program. In fiscal 2014, the City’s health insurance premium increased 5%. Vestavia Hills absorbed the increase.

Retirement Costs –The City’s retirement program for employees is provided through the Retirement System of Alabama (RSA). Economic and market conditions in previous years resulted in increases in the City’s required contribution to the program. The pension plan is currently funded at 65.7%, reflecting an unfunded liability of \$20.05 million. Subsequently, Vestavia Hills’ contribution factor increased in fiscal 2014 from 10.70% to 12.23% representing a budgeted contribution of \$1.8 million. The contribution factor of 12.23% is expected to remain constant in fiscal 2015.

Cost-of-Living Raise – A 2% cost of living adjustment was included in the 2013-2014 fiscal budget.

Current Year Economic Growth and Planned Development in Next Fiscal Year -

During Fiscal Year 2014, the City of Vestavia Hills experienced strong growth in construction of new homes as evidenced by Exhibit 1 below. 114 residential new construction permits were issued and 7 commercial new construction permits were issued. These numbers show a rebound from recessionary effects to the local economy and represent an eight year high. Given the City’s reliance upon the ad valorem tax as a major source of revenue, this is a strong indicator of a healthy financial position in future years. Furthermore, Exhibit 2 expresses the historical commercial new construction values in Vestavia Hills over an eight year period. Except for two of the last eight years, the value of new commercial construction has not exceeded \$5 million dollars for the fiscal year. Extremely noteworthy, the City anticipates a considerable growth of new commercial construction for fiscal year 2015 with the commencement of \$116 million in construction and moderate residential growth as well. While the future sales and ad valorem taxes generated from these new commercial businesses will not be seen in the fiscal year 2015 budget, they will positively affect the revenue projections for fiscal year 2016 and future fiscal years. The anticipated annual growth of ad valorem and sales taxes from these new developments equate to \$ 2.5 million additional annual tax dollars. With many other projects in preliminary development and an anticipated healthy growth in sales for existing businesses, projections for revenue growth over the next three years appear robust.

Exhibit 1

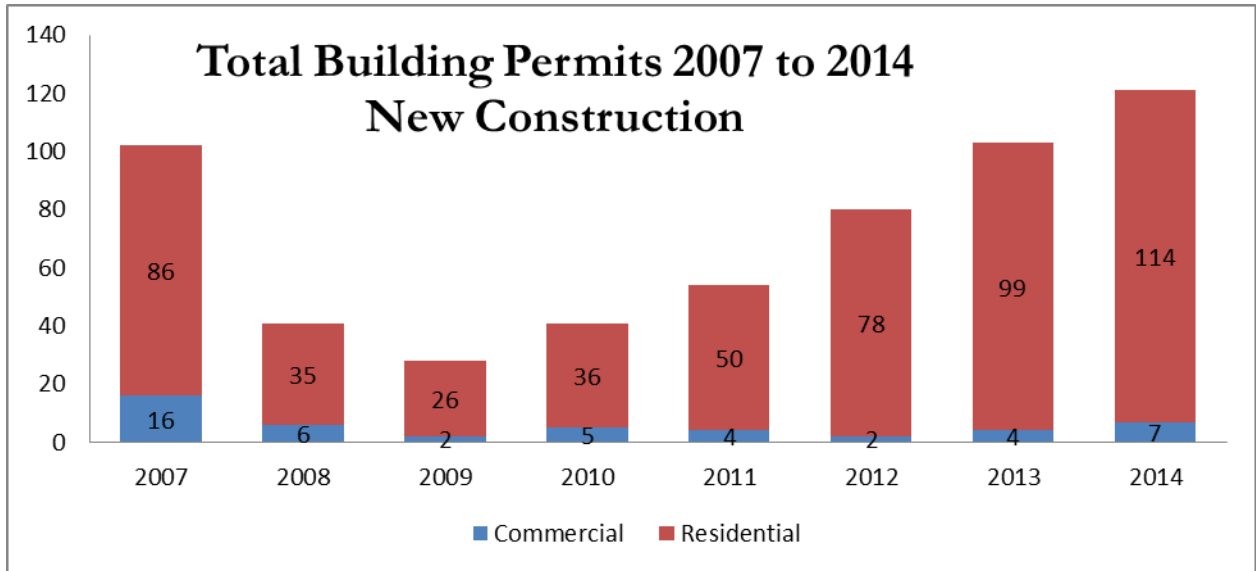


Exhibit 2

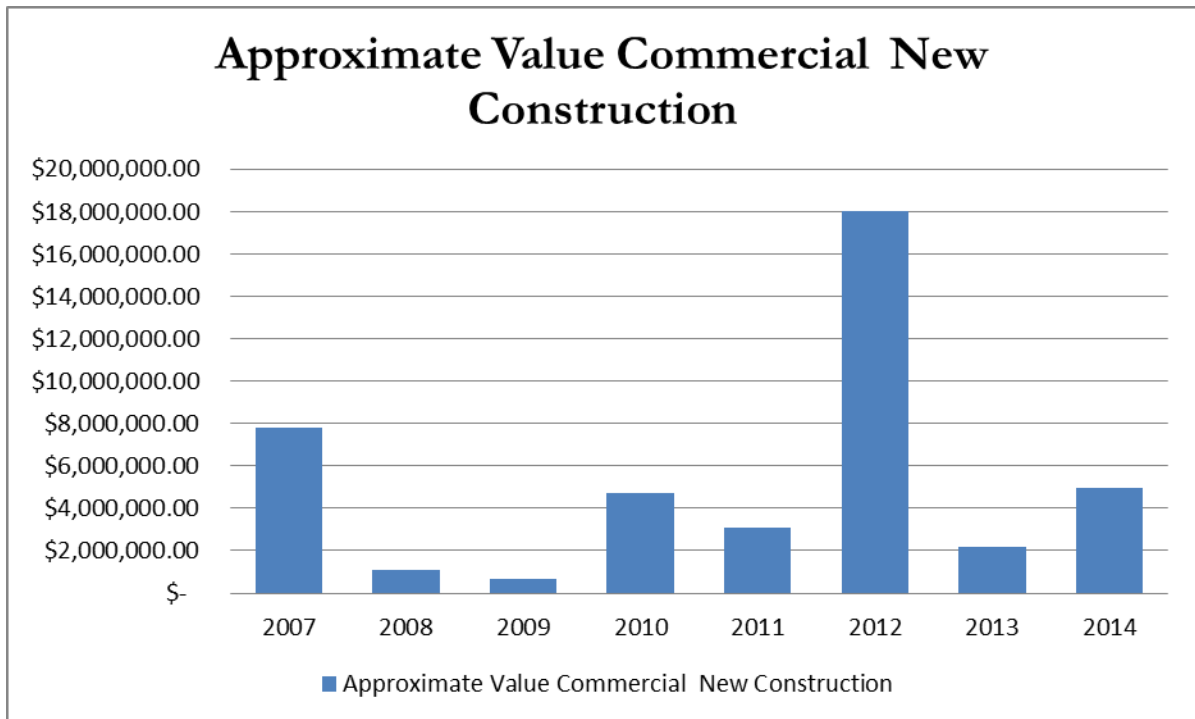


Exhibit 3

Project Name	Project Anticipated Construction Value	Project Anticipated Annual Tax Revenue to Vestavia Hills	Projected Opening Date
Sprouts Retail Center	\$ 10,000,000	\$ 400,000	Apr-16
Zaxby's	\$ 1,050,000	\$ 59,000	Oct-15
Chick-Fil-A	\$ 2,000,000	\$ 125,000	Sep-16
Aspire Rehabilitation (Skilled Nursing Facility)	\$ 17,524,000	\$ 0	Sep-16
Resort Lifestyle Community (Senior Living Facility)	\$ 27,991,000	\$ 115,000	Nov-16
Corporate HQ- Patchwork Farms	\$ 3,500,000	\$ 15,000	Sep-16
The Reserve at Patchwork Farms (270 Unit Multi-Family Development)	\$ 30,000,000	\$ 123,000	Sep-16
Grocer Anchored Retail-Patchwork	\$ 24,000,000	\$1,450,000	Nov-16
TOTAL NEW COMMERCIAL VALUES	\$ 116,065,000	\$2,287,000	
Liberty Park Single Family Residential (200 New Homes)	\$99,450,000	\$ 204,000	Four Year Build out

Contacting the City's Financial Management

This financial report is designed to provide citizens, taxpayers, investors, and creditors with a general overview of the City's finances and to show the City's accountability for the money it receives. If you have any questions about this report or need additional financial information, contact Melvin Turner, III, Finance Director - City of Vestavia Hills, 513 Montgomery Highway, Vestavia Hills, AL 35216, or by calling (205) 978-0128, Monday through Friday, 8:00 a.m. to 5:00 p.m., Central Standard Time.

City of Vestavia Hills, Alabama
Statement of Net Position

<i>September 30, 2014</i>	Primary Government	Component Units	
	Governmental Activities	Library Foundation	Park and Recreation Foundation
Assets			
Cash and temporary investments	\$ 40,531,394	\$ 156,770	\$ 625,766
Cash - restricted	1,627,019	-	-
Receivables	1,995,568	-	-
Inventory	38,809	-	-
Prepaid expenses	49,552	-	-
Bond issuance discount, net	190,060	-	-
Land	70,444,576	-	-
Construction in progress	4,635,756	-	-
Capital assets, net of accumulated depreciation	43,274,502	-	-
Total assets	162,787,236	156,770	625,766
Liabilities			
Accounts payable	2,868,863	-	-
Court and performance bonds payable	433,021	-	-
Accrued interest payable	402,635	-	-
Noncurrent liabilities			
Due within one year:			
Compensated absences	293,927	-	-
Warrants payable, net	2,315,000	-	-
Obligation due under long-term capital leases	557,775	-	-
Due in more than one year:			
Compensated absences	1,665,587	-	-
Warrants payable, net	57,052,438	-	-
Obligation due under long-term capital leases	1,929,672	-	-
Total liabilities	67,518,918	-	-
Net position			
Net investment in capital assets	82,528,757	-	-
Restricted	889,506	-	-
Unrestricted	11,850,055	156,770	625,766
Total net position	\$ 95,268,318	\$ 156,770	\$ 625,766

See accompanying notes to basic financial statements.

City of Vestavia Hills, Alabama
Statement of Activities

Year ended September 30, 2014

Program Activities	Expenses	Program Revenues		
		Fees, Fines and Charges for Services	Operating Grants and Contributions	Capital Grants and Contributions
Primary government				
Governmental activities:				
General government administration	\$ 6,259,521	\$ 3,630,760	\$ 1,000	\$ 290,653
Public safety	16,331,751	673,596	527,769	-
Public works	5,427,825	1,270,571	-	-
Library	2,472,162	96,423	24,382	35,604
Parks and recreation	3,563,574	366,079	-	-
Interest on long-term debt	2,852,595	-	-	-
Total primary government	\$36,907,428	\$ 6,037,429	\$ 553,151	\$ 326,257
Component units				
Library Foundation	\$ 36,073	\$ -	\$ 27,112	\$ -
Park and Recreation Foundation	16,670	-	150,953	-
Total component units	\$ 52,743	\$ -	\$ 178,065	\$ -

General revenues:

Taxes:

Ad Valorem (real and personal property)

Sales and use

Other taxes

Utility franchise fees

Investment earnings

Donations

Donated infrastructure assets

Miscellaneous

Gain on sale of assets

Change in Net position

Net position at beginning of year

Net position, Ending

Net (Expense) Revenue and Changes in Net Assets			
Primary Government		Component Units	
Total	Library Foundation	Park and Recreation Foundation	
\$ (2,337,108)	\$ -	\$ -	-
(15,130,386)	-	-	-
(4,157,254)	-	-	-
(2,315,753)	-	-	-
(3,197,495)	-	-	-
(2,852,595)	-	-	-
(29,990,591)	-	-	-
-	(8,961)	-	-
-	-	134,283	-
-	(8,961)	134,283	-
13,818,777	-	-	-
11,504,366	-	-	-
2,019,780	-	-	-
2,683,641	-	-	-
143,450	-	-	-
5,809	-	-	-
626,759	-	-	-
215,975	-	-	-
138,907	-	-	-
31,157,464	-	-	-
1,166,873	(8,961)	134,283	-
94,101,445	165,731	491,483	-
\$ 95,268,318	\$ 156,770	\$ 625,766	-

**City of Vestavia Hills, Alabama
Governmental Funds Balance Sheet**

<i>September 30, 2014</i>	General	Debt Service	Capital Projects
Assets			
Cash and temporary investments	\$ 12,009,043	\$ 672,961	\$ 25,900,782
Cash - restricted	436,619	-	1,190,400
Accounts receivable, net of allowance for uncollectibles	1,771,618	-	97,331
Inventory	38,809	-	-
Prepaid expenses	49,552	-	-
Interfund receivables	-	-	-
Total assets	\$ 14,305,641	\$ 672,961	\$ 27,188,513
Liabilities			
Accounts payable	\$ 1,469,419	\$ -	\$ 1,159,703
Court and performance bonds payable	433,021	-	-
Accrued expenses	592	-	-
Total liabilities	1,903,032	-	1,159,703
Fund balance			
Nonspendable	88,361	-	-
Restricted for:			
Road maintenance	-	-	-
Debt service requirement	-	672,961	-
Committed to:			
Capital projects	-	-	10,075,466
Emergency reserve	9,016,211	-	-
Assigned	778,589	-	15,953,344
Unassigned	2,519,448	-	-
Total fund balance	12,402,609	672,961	26,028,810
Total liabilities and fund balance	\$ 14,305,641	\$ 672,961	\$ 27,188,513

See accompanying notes to basic financial statements.

Other Governmental Funds	Total Governmental Funds
\$ 1,948,608	\$ 40,531,394
-	1,627,019
126,619	1,995,568
-	38,809
-	49,552
27,644	27,644
<u>\$ 2,102,871</u>	<u>\$ 44,269,986</u>
\$ 239,741	\$ 2,868,863
-	433,021
27,644	27,644
-	592
<u>267,385</u>	<u>3,330,120</u>
-	88,361
889,506	889,506
-	672,961
-	10,075,466
-	9,016,211
945,980	17,677,913
-	2,519,448
<u>1,835,486</u>	<u>40,939,866</u>
<u>\$ 2,102,871</u>	<u>\$ 44,269,986</u>

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

September 30, 2014

Fund balance - total governmental funds \$ 40,939,866

Amounts reported for governmental activities in the statement of net assets are different because:

Deferred items related to debt issuance used in governmental activities are not current financial resources and therefore are not reported in the governmental funds balance sheet. 190,060

Capital assets used in governmental activities are not current financial resources and therefore are not reported in the governmental funds balance sheet.

Governmental capital assets	\$ 155,509,469	
Accumulated depreciation	<u>(37,154,635)</u>	118,354,834

Long-term liabilities are not due and payable in the current period and therefore, they are not reported in the governmental funds balance sheet.

Warrants payable, net	(59,367,438)	
Compensated absences	(1,959,514)	
Accrued interest payable	(402,043)	
Capital lease payable	<u>(2,487,447)</u>	<u>(64,216,442)</u>

Net position of governmental activities \$ 95,268,318

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

Year ended September 30, 2014

	General	Debt Service	Capital Projects	Other Governmental Funds	Total Governmental Funds
Revenues					
Taxes	\$ 25,336,568	\$ -	\$ -	\$ 1,391,475	\$ 26,728,043
Licenses and permits	3,527,310	-	-	-	3,527,310
Intergovernmental	-	-	-	677,588	677,588
Charges for services	366,079	-	-	-	366,079
Fines and forfeitures	364,804	-	-	483,717	848,521
Fees	2,768,860	-	-	-	2,768,860
Grants	523,252	-	324,750	22,735	870,737
Proceeds from sale of assets	138,886	-	717	-	139,603
Investment revenues	71,281	2,148	68,434	1,586	143,449
Library revenues	-	-	-	105,094	105,094
Other revenues	725,879	214,976	324,165	1,125	1,266,145
Total revenues	33,822,919	217,124	718,066	2,683,320	37,441,429
Expenditures					
Current (operating):					
General government administration	5,419,114	-	306,049	240,701	5,965,864
Public safety	15,391,441	-	59,254	669,250	16,119,945
Public works	3,931,139	-	-	796,799	4,727,938
Library	1,502,601	-	-	68,603	1,571,204
Parks and recreation	2,421,080	-	3,549	-	2,424,629
Debt service	84,447	4,303,760	510,127	-	4,898,334
Capital outlay	276,261	-	7,149,174	16,817	7,442,252
Total expenditures	29,026,083	4,303,760	8,028,153	1,792,170	43,150,166
Excess of revenues over (under) expenditures	4,796,836	(4,086,636)	(7,310,087)	891,150	(5,708,737)
Other financing sources (uses)					
Donations	6,809	-	-	-	6,809
Operating transfers in	-	4,280,858	20,490,740	-	24,771,598
Operating transfers out	(5,019,804)	(19,751,794)	-	-	(24,771,598)
Other financing sources - proceeds of warrants	-	19,930,427	960,000	-	20,890,427
Total other financing sources (uses)	(5,012,995)	4,459,491	21,450,740	-	20,897,236
Excess of revenues and other financing sources over (under) expenditures and other uses	(216,159)	372,855	14,140,653	891,150	15,188,499
Fund balance, beginning of year	12,618,768	300,106	11,888,157	944,336	25,751,367
Fund balance, end of year	\$ 12,402,609	\$ 672,961	\$ 26,028,810	\$ 1,835,486	\$ 40,939,866

See accompanying notes to basic financial statements.

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

September 30, 2014

Net change in fund balances - total governmental funds		\$ 15,188,499
<p>Amounts reported for governmental activities in the statement of activities are different because:</p> <p>Governmental funds report capital outlays as expenditures. However, in the government-wide statement of activities, the cost of those assets is allocated over their estimated useful lives as depreciation expense.</p>		
Expenditures for capital assets	\$ 7,462,252	
Less current year depreciation	<u>(3,688,004)</u>	3,774,248
<p>Some revenues reported in the government-wide statement of activities do not provide current financial resources and therefore are not reported as revenues in the governmental funds.</p>		
<p>The net effect of transactions involving the sale of capital assets is to decrease net assets.</p>		
		(696)
<p>The effect of donated infrastructure assets is to increase net assets.</p>		
		626,759
<p>The issuance of long-term debt provides current financial resources to governmental funds, but the issuance of the debt increases long-term liabilities in the government-wide statement of net assets.</p>		
		(20,565,000)
<p>Repayment of bond principal is an expenditure in the governmental funds, but the repayment reduces long-term liabilities in the statement of net assets.</p>		
		2,090,000
<p>Some expenses reported in the government-wide statement of activities do not require the use of current financial resources and therefore are not reported as expenditures in governmental funds.</p>		
Change in long-term compensated absences	\$ (127,495)	
Change in accrued interest payable	(152,907)	
Change in long-term debt (capital lease)	550,246	
Change in deferred items related to debt issuance	<u>(216,781)</u>	53,063
Change in net position of governmental activities		<u><u>\$ 1,166,873</u></u>

See accompanying notes to basic financial statements.



City of Vestavia Hills, Alabama
Notes to Financial Statement Index

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NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The City of Vestavia Hills, Alabama (the “City”) was incorporated on November 8, 1950. The City operates under a Council-Manager form of government organized to comply with the provisions of Title 11, Chapter 43, Sections 20-22 of the Code of Alabama 1975, as amended. The City Council is composed of five officials (four Councilors and the Mayor who serves as President of the Council) elected at-large for concurrent four year terms. The City Manager is appointed by the City Council. The terms of the current administration are scheduled to expire October 31, 2016.

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

A. Reporting Entity

The accompanying financial statements present the City's primary government and two component units.

One component unit, the City of Vestavia Hills Park and Recreation Foundation, is significantly influenced by the City. The significant influence or accountability is based primarily on operational or financial relationships with the City (as distinct from legal relationships). The City appoints the members of the Park and Recreation Board, which then appoints a voting majority of the Board of Directors of the City of Vestavia Hills Park and Recreation Foundation. Accordingly, this component unit is discretely reported in the accompanying financial statements to emphasize that, although legally separate from the City, the City remains financially accountable. The Foundation's financial statements may be viewed at the City's administrative offices.

Another component unit is the Vestavia Hills Library Foundation. The Foundation is a non-profit organization formed for the benefit of the City's library. Several of the Foundation's Board members are also members of the City's Library Board. The Library Foundation has received contributions from citizens which will be utilized to construct, furnish, and equip the City's library facilities. This component unit is also discretely presented in the accompanying financial statements and a copy of the Foundation's financial statements can be obtained at City Hall.

B. Related Organization

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

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

B. Related Organization (continued)

statements of the Board are not presented in the accompanying financial statements because the City is not considered to be financially accountable for the Board.

The City currently receives advalorem taxes from the Jefferson County Tax Collector based on a total millage rate of 49.30 mills. Of the 49.30 mills received from the County, 20.55 mills are kept by the City to fund general government operations and the balance of 28.75 mills is remitted by the City to the Vestavia Hills Board of Education. During the year ended September 30, 2014, the total advalorem taxes remitted to the Board amounted to approximately \$16.2 million and \$238,015 was due the Board of Education at September 30, 2014.

C. Government-Wide Financial Statements

The statement of Net Position and Statement of Activities display information about the reporting government as a whole. They include funds of the reporting entity except for fiduciary funds and component units that are fiduciary in nature (at year end the City had no fiduciary type activity).

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

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

D. Fund Financial Statements

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

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

D. Fund Financial Statements (continued)

- a. *Ten percent criterion.* An individual governmental fund reports at least 10 percent of any of the following: a) total governmental fund assets, b) total governmental fund liabilities, c) total governmental fund revenues, or d) total governmental fund expenditures.
- b. *Five percent criterion.* An individual governmental fund reports at least 5 percent of the aggregated total for both governmental funds and proprietary funds of any one of the items for which it met the 10 percent criterion.

The funds of the financial reporting entity are described below:

Governmental funds

1. General Fund

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

2. Special Revenue Funds

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

3. Debt Service Funds

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

4. Capital Project Funds

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

5. Major and Nonmajor Funds

The General Fund, Capital Projects Fund, and Debt Service Fund are classified as major funds and are described above.

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

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

E. Measurement Focus and Basis of Accounting

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

Measurement focus

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

In the fund financial statements, the "current financial resources" measurement focus or the "economic resources" measurement focus is used as appropriate. All governmental funds utilize a "current financial resources" measurement focus. Only current financial assets and liabilities are generally included on their balance sheets. Their operating statements present sources and uses of available spendable financial resources during a given period. These funds use fund balance as their measure of available spendable financial resources at the end of the period.

Basis of accounting

In the Government-Wide Statement of Net Position and Statement of Activities, governmental activities are presented using the accrual basis of accounting. Under the accrual basis of accounting, revenues are recognized when earned and expenses are recorded when the liability is incurred or economic asset used. Revenues, expenses, gains, losses, assets and liabilities resulting from exchange and exchange-like transactions are recognized when the exchange takes place.

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

F. Receivables

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

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

F. Receivables (continued)

In the fund financial statements, receivables in governmental funds include the receivables mentioned in the preceding paragraph and other similar intergovernmental revenues since they are usually both measurable and available. Nonexchange transactions collectible but not available are deferred in the fund financial statements in accordance with modified accrual, but not deferred in the government-wide financial statements in accordance with the accrual basis. Interest and investment earnings are recorded when earned only if paid within 60 days since they would be considered both measurable and available.

The Vestavia Hills Park and Recreation Foundation (the Foundation) has also adopted ASC Topic 958, *Not-For-Profit Entities – Revenue Recognition*. Contributions received are recorded as unrestricted, temporarily restricted, or permanently restricted support depending on the existence or nature of any donor restrictions. The Foundation recognizes contributions when the donor makes a promise to give that is, in substance, unconditional.

G. Equity Classifications

Government-wide statements

Equity is classified as net position and displayed in three components:

- a. *Net investment in capital assets* - Consists of capital assets including restricted capital assets, net of accumulated depreciation, construction in progress, land, and reduced by the outstanding balances of any bonds, mortgages, notes, or other borrowings that are attributable to the acquisition, construction, or improvement of those assets.
- b. *Restricted* - Constraints placed on the use either by (1) external groups such as creditors, grantors, contributors, or laws or regulations of other governments; or (2) law through constitutional provisions or enabling legislation.
- c. *Unrestricted* - All other net position that do not meet the definition of "restricted" or "invested in capital assets, net of related debt".

Fund statements

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

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

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

G. Equity Classifications (continued)

Fund statements (continued)

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

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

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

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

The City has assigned \$500,000 of the General Fund fund balance for the City’s unfunded pension liability and \$278,589 for encumbrances.

The City has assigned \$15,953,344 of the Capital Projects Fund fund balance for encumbrances.

The City has assigned \$945,980 of the Other Governmental Funds fund balance for use as follows: \$221,959 for the City’s Emergency 911 Fund, \$356,146 for the Court & Corrections Fund, \$344,852 for the Library and \$23,023 for Vehicle Tags.

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

The City Council has adopted an Emergency Reserve Fund Balance Policy. Under this policy, it is the City’s intent to develop and maintain a General Fund Emergency Reserve fund balance representing at least 25% of prior year actual General Fund expenditures (modified accrual

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

G. Equity Classifications (continued)

Fund statements (continued)

basis) plus operating transfers out. The City Council has currently committed \$9,016,211 of General Fund fund balance for economic stabilization in case of an emergency. An emergency that would warrant use of their committed fund balance is defined as an unforeseen non-routine event that generally represents an economic impact to the City greater than 5% of the previous 5 year average of sales tax collections by the City and this event cost can't be absorbed by reducing the current year budgeted expenses, increasing current year budgeted revenue, or the event occurred too late in the year to overcome the impact by adjusting the budget in the normal course of the City's business.

H. Long-term Debt

All long-term debt to be repaid from governmental resources is reported as liabilities in the government-wide statements. The City's long-term debt consists primarily of notes and warrants payable and accrued compensated absences.

Long-term debt for governmental funds is not reported as liabilities in the fund financial statements. The debt proceeds are reported as other financing sources and payment of principal and interest reported as expenditures.

I. Expenditures/Expenses

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

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

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

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

J. Fixed Assets

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

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

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

J. Fixed Assets (continued)

Government-wide statements

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

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

Fund financial statements

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

K. Encumbrances

Encumbrance accounting, under which purchase orders, contracts and other commitments for the expenditure of monies are recorded in order to reserve that portion of the applicable appropriation, is employed as an extension of formal budgetary integration. Any encumbrances outstanding at year-end are reported as assigned, restricted, or committed fund balance as applicable and do not constitute expenditures or liabilities because the commitments will be honored during the subsequent year.

L. Inventory

Inventory items, which consist mainly of garage parts, are valued at cost which approximates market. The cost of inventory is recorded as an expenditure when consumed rather than when purchased.

M. Pension Expense

All full-time employees participate in the City's defined benefit pension plan. The City funds pension expense as actuarially determined and required by the plan (Note 7).

N. Interfund Transactions

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

City of Vestavia Hills, Alabama
Notes to Financial Statements

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

N. Interfund Transactions (continued)

Details of current interfund receivables and payables are as follows:

Payable from	Payable to	Amount
Other Governmental Funds	Other Governmental Funds	\$ 27,644

The purpose of the interfund receivable balance to the Other Governmental Funds from the Other Governmental Funds is for reimbursement of paving expenses paid from one fund on behalf of the other.

Interfund receivables and payables and transfers between funds within governmental activities are eliminated in the Statement of Net Position and the Statement of Activities.

Transfers for the fiscal year ended September 30, 2014 consisted of the following:

	General Fund	Debt Service Fund	Total
Transfers in:			
Debt Service Fund	\$ 4,280,858	\$ -	\$ 4,280,858
Capital Projects Fund	738,946	19,751,794	20,490,740
	\$ 5,019,804	\$ 19,751,794	\$ 24,771,598

The purpose of the transfer from the General Fund to the Debt Service Fund is for the reimbursement of debt service paid from the Debt Service Fund.

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

The purpose of the transfer from the Debt Service Fund to the Capital Projects Fund is to transfer proceeds of warrants to be used for Capital Projects.

N. Property Taxes

All ad valorem real property taxes levied by municipalities in Jefferson County, Alabama are assessed by the Jefferson County Tax Assessor and collected by the Jefferson County Tax Collector. The Jefferson County Tax Assessor attaches taxes as enforceable liens on property as of October 1 and taxes become due October 1 through December 31. Property taxes not paid by January 1 are considered delinquent. Personal property taxes are also collected by the Jefferson County Tax Collector and are due throughout the year. After collecting property taxes, the Jefferson County Tax Collector remits the City's portion by check monthly. Taxes collected by the Jefferson County Tax Collector before the fiscal year end but remitted to the City after September 30 is accrued in the General Fund.

City of Vestavia Hills, Alabama
Notes to Financial Statements

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

O. Management Estimates

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

P. Subsequent Events

The City has evaluated subsequent events through the date of issuance of these financial statements.

NOTE 2 – CASH AND INVESTMENTS

The City maintains several checking accounts that are separately held by several of the City's funds. In addition, investments may also be held by an individual City fund. Deposits and investments are stated at market values.

At year-end, the carrying amount and bank balance of the City's deposit accounts were as follows:

	Carrying Amount	Bank Balance
All funds	\$ 42,158,413	\$ 42,783,229

At September 30, 2014, all of the bank balance of the City's funds was either covered by federal depository insurance or secured by collateral through the Alabama State Treasury's Security for Alabama Funds Enhancement (SAFE) Program. Under the SAFE program, the City's funds are protected through a collateral pool administered by the Alabama State Treasury. Certain banks holding deposits belonging to the state, counties, cities, or agencies of any of these entities must pledge securities as collateral against these deposits. In the event of the failure of a bank, securities pledged by that bank would be liquidated by the State Treasurer to replace the public deposits. If the securities pledged failed to produce adequate funds for that purpose, every bank participating in the pool would share the liability for the remaining balance. At September 30, 2014, all of the City's depositories are participating in the SAFE program.

The component units' cash balances were uncollateralized and were insured in the amount of \$250,000, respectively.

Included in the carrying amount above are restricted assets totaling \$deposits of \$436,619 related to construction, land disturbance, and court appearance bonds. These deposits consist of cash equivalents and are considered restricted as they are payable to various third parties upon completion of a future event. Accordingly, a corresponding liability is recorded for this amount.

City of Vestavia Hills, Alabama
Notes to Financial Statements

NOTE 3 – CAPITAL ASSETS

Following is a summary of the changes in the City's capital assets for the year ended September 30, 2014:

	Balance at 9/30/2013	Additions	Disposals/ Retirements/ Completed	Balance at 9/30/2014
Capital assets not being depreciated:				
Land	\$ 67,627,994	\$ 2,816,582	\$ -	\$ 70,444,576
Construction progress	2,224,354	2,411,402	-	4,635,756
Total capital assets not being depreciated	69,852,348	5,227,984	-	75,080,332
Capital assets being depreciated:				
Land improvements	8,997,140	-	-	8,997,140
Buildings	14,660,313	-	-	14,660,313
Building equipment and fixtures	349,946	54,789	-	404,735
Vehicles	6,128,627	1,555,455	(740,161)	6,943,921
Equipment	5,362,389	169,189	(8,995)	5,522,583
Computer equipment	1,368,012	56,424	-	1,424,436
Recreational equipment	1,830,480	114,305	-	1,944,785
Office furniture and fixtures	980,402	-	-	980,402
Office equipment	82,759	47,000	-	129,759
Recreational facilities	22,525,122	431,520	-	22,956,642
Books and artwork	1,235,302	188,257	-	1,423,559
Infrastructure	14,796,776	244,086	-	15,040,862
Total capital assets being depreciated	78,317,268	2,861,025	(749,156)	80,429,137
Less accumulated depreciation for:				
Land improvements	3,006,832	427,397	-	3,434,229
Buildings	3,398,240	457,453	-	3,855,693
Building equipment and fixtures	126,449	29,558	-	156,007
Vehicles	3,769,244	443,657	(739,465)	3,473,436
Equipment	3,542,619	408,331	(8,995)	3,941,955
Computer equipment	833,650	202,191	-	1,035,841
Recreational equipment	1,412,597	99,817	-	1,512,414
Office furniture and fixtures	511,415	138,724	-	650,139
Office equipment	67,649	13,467	-	81,116
Recreational facilities	8,783,111	964,367	-	9,747,478
Books and artwork	523,954	187,260	-	711,214
Infrastructure	8,239,331	315,782	-	8,555,113
Total accumulated depreciation	34,215,091	3,688,004	(748,460)	37,154,635
Total capital assets being depreciated, net	44,102,177	(826,979)	(696)	43,274,502
Governmental activities capital assets, net	\$ 113,954,525	\$ 4,401,005	\$ (696)	\$ 118,354,834

City of Vestavia Hills, Alabama
Notes to Financial Statements

NOTE 3 – CAPITAL ASSETS (CONTINUED)

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

Governmental activities:

General government administration	\$	186,162
Public safety		762,052
Public works		699,887
Recreational		1,138,945
Library		900,958
Total depreciation expense	\$	3,688,004

NOTE 4 – CAPITALIZED LEASES

At September 30, 2014, approximately \$1,722,609 in accumulated depreciation and approximately \$389,456 in current year depreciation expense has been recorded in the government-wide financial statements related to assets costing \$4,921,467 purchased under capital leases. The current portion of the outstanding liability related to these capital leases at September 30, 2014 reported in the government-wide financial statements totaled \$557,775. The remaining long-term portion of these capital lease obligations reported in the government-wide financial statements totaled \$1,929,672 at September 30, 2014.

The following schedule shows the future minimum lease payments at September 30, 2014:

Fiscal year	Interest	Principal	Total Lease Payment
2015	\$ 39,967	\$ 557,775	\$ 597,743
2016	30,744	565,430	596,173
2017	22,092	330,361	352,452
2018	16,138	336,314	352,452
2019 and thereafter	13,986	697,567	711,553
Total	\$ 122,927	\$ 2,487,447	\$ 2,610,373

City of Vestavia Hills, Alabama
Notes to Financial Statements

NOTE 5 – ACCOUNTS RECEIVABLE

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

Sales taxes	\$	940,243
Property taxes		425,546
Franchise fees		146,077
Transport receivable		153,826
Intergovernmental		174,063
Other receivables		155,813
Total	\$	1,995,568

NOTE 6 – LONG-TERM DEBT

The following is a summary of the changes in long-term debt of the City for the year ended September 30, 2014:

Warrant obligations at September 30, 2013	\$	39,830,000
Principal payments		(2,090,000)
Debt issuance		20,565,000
Total warrants outstanding		58,305,000
Long-term portion of accumulated compensated absences		1,665,587
Unamortized bond premium		1,062,438
Total long-term debt at September 30, 2014	\$	61,033,025

City of Vestavia Hills, Alabama
Notes to Financial Statements

NOTE 6 – LONG-TERM DEBT (CONTINUED)

Outstanding warrant obligations of the City at September 30, 2014 consist of the following:

General Obligation Warrants, Series 2008 were issued in the principal amount of \$9,615,000 in February 2009. The warrants bear interest at an average of 4.38%, payable semiannually on February 1 and August 1. The warrants mature serially with a final maturity in 2028 and are callable on or after February 1, 2019 without premium or penalty, and at which time the warrants are callable at 100% plus accrued interest.	\$ 9,615,000
General Obligation Warrants, Series 2009-A were issued in the principal amount of \$10,940,000 in December 2009. The warrants bear interest at an average of 3.56%, payable semiannually on February 1 and August 1. The warrants mature serially with a final maturity in 2028 and are callable at any time without penalty.	10,940,000
Taxable General Obligation Warrants, Series 2009-B were issued in the principal amount of \$6,070,000 in December 2009. The warrants bear interest at an average of 4.8%, payable semiannually on February 1 and August 1. The warrants mature serially with a final maturity in 2028 and are callable at any time without penalty.	6,070,000
General Obligation Warrants, Series 2012 were issued in the principal amount of \$11,000,000 in June 2012. The warrants bear interest at an average of 3.5%, payable semiannually on February 1 and August 1. The warrants mature serially with a final maturity in 2022 and are callable at any time without penalty.	6,870,000
General Obligation Warrants, Series 2013 were issued in the principal amount of \$4,245,000 in May 2013. The warrants bear interest at an average of 3.75%, payable semiannually on February 1 and August 1. The warrants mature serially with a final maturity in 2033 and are callable at any time without penalty.	4,245,000
General Obligation Warrants, Series 2013A were issued in the principal amount of \$10,000,000 in December 2013. The warrants bear interest at an average of 4.00%, payable semiannually on February 1 and August 1. The warrants mature serially with a final maturity in 2033 and are callable at any time without penalty.	10,000,000
General Obligation Warrants, Series 2014 were issued in the principal amount of \$9,605,000 in January 2014. The warrants bear interest at an average of 3.00%, payable semiannually on February 1 and August 1. The warrants mature serially with a final maturity in 2031 and are callable at any time without penalty.	9,605,000
General Obligation Warrants, Series 2014 (CWSRF-DL) were issued in the principal amount of \$960,000 in September 2014. The warrants bear interest at an average of 2.00%, payable semiannually on February 1 and August 1. The warrants mature serially with a final maturity in 2034 and are callable at any time without penalty.	960,000
Total	\$ 58,305,000

City of Vestavia Hills, Alabama
Notes to Financial Statements

NOTE 6 – LONG-TERM DEBT (CONTINUED)

The following schedule shows the debt service requirements at September 30, 2014:

Fiscal year	Debt Service Related to Principal	Debt Service Related to Interest	Total Debt Service
2015	\$ 2,315,000	\$ 2,291,215	\$ 4,606,215
2016	2,395,000	2,226,965	4,621,965
2017	2,480,000	2,140,615	4,620,615
2018	2,560,000	2,059,284	4,619,284
2019	2,445,000	1,969,053	4,414,053
2020-2024	13,465,000	8,299,057	21,764,057
2025-2029	14,910,000	5,305,925	20,215,925
2030-2034	17,735,000	1,665,753	19,400,753
	<u>\$ 58,305,000</u>	<u>\$ 25,957,867</u>	<u>\$ 84,262,867</u>

The total interest paid by the City during 2014 relative to the above warrants was \$2,027,728.

NOTE 7 – PENSION PLAN

A. Plan description

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

Substantially all employees are members of the Employees' Retirement System of Alabama (RSA). Membership is mandatory for covered or eligible employees of the City. Benefits vest after 10 years of creditable service. Vested employees may retire with full benefits at age 60 or after 25 years of service. Retirement benefits are calculated by two methods with the retiree receiving payment under the method that yields the highest monthly benefit. The methods are (1) Minimum Guaranteed, and (2) Formula, of which the Formula method usually produces the highest monthly benefit. Under this method, retirees are allowed 2.0125% of their average final salary (best three of the last ten years) for each year of service. Disability retirement benefits are calculated in the same manner. Pre-retirement death benefits in the amount of the annual salary for the fiscal year preceding death are provided to plan members with more than one year of creditable service or \$5,000 for those with less than one year of service.

NOTE 7 – PENSION PLAN (CONTINUED)

B. Plan description (continued)

The Employees' Retirement System was established as of October 1, 1945, under the provisions of Act 515, Acts of Alabama 1945, for the purpose of providing retirement allowances and other specified benefits for State employees, State police, and on an elective basis to all cities, counties, towns, and quasi-public organizations. The responsibility for general administration and operation of the Employees' Retirement System is vested in the Board of Control. Benefit provisions are established by the Code of Alabama 1975, Sections 36-27-1 through 36-27-103, as amended, Sections 36-27-120 through 36-27-139, as amended, and Sections 36-27B-1 through Sections 36-27B-6. Authority to amend the plan rests with the Legislature of Alabama. However, the Legislature has granted the Board of Control authority to accept or reject various Cost-Of-Living-Adjustments (COLAs) granted to retirees.

The Retirement Systems of Alabama issues a publicly available financial report that includes financial statements and required supplementary information for the Employees' Retirement System of Alabama. That report may be obtained by writing to The Retirement Systems of Alabama, 135 South Union Street, Montgomery, Alabama 36130-2150.

C. Funding

In 2012, the Alabama Legislature adopted Act 2012-377 which created a new defined benefit pension plan tier ("tier 2") for employees with no previous creditable retirement service hired on or after January 1, 2013. Effective October 1, 2011, the City elected to come under the provisions of Act 2011-676 which requires that covered employees contribute to the pension plan at the rate of 5% and 6% of compensation for tier 1 and 2 employees, respectively (6% for tier 1 and 7% for tier 2 sworn police officers and firefighters). In addition, the RSA requires that the City remit monthly matching contributions to the pension plan. The City's matching contributions are actuarially determined annually and stated as a percentage of covered compensation. The City's actuarially determined matching contribution for the year ended September 30, 2014 was 12.23% and 9.93% of covered compensation for tier 1 and tier 2 employees, respectively.

For the year ended September 30, 2014, the City's total compensation was approximately \$14.1 million and the City's total covered compensation used to determine the City's pension contribution was approximately \$13.9 million. The City's policy is to fund the required contribution as actuarially determined by the RSA and stated as a percentage of eligible compensation. Following are the pension contributions remitted to the RSA by fiscal year since 2007:

City of Vestavia Hills, Alabama
Notes to Financial Statements

NOTE 7 – PENSION PLAN (CONTINUED)

C. Funding (continued)

Year Ended September 30,	Employer Contribution	Employer Percentage of APC Contributed	Net Pension Obligation (NPO)	Employer	Employee	Combined
2007	8.55%	100%	\$ -	\$ 1,101,609	\$ 731,066	\$ 1,832,675
2008	9.26%	100%	-	1,226,883	752,142	1,979,025
2009	9.36%	100%	-	1,264,965	766,431	2,031,396
2010	10.56%	100%	-	1,340,776	773,826	2,114,602
2011	10.56%	100%	-	1,397,815	753,021	2,150,836
2012	10.56%	100%	-	1,422,867	766,809	2,189,676
2013	10.70%	100%	-	1,474,585	791,426	2,266,011
2014	12.23%	100%	-	2,059,830	965,800	3,025,630

D. Funding progress

The required schedule of funding progress immediately following the notes to the financial statements presents multiyear trend information about whether the actuarial value of plan assets is increasing or decreasing over time relative to the actuarial accrued liability for benefits. The projection of benefits for financial reporting purposes does not explicitly incorporate the potential effects of legal or contractual funding limitations.

NOTE 8 – ACCUMULATED COMPENSATED ABSENCES

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

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

NOTE 8 – ACCUMULATED COMPENSATED ABSENCES (CONTINUED)

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

A liability for vacation pay is reported in the governmental funds only if the obligation has matured, for example, as a result of an employee's resignation or retirement. All vacation pay is accrued when incurred in the government-wide statements. The current portion of accrued vacation at September 30, 2014 reported in the government-wide financial statements is \$293,927. The remaining long-term incurred portion of the accrued vacation of the governmental activities at September 30, 2014 totaled \$1,665,587.

NOTE 9 – POST-EMPLOYMENT BENEFITS

Plan description

The City of Vestavia Hills' medical benefits are provided through a comprehensive medical plan and are made available to employees upon actual retirement.

The retirement eligibility provisions are as follows: 10 years of consecutive service and attainment of age 60; or, 25 years of service and attainment of age 55. Complete plan provisions are included in the official plan documents.

Contribution rates

Employees do not contribute to their post-employment benefits costs until they become retirees and begin receiving those benefits. The plan provisions and contribution rates are contained in the official plan documents.

Funding policy

Until fiscal year ending September 30, 2008, the City of Vestavia Hills recognized the cost of providing post-employment medical benefits (the City of Vestavia Hills' portion of the retiree medical benefit premiums) as an expense when the benefit premiums were due and thus financed the cost of the post-employment benefits on a pay-as-you-go basis. Effective with the Fiscal Year beginning October 1, 2008, the City of Vestavia Hills implemented Government Accounting

City of Vestavia Hills, Alabama
Notes to Financial Statements

NOTE 9 – POST-EMPLOYMENT BENEFITS (CONTINUED)

Standards Board Statement Number 45, *Accounting and Financial Reporting by Employers for Post-employment Benefits Other than Pensions* (GASB 45). The funding policy is not to fund the ARC except to the extent of the current year’s retiree funding costs.

In fiscal year ending September 30, 2014, the City of Vestavia Hills’ portion of health care funding cost for retired employees totaled \$100,282. These amounts were applied toward the Net OPEB Benefit Obligation as shown in the table on the following page.

Annual required contribution

The City’s annual required contribution (ARC) is an amount actuarially determined in accordance with GASB 45. The ARC is the sum of the normal cost plus the contribution to amortize the actuarial accrued liability (AAL). A level dollar, open amortization period of 30 years (the maximum amortization period allowed by GASB 43/45) has been used for the post-employment benefits. The total ARC for the fiscal year beginning October 1, 2014 is \$88,484, as set forth below:

	Medical
Normal cost	\$ 37,863
30-year UAL amortization amount	50,621
Annual required contribution (ARC)	\$ 88,484

Net post-employment benefit obligation (asset)

The table below shows the City’s net other post-employment benefit (OPEB) obligation (asset) for fiscal year ending September 30, 2014:

	Medical
Annual required contribution	\$ 88,484
Interest on net OPEB obligation	(2,263)
ARC adjustment	3,271
Annual OPEB cost	89,492
Contributions	-
Current year retiree premium	(100,282)
Change in net OPEB obligation	(10,790)
Beginning net OPEB obligation 10/01/13	(56,565)
Ending net OPEB obligation (asset) 09/30/14	\$ (67,355)

NOTE 9 – POST-EMPLOYMENT BENEFITS (CONTINUED)

Funded status and funding progress

In the fiscal year ending September 30, 2014, the City made no contributions to its post-employment benefits plan. The plan was not funded at all, has no assets, and hence has a funded ratio of zero. As of October 1, 2013, the most recent actuarial valuation, the AAL was \$910,374, which is defined as that portion, as determined by a particular actuarial cost method (the City uses the projected unit credit cost method), of the actuarial present value of post-employment plan benefits and expenses which is not provided by normal cost. Since no plan funding has occurred through fiscal year 2014, the entire actuarial accrued liability of \$910,374 was unfunded.

At September 30, 2014, the City has \$165,074 in the General Fund for future funding of benefits. The City intends to transfer these funds to its post-employment benefits plan at a future date. This \$165,074 will not reduce the AAL until it is transferred to the City’s post-employment benefits plan.

	Medical
Actuarial Accrued Liability (AAL)	\$ 910,374
Actuarial Value of Plan Assets	-
Unfunded Act. Accrued Liability (UAAL)	\$ 910,374
Funded Ratio (Act. Val. Assets/AAL)	0%
Covered Payroll (active plan members)	\$ 14,046,113
UAAL as a percentage of covered payroll	6.48%

The required schedule of funding progress immediately following the notes to the financial statements presents multiyear trend information about whether the actual value of plan assets is increasing or decreasing over time relative to the actuarial accrued liability for benefits. The projection of benefits for financial reporting purposes does not explicitly incorporate the potential effects of legal or contractual funding limitations.

Actuarial Methods and Assumptions

Actuarial valuations involve estimates of the value of reported amounts and assumptions about the probability of events far into the future. The actuarial valuation for post-employment benefits includes estimates and assumptions regarding (1) turnover rate; (2) retirement rate; (3) health care cost trend rate; (4) mortality rate; (5) discount rate (investment return assumption); and (6) the period to which the costs apply (past, current, or future years of service by employees). Actuarially determined amounts are subject to continual revision as actual results are compared to past expectations and new estimates are made about the future.

The actuarial calculations are based on the types of benefits provided under the terms of the substantive plan (the plan as understood by the City and its employee plan members) at the time of the valuation and on the pattern of sharing costs between the City and its plan members to that point. The projection of benefits for financial reporting purposes does not explicitly incorporate the potential effects of legal or contractual funding limitations on the pattern of cost sharing between the City and plan members in the future. Consistent with the long-term perspective of actuarial calculations, the actuarial methods and assumptions used include techniques that are designed to reduce short-term volatility in actuarial liabilities and the actuarial value of assets.

NOTE 9 – POST-EMPLOYMENT BENEFITS (CONTINUED)

Actuarial cost method

The ARC is determined using the projected unit credit cost method. The employer portion of the cost for retiree medical care in each future year is determined by projecting the current cost levels

using the healthcare cost trend rate and discounting this projected amount to the valuation date using the other described pertinent actuarial assumptions, including the investment return assumption (discount rate), mortality, and turnover.

Actuarial value of plan assets

Since the OPEB obligation has not as yet been funded, there are not any assets. It is anticipated that in future valuations, should funding take place, a smoothed market value consistent with Actuarial Standards Board Actuarial Standards of Practice Number 6 (ASOP 6), as provided in paragraph number 125 of GASB Statement 45 will be used.

Turnover rate

An age-related turnover scale based on actual experience as described by administrative staff has been used. The rates, when applied to the active employee census, produce a composite average annual turnover of approximately 10%. It has further been assumed that 43% of retirees decline medical coverage at retirement and that an additional 27% defer retirement until Medicare eligibility.

Post-employment benefit plan eligibility requirements

Based on past experience, it has been assumed that entitlement to benefits will commence three years after initial eligibility to retire. Medical benefits are provided to employees upon actual retirement. The retirement eligibility provisions are as follows: 10 years of consecutive service and attainment of age 60; or, 25 years of service and attainment of age 55.

Investment return assumption (discount rate)

GASB Statement 45 states that the investment return assumption should be the estimated long-term investment yield on the investments that are expected to be used to finance the payment of benefits. As of September 30, 2014, the City has allocated \$165,074 in the General Fund for future funding of benefits. Since the City intends to transfer these funds to its post-employment benefits plan at a future date, the valuation has been calculated using a 4% annual investment return assumption.

Health care cost trend rate

The expected rate of increase in medical cost is based on a graded schedule beginning with 8% annually, down to an ultimate annual rate of 5.0% for ten years out and later.

NOTE 9 – POST-EMPLOYMENT BENEFITS (CONTINUED)

Mortality rate

The 1994 Group Annuity Reserving (94GAR) table, projected to 2002, based on a fixed blend of 50% of the unloaded male mortality rate and 50% of the unloaded female mortality rates, is used. This is a published mortality table which was designed to be used in determining the value of accrued benefits in defined benefit pension plans.

Method of determining value of benefits

The "value of benefits" has been assumed to be the portion of the premium after retirement date expected to be paid by the employer for each retiree and has been used as the basis for calculating the actuarial present value of OPEB benefits to be paid. The employer pays a portion of the medical insurance premiums which are "unblended" as required by GASB 45 for valuation purposes. The portion of the total retiree medical premium (single or family coverage) paid by the employer is 2.5% times the total years of service at retirement, subject to a maximum of 87.5%, a minimum dollar amount of \$240 per month, and a maximum dollar amount of \$600 per month. The employer does not pay for coverage after Medicare eligibility (age 65).

Inflation rate

Included in both the Investment Return Assumption and the Healthcare Cost Trend rates above is an implicit inflation assumption of 2.50% annually.

Projected salary increases

This assumption is not applicable since neither the benefit structure nor the valuation methodology involves salary.

Post-retirement benefit increases

The plan benefit provisions in effect for retirees as of the valuation date have been used and it has been assumed for valuation purposes that there will not be any changes in the future.

Below is a summary of OPEB cost and contributions for the last three fiscal calendar years:

	<u>OPEB Costs and Contributions</u>		
	<u>FY 2012</u>	<u>FY 2013</u>	<u>FY 2014</u>
OPEB Cost	\$ 93,578	\$ 85,967	\$ 89,492
Contribution	-	-	-
Retiree premium	<u>113,699</u>	<u>92,854</u>	<u>100,282</u>
Total contribution and premium	<u>113,699</u>	<u>92,854</u>	<u>100,282</u>
Change in net OPEB obligation	<u>\$ (20,121)</u>	<u>\$ (6,887)</u>	<u>\$ (10,790)</u>

NOTE 10 – DEFERRED COMPENSATION PLAN

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

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

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

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

NOTE 11 – CONTINGENCIES AND COMMITMENTS

A. Litigation

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

B. Project commitments

As of September 30, 2014, the City had executed contracts for the Patchworks Farms entrance, the construction of the Highway 31 Pedestrian Bridge, and for the New City Hall complex in the amount of \$20,190,335. At year end, \$3,350,882 had been expended on these construction contracts with \$14,677,677 assigned in the Fund financial statements.

NOTE 12 – FUTURE ACCOUNTING PRONOUNCEMENTS

The Governmental Accounting Standards Board has issued statements that will become effective in subsequent fiscal years. The statements address:

- Accounting and financial reporting for pensions;
- Mergers, acquisitions and transfers of operations; and
- Financial guarantees

The City is currently evaluating the effects that these statements will have on its financial statements for subsequent fiscal years.

Required Supplementary Information

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

Year ended September 30, 2014

	Budget - Original and Final	General Fund Actual	Variance
Revenues			
Taxes	\$ 25,174,177	\$ 25,336,568	\$ 162,391
Licenses and permits	3,513,784	3,527,310	13,526
Charges for services	396,350	366,079	(30,271)
Fines and forfeitures	254,599	364,804	110,205
Fees	2,599,886	2,768,860	168,974
Grants	428,756	523,252	94,496
Proceeds from sale of assets	2,000	138,886	136,886
Investment revenues	47,517	71,281	23,764
Other revenues	629,078	725,879	96,801
Total revenues	33,046,147	33,822,919	776,772
Expenditures			
General government administration	5,093,446	5,419,114	(325,668)
Public safety	15,647,396	15,391,441	255,955
Public works	3,951,665	3,931,139	20,526
Library	1,551,817	1,502,601	49,216
Parks and recreation	2,396,758	2,421,080	(24,322)
Debt service	90,205	84,447	5,758
Capital outlay	188,000	276,261	(88,261)
Total expenditures	28,919,287	29,026,083	(106,796)
Excess of revenues over expenditures	4,126,860	4,796,836	669,976
Other financing sources (uses)			
Donations	-	6,809	6,809
Operating transfers out	(4,126,860)	(5,019,804)	(892,944)
Total other financing sources (uses)	(4,126,860)	(5,012,995)	(886,135)
Excess of revenues and other financing sources over (under) expenditures	-	(216,159)	(216,159)
Fund balances, beginning of year	9,230,495	12,618,768	3,388,273
Fund balances, end of year	\$ 9,230,495	\$ 12,402,609	\$ 3,172,114

City of Vestavia Hills, Alabama
Defined Benefits Pension Plan Trend Information,
Funding Progress and Additional Information

1. Pension Plan (See also Note 7)

A. Trend information

Following is the trend information from the most recent actuarial valuation:

Fiscal Year Ended	Annual Pension Cost (APC)	Percentage of APC Contributed	Net Pension (Asset) Obligation
2004	\$ 837,667	100.00%	\$ -
2005	963,445	100.00%	\$ -
2006	1,042,689	100.00%	\$ -
2007	1,101,587	100.00%	\$ -
2008	1,226,754	100.00%	\$ -
2009	1,264,935	100.00%	\$ -
2010	1,340,777	100.00%	\$ -
2011	1,397,815	100.00%	\$ -
2012	1,422,867	100.00%	\$ -
2013	1,474,585	100.00%	\$ -

The net pension (asset) above is the result of the City's contributions above the actuarially determined annual required contributions as more fully described in Note 7.

B. Funding progress

Following is the schedule of funding progress obtained from most recent actuarial valuation:

Actuarial Valuation Date Sept. 30,	Actuarial Value of Assets *	Actuarial Accrued Liability (AAL) Entry Age 1	Unfunded AAL (UAAL) (b-a)	Funded Ratio (a/b)	Covered Payroll (c)	Ratio of UAAL to Covered Payroll ((b-a)/c)
(a)	(b)					
2005	\$ 29,658,516	\$ 36,536,405	\$ 6,877,889	81.20%	\$ 11,926,584	57.70%
2006	31,896,218	40,552,305	8,656,087	78.70%	12,204,569	70.90%
2007	34,708,921	44,646,275	9,937,354	77.70%	12,751,200	77.90%
2008	36,513,188	47,951,941	11,438,752	76.10%	13,077,721	87.50%
2009	37,066,467	52,018,719	14,952,252	71.30%	13,573,505	110.20%
2010	2 37,192,950	55,353,332	18,160,382	67.20%	13,714,158	132.40%
2011	4 36,341,297	55,061,004	18,719,707	66.00%	13,029,303	143.70%
2012	5 36,220,132	54,591,780	18,371,648	66.30%	13,279,060	138.40%
2013	6 38,479,556	58,418,739	19,939,183	65.90%	13,913,877	143.30%
2013	3,6 38,479,556	58,529,847	20,050,291	65.70%	13,913,877	144.10%

1 Reflects liability for cost of living benefit increases granted on or after October 1, 1978.

2 Reflects the impact of Act 2011-27, which closes the DROP program to new applicants after March 24, 2011.

3 Reflects the impact of Act 2011-676, which increases the member contribution rates by 2.25% beginning October 1, 2011 and by an additional 0.25% beginning October 1, 2012.

4 Reflects changes in actuarial assumptions.

5 Reflects changes to interest smoothing methodology.

6 Reflects implementation of Board Funding Policy.

* The actuarial value of assets was set equal to the market value of assets as of September 30, 2012.

City of Vestavia Hills, Alabama
Defined Benefits Pension Plan Trend Information,
Funding Progress and Additional Information

C. Additional information

Following is additional information obtained from the most recent actuarial valuation prepared as of September 30, 2013:

Valuation date	September 30, 2013
Actuarial cost method	Entry age
Amortization method	Level percent open
Remaining amortization period	28 years
Asset valuation method	5 – year smoothed market*
Actuarial assumptions:	
Ultimate Investment rate of return (discount rate)**	8.00%
Projected salary increases**	3.75-7.25%
**Includes inflation at	3.00%
Cost-of-living adjustments	None

*The actuarial value of assets was set equal to the market value of assets as of September 30, 2012.

City of Vestavia Hills, Alabama
Other Post-Employment Benefits
Funding Progress and Trend Information

1. Post-employment benefits (See Note 9)

The following table shows the City's annual post-employment benefits (PEB) cost, percentage of the cost contributed, and the net unfunded PEB liability (asset):

Post Employment Benefit	Fiscal Year Ended	Annual OPEB Cost	Percentage of Annual Cost Contributed	Net OPEB Obligation (Asset)
Medical	September 30, 2012	\$93,578	121.50%	\$ (49,679)
Medical	September 30, 2013	85,967	108.01%	(56,565)
Medical	September 30, 2014	89,493	112.06%	(67,355)

Funded status and funding progress

In the fiscal year ending September 30, 2014, the City made no contributions to its post-employment benefits plan. The plan was not funded at all, has no assets, and hence has a funded ratio of zero. As of October 1, 2013, the most recent actuarial valuation, the AAL was \$910,374, which is defined as that portion, as determined by a particular actuarial cost method (the City uses the projected unit credit cost method), of the actuarial present value of post-employment plan benefits and expenses which is not provided by normal cost. Since no plan funding has occurred through fiscal year 2014, the entire actuarial accrued liability of \$910,374 was unfunded.

The following is the schedule of funding progress obtained from the actuarial valuations:

Actuarial Valuation Date	Actuarial Value of Assets	Actuarial Accrued Liability (AAL) -Entry age	Unfunded AAL (UAAL)	Funded Ratio	Covered Payroll	Ratio of UAAL to Covered Payroll
September 30	(a)	(b)	(b-a)	(a/b)	(c)	(b-a)/c)
2009	-	\$ 980,657	\$ 980,657	0.00%	\$ 13,981,608	7.01%
2010	-	980,657	980,657	0.00%	14,000,000	7.00%
2011	-	933,115	933,115	0.00%	11,006,562	8.48%
2012	-	970,440	970,440	0.00%	13,597,707	7.14%
2013	-	875,360	875,360	0.00%	14,200,951	6.16%
2014	-	910,374	910,374	0.00%	14,046,113	6.48%



City of Vestavia Hills, Alabama
Notes to Required Supplementary Information

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

a. Budgets and budgetary accounting

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

The City does not adopt budgets for the Debt Service Fund.

Budget information presented in the financial statements is based on the original budget as adopted by the City Council on September 9, 2013.

Supplementary Information

City of Vestavia Hills, Alabama
Combining Balance Sheet—Other Governmental Funds

Year ended September 30, 2014

	State Shared Gasoline Tax Funds			
	Four Cent	Five Cent	Seven Cent	Emergency 911
Assets				
Cash and temporary investments	\$ -	\$ -	\$ 851,402	\$ 171,551
Accounts receivable	18,583	9,061	31,714	67,203
Interfund receivable	-	-	27,644	-
Total assets	\$ 18,583	\$ 9,061	\$ 910,760	\$ 238,754
Liabilities				
Accounts payable	\$ -	\$ -	\$ 21,254	\$ 16,795
Interfund payable	18,583	9,061	-	-
Total liabilities	18,583	9,061	21,254	16,795
Fund equity				
Fund balance:				
Restricted for road maintenance	-	-	889,506	-
Assigned	-	-	-	221,959
Total fund equity	-	-	889,506	221,959
Total liabilities and fund equity	\$ 18,583	\$ 9,061	\$ 910,760	\$ 238,754

Court & Corrections	Library	Vehicle Tags	Totals
\$ 361,468	\$ 361,614	\$ 202,573	\$ 1,948,608
-	-	58	126,619
-	-	-	27,644
\$ 361,468	\$ 361,614	\$ 202,631	\$ 2,102,871
\$ 5,322	\$ 16,762	\$ 179,608	\$ 239,741
-	-	-	27,644
5,322	16,762	179,608	267,385
-	-	-	889,506
356,146	344,852	23,023	945,980
356,146	344,852	23,023	1,835,486
\$ 361,468	\$ 361,614	\$ 202,631	\$ 2,102,871

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

Year ended September 30, 2014

	State Shared Gasoline Tax Funds		
	Four Cent	Five Cent	Seven Cent
Revenues			
Taxes	\$ 2,098	\$ -	\$ 610,616
Intergovernmental	198,298	97,568	319,014
Fines and forfeitures	-	-	-
Grants	-	-	-
Investment revenues	-	-	915
Library revenues	-	-	-
Other revenues	-	-	-
Total revenues	200,396	97,568	930,545
Expenditures			
General government administration	-	-	-
Public safety	-	-	-
Public works	200,396	97,568	498,835
Library	-	-	-
Capital outlay	-	-	-
Total expenditures	200,396	97,568	498,835
Excess of revenues over (under) expenditures	-	-	431,710
Other financing sources (uses)			
Operating transfers in	-	-	-
Operating transfers out	-	-	-
Total other financing sources (uses)	-	-	-
Excess of revenues and other sources over expenditures and other uses	-	-	431,710
Fund balance, beginning of year	-	-	457,796
Fund balance, end of year	\$ -	\$ -	\$ 889,506

Emergency 911	Court & Corrections	Library	Vehicle Tags	Totals
\$ 778,761	\$ -	\$ -	\$ -	\$ 1,391,475
-	-	-	62,708	677,588
-	483,717	-	-	483,717
-	-	22,735	-	22,735
-	245	411	15	1,586
-	-	105,094	-	105,094
-	1,125	-	-	1,125
778,761	485,087	128,240	62,723	2,683,320
-	201,001	-	39,700	240,701
612,684	56,566	-	-	669,250
-	-	-	-	796,799
-	-	68,603	-	68,603
16,795	-	22	-	16,817
629,479	257,567	68,625	39,700	1,792,170
149,282	227,520	59,615	23,023	891,150
-	-	-	-	-
-	-	-	-	-
-	-	-	-	-
149,282	227,520	59,615	23,023	891,150
72,677	128,626	285,237	-	944,336
\$ 221,959	\$ 356,146	\$ 344,852	\$ 23,023	\$ 1,835,486

RESOLUTION NUMBER 4733

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AND DELIVER AN AGREEMENT FOR COOPERATIVE MAINTENANCE OF PUBLIC RIGHT-OF-WAY (FORM MB-06) FOR GRADING AND LANDSCAPING PERMIT NO. 3-1-5968; VESTHAVEN WAY AND CHESTNUT ROAD.

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

1. The City Manager is hereby authorized to execute and deliver an agreement with the Alabama Department of Transportation, Form MB-06 entitled “Agreement for the Cooperative Maintenance of Public Right-of-Way for Grading and Landscaping Permit No. 3-1-5968, Vesthaven Way and Chestnut Road along US 31 in Vestavia Hills, Alabama; and
2. A copy of said agreement is marked as Exhibit A, attached to and incorporated into this Resolution Number 4733 as though written fully therein; and
3. This Resolution Number 4733 shall become effective immediately upon adoption and approval.

ADOPTED and APPROVED this the 27th day of July, 2015.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

**ALABAMA DEPARTMENT OF TRANSPORTATION
AGREEMENT FOR THE COOPERATIVE MAINTENANCE
OF PUBLIC RIGHT OF WAY**

County Jefferson Permit Number 3-1-5968

Milepost 268.42 - 269.71 Route Number US 31

Resolution Number _____

Associated Permits and/or Documents Grading and Landscaping Permit No. 3-1-5968

THIS AGREEMENT, entered into this the ____ day of _____, 20____, between the Alabama Department of Transportation acting by and through its Transportation Director hereinafter referred to as ALDOT and City of Vestavia Hills herein referred to as the APPLICANT in an effort to secure a more pleasing appearance on the roadside between Vesthaven Way and Chestnut Road along US 31 in Vestavia Hills, Alabama

on Route US 31, the APPLICANT agrees to maintain the vegetative cover in the shoulder and median by means of mowing with a flail or rotary mower and hand trimming such that a clean and attractive appearance is obtained. Mowing operations shall be conducted when the height of the vegetative cover reaches 4 inches and rescheduled in accordance with the planned frequency. In the event that shrubs and/or minor trees are planted within the area, trimming around the plant materials shall be done in conjunction with mowing to obtain a clean and attractive appearance. Clippings or other incidental debris (such as branches, trash, etc.) shall be removed if mounding of the clippings or other incidental debris occurs.

In accepting the above, ALDOT and the APPLICANT agree to do the following:

1. The APPLICANT will see that adequate sight distances are maintained for maximum public safety; otherwise ALDOT reserves the right to remedy this situation in the most expedient manner.
2. ALDOT is not responsible for the safety of the individual involved or taking part in this work during maintenance operations. Signs used must be in accordance with the latest version of the MUTCD currently in use by ALDOT.

3. If ALDOT construction (repair of drainage and traffic structures, crossovers and other minor construction) is done in the subject area, it will be the responsibility of ALDOT to establish a stand of vegetative cover if deemed necessary by ALDOT and then the APPLICANT's responsibility to maintain the vegetative cover as stipulated herein. In the event of major construction in the subject area, this Agreement shall be voided at a time designated by ALDOT.
4. All work shall be subject to the inspection and approval of ALDOT. Description of the proposed work must accompany this and any associated proposal. Should the APPLICANT fail to conform to the provisions of the Agreement, such failure shall be grounds for termination and shall be cause for ALDOT to assume the maintenance at the APPLICANT's expense and/or remove the work and restore the right-of-way to ALDOT's discretion at the expense of the APPLICANT. The APPLICANT agrees to pay ALDOT all such costs as a result. ALDOT shall provide thirty (30) days notice, in writing, or any termination.
5. A copy of this Agreement must be kept by all parties that sign the Agreement. The State of Alabama does not grant APPLICANT any right, title, or claim on any highway right-of-way.
6. The APPLICANT agrees to store no equipment, branches, mounds of clippings or plant debris of any kind or any other material on the shoulders of pavement and in the case of multi-lane highways, in the median strips. The pavement will be kept free from waste (clippings, mud and other debris) and equipment.
7. This Agreement is executed with the understanding that it is not valid until the APPLICANT has complied with all existing ordinances, laws and zoning boards that have jurisdiction in the county, city or municipality.
8. The APPLICANT will provide litter pick up as needed to insure a pleasing appearance along the roadside.
9. The APPLICANT may perform any herbicide treatments necessary to maintain the appearance of the roadside with written permission from ALDOT. This includes but is not limited to concrete islands, median barriers, curbs, and other structures. Herbicide treatments shall conform to the guidelines found in the current edition of *Chapter IV: ALDOT Herbicide Treatment Recommendations* : and be applied by an individual in possession of a current Commercial Applicator Permit (ROW category) issued by the Alabama Department of Agriculture & Industries. Daily application reports shall be made available for review by ALDOT upon request.
10. Indemnification Provisions. Please check the appropriate type of applicant:

_____ If the applicant is an incorporated municipality then:

Subject to the limitations on damages applicable to municipal corporations under Ala. Code § 11-47-190 (1975), the APPLICANT shall defend, indemnify, and hold harmless the State of Alabama, ALDOT, its officers, officials, agents, servants, and employees, in their official capacities, from and against (1) claims, damages, losses, and expenses, including but not limited to attorneys' fees arising out of,

connected with, resulting from or related to the work performed by the APPLICANT, or its officers, employees, contracts, agents or assigns (2) the provision of any services or expenditure of funds required, authorized, or undertaken by the APPLICANT pursuant to the terms of this Agreement, or (3) any damage, loss, expense, bodily injury, or death, or injury or destruction of tangible property (other than the work itself), including loss of use therefrom, and including but not limited to attorneys' fees, caused by the negligent, careless or unskillful acts of the APPLICANT its agents, servants, representatives or employees, or the misuse, misappropriation, misapplication, or misexpenditure of any source of funding, compensation or reimbursement by the APPLICANT, its agents, servants, representatives or employees, or anyone for whose acts the APPLICANT may be liable.

_____ If the applicant is county government then:

Subject to the limitations on damages applicable to counties under Ala. Code § 11-93-2(1975), the APPLICANT shall defend, indemnify, and hold harmless the State of Alabama, ALDOT, its officers, officials, agents, servants, and employees, in their official capacities, from and against (1) claims, damages, losses, and expenses, including but not limited to attorneys' fees arising out of or resulting from work performed by the APPLICANT, (2) the provision of any services or expenditure of funds required, authorized, or undertaken by the APPLICANT pursuant to the terms of this Agreement, or (3) any damage, loss, expense, bodily injury, or death, or injury or destruction of tangible property (other than the work itself), including loss of use therefrom, and including but not limited to attorneys' fees caused by the negligent, careless or unskillful acts of the APPLICANT its agents, servants representatives or employees, or the misuse, misappropriation, misapplication, or misexpenditure of any source of funding, compensation or reimbursement by the APPLICANT, its agents, servants, representatives or employees, or anyone for whose acts the APPLICANT may be liable.

_____ If the applicant is a state governmental agency or institution then:

The APPLICANT shall be responsible for damage to life and property due to activities of the APPLICANT of employees of APPLICANT in connection with the work or services under this Agreement. The APPLICANT agrees that its contractors, subcontractors, agents, servants, vendors or employees of APPLICANT shall possess the experience, knowledge and skill necessary to perform the particular duties required or necessary under this Agreement. The APPLICANT is a state institution and is limited by the Alabama Constitution in its ability to indemnify and hold harmless another entity. The APPLICANT maintains self-insurance coverage applicable to the negligent acts and omissions of its officers and employees, which occur within the scope of their employment by the APPLICANT. The APPLICANT has no insurance coverage applicable to third-party acts, omissions or claims, and can undertake no obligation that might create a debt on the State Treasury. The APPLICANT agrees ALDOT shall not be responsible for the willful, deliberate, wanton or negligent acts of the APPLICANT, or its officials, employees, agents, servants, vendors, contractors or subcontractors. The APPLICANT shall require, its contractors and its subcontractors, agents, servants or vendors, as a term or its contract with the APPLICANT, to include ALDOT as an additional insured in any insurance policy providing coverage for the work to be performed pursuant to and under this Agreement and to provide the APPLICANT a copy of the insurance policy declaration sheet confirming the addition of ALDOT thereto.

11. The APPLICANT agrees to provide pruning and/or trimming of plants in any existing or newly landscaped areas.
12. No new installation or removal of plantings is allowed on the right-of-way under this agreement.
13. The APPLICANT may perform adequate dressing and street sweeping on the routes included in this agreement which have curbs and gutters, maintaining a clean and attractive appearance of the roadway. If street sweeping is conducted, gutters shall be kept free of debris

This Agreement is deemed to be executed on the date hereinabove set forth by the parties hereto in their respective names by those persons and officials thereunto duly authorized. Witness our hands and seals, this the ____ day of _____, 20 ____.

Name of APPLICANT:

City of Vestavia Hills

WITNESS:

BY _____
Name and Title Date

BY _____
Name and Title Date

BY _____
Name and Title Date

(205) 978-0100
Telephone Number

RECOMMENDED FOR APPROVAL:

District Manager Date

Area Operations Engineer Date

Region Engineer Date

**APPROVED:
ALABAMA DEPARTMENT OF TRANSPORTATION
ACTING BY AND THROUGH ITS TRANSPORTATION
DIRECTOR**

By: _____
Maintenance / Region / Area Operations Engineer

Date: _____

CITY OF VESTAVIA HILLS
DEPARTMENT OF PUBLIC SERVICES

July 8, 2015

To: Jeff Downes, City Manager

From: Brian Davis, Director of Public Services

RE: ALDOT Maintenance Agreement for US-31 Landscaping

Plans and permit application (ALDOT MB-06 Grading and Landscaping Permit) have been prepared to expand the current limits of the City's landscaping improvements within the median along Highway 31. A permit was obtained through ALDOT in 2012 to install some sod and low-growth plantings in the median along US-31 from Old Creek Trail to Southwood Road. The current plans propose similar landscaping to be installed from Vesthaven Way to Old Creek Trail and then from Southwood Road to Chestnut Road.

A Cooperative Maintenance Agreement between ALDOT and the City of Vestavia Hills is required for future maintenance of the landscaping once installed. The new Agreement will cover the full extents of the landscape project from Vesthaven Way to Chestnut Road (old permit limits + new permit limits) and is attached for reference.

An estimated cost for the installation of the proposed landscaping by City staff according to the permitted plans is \$25,000.

Please let me know if you have any questions or need additional information.

RESOLUTION NUMBER 4735

A RESOLUTION AUTHORIZING CERTAIN ACTION WITH RESPECT TO GENERAL OBLIGATION WARRANTS, SERIES 2015, OF THE CITY OF VESTAVIA HILLS, ALABAMA

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF VESTAVIA HILLS, ALABAMA (the "City Council"), as follows:

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

(a) The City Council has determined it is in the best interests of the City of Vestavia Hills, Alabama (the "City") to provide for the refunding of the Series 2008 Warrants of the City, to achieve interest costs savings with respect thereto, from the proceeds of the Series 2015 Warrants hereinafter referenced.

(b) It is necessary and desirable for the City Council to authorize the structure and offering to the public market of general obligation warrants of the City, on a tax-exempt basis, of Series 2015 (the "Series 2015 Warrants") for the foregoing purposes.

Section 2. Subject to Section 3 and Section 4 hereof, the City Council does hereby approve, adopt, authorize, direct, ratify and confirm:

(a) the determination of the proposed structure and sources of payment and uses of proceeds of the Series 2015 Warrants by Rice Advisory LLC (the "Financial Advisor");

(b) the preparation of the financing documents for the Series 2015 Warrants by Maynard, Cooper & Gale, P.C., as bond counsel;

(c) the terms, and distribution by The Frazer Lanier Company, Incorporated (the "Underwriter"), of a preliminary official statement with respect to the Series 2015 Warrants, on behalf of the City Council, upon completion by the City;

(d) the terms and provisions of a warrant purchase agreement (the "Warrant Purchase Agreement") with respect to the Series 2015 Warrants, by the City and the Underwriter.

Section 3. Subject to Section 4 hereof, the Mayor of the City is hereby authorized and directed to execute and deliver the Warrant Purchase Agreement with respect to the Series 2015 Warrants, for and in the name of the City.

Section 4. The issuance and sale of the Series 2015 Warrants by the City shall be subject to:

- (a) the final approval and authorization thereof by the City Council, including without limitation the purposes, use of proceeds, principal amounts, terms of maturity and payment dates, interest rates, offering prices and redemption prices and terms, and costs of issuance and credit enhancement, if any; and
- (b) the approving legal opinion of Maynard, Cooper & Gale, P.C., as bond counsel.

Section 5. The City Council hereby approves the engagement of the Financial Advisor, the Underwriter, and Maynard, Cooper & Gale, P.C., to provide the respective services described in Section 2 hereto in connection with the issuance of the Series 2015 Warrants.

Section 6. All actions heretofore taken, and all agreements, documents, instruments and notices heretofore executed, delivered or made, by any of the officers of the City with respect to any matters referenced herein are hereby ratified and confirmed.

Section 7. All resolutions, or parts thereof, of the City Council in conflict or inconsistent with any provision of this resolution hereby are, to the extent of such conflict or inconsistency, repealed.

Section 8. General

- (a) This resolution shall take effect immediately.
- (b) All ordinances, resolutions, orders, or parts thereof, in conflict or inconsistent with this Resolution hereby are, to the extent of such conflict or inconsistency, repealed.

DONE, ADOPTED and APPROVED this 13th day of July, 2015.

Mayor
of City of Vestavia Hills, Alabama

S E A L

Attest: _____
City Clerk

Transmitted to and approved by the undersigned of the City of Vestavia Hills, Alabama, on this
_____ day of _____, 2015.

Mayor of City of Vestavia Hills, Alabama

STATE OF ALABAMA)
JEFFERSON COUNTY)

CERTIFICATE OF CITY CLERK

I, the undersigned, do hereby certify that (1) I am the duly elected, qualified and acting City Clerk of the City of Vestavia Hills, Alabama (the "Municipality"); (2) as Clerk of the Municipality I have access to all original records of the Municipality and I am duly authorized to make certified copies of its records on its behalf; (3) the above and foregoing pages constitute a complete, verbatim and compared copy of excerpts from the minutes of a regular meeting of the City Council of the Municipality duly held on July 13, 2015, the original of which is on file and of record in the minute book of the City Council in my custody; (4) the resolution set forth in such excerpts is a complete, verbatim and compared copy of such resolution as introduced and adopted by the City Council on such date; and (5) said resolution is in full force and effect and has not been repealed, amended or changed.

IN WITNESS WHEREOF, I have hereunto set my hand as Clerk of the Municipality and have affixed the official seal of the Municipality, this _____ day of _____, 2015.

Clerk of the City of Vestavia Hills, Alabama

SEAL

RESOLUTION NUMBER 4732

A RESOLUTION ACCEPTING A BID WITH ALTERNATES FOR CONSTRUCTION OF AN ADA RAMP AT THE VESTAVIA HILLS LIBRARY IN THE FOREST

WHEREAS, an Invitation to Bid was advertised pursuant to Alabama law for construction of an ADA ramp at the Vestavia Hills Library in the Forest; and

WHEREAS, on June 9, 2015, bids were opened and read publicly with three (3) bid received; and

WHEREAS, Tony Renta, Renta Landscape Architecture, designer of the project reviewed the bids and in a letter to the Library Director dated June 15, 2015 recommended acceptance of the bid package from Richard Sprouse Construction. A copy of said letter is marked as "Exhibit A" attached to and incorporated into this Resolution Number 4732 as though written fully therein; and

WHEREAS, Taneisha Young Tucker, Library Director, in a letter to the City Manager dated July 6, 2015, a copy of which is marked as "Exhibit B" attached to and incorporated into this Resolution Number 4732 as though written fully therein, detailed the project bid results along with alternates and recommended the following: Acceptance of the bid package from Richard Sprouse Construction with Alternate 1 plus 10% contingency (Walking Path totaling \$24,145); Alternate 5 plus 10% contingency (Handicapping Parking totaling \$3,437.50); Project Contingency (totaling \$12,462.50); and Consultant reimbursable and expenses (totaling \$2,897); and

WHEREAS, the FY 2015 budget reflects a total of \$115,000 for this construction project which was allocated by the Library Board of Trustees ("Board") from Fund 13 Donations and on June 16, 2015, at a regular meeting of the Board, an additional \$60,000 was allocated from Fund 13 in order to fully fund said project; and

WHEREAS, the Mayor and City Council have reviewed the recommendations of the Consultant and the Library Director and feel it is in the best interest of the public to accept said recommendations and approve the project, with alternates as described in Exhibit B.

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

1. The City Council hereby accepts the bid as submitted by Richard Sprouse Construction in the amount of \$124,625.00 with the following additions: Alternate 1 plus 10% contingency (Walking Path totaling \$24,145); Alternate 5 plus 10% contingency (Handicapping Parking totaling \$3,437.50); Project Contingency (totaling \$12,462.50); and Consultant reimbursable and expenses (totaling \$2,897) as detailed in Exhibit B; and
2. The City Manager is hereby authorized to execute and deliver any and all agreements for construction of said ADA ramp as proposed and designed; and
3. The ADA ramp project shall be funded from the FY 2014 City of Vestavia Hills budget of \$115,000 along with the additional \$60,000 allocation from Fund 13, Donations as authorized by the Library Board of Trustees; and
4. This Resolution Number 4732 shall become effective upon adoption and approval.

ADOPTED and APPROVED this the 22nd day of July, 2014.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

June 15, 2015

Taneisha Young Tucker
Vestavia Hills Library in the Forest
1221 Montgomery Highway
Vestavia Hills, AL 35216



Re: Vestavia Hills Library in the Forest –ADA Path, Bid 2015-05 - Bid Award Recommendation

Mrs. Tucker,

Renta Landscape Architecture has evaluated the bids received at the public reading on June 9, 2015 at the Vestavia Hills Municipal Center for the Vestavia Hills Library in the Forest - ADA Path, Bid 2015-05.

Three bids were received and their base bid amounts are as follows:

- Richard Sprouse Construction, Inc. in the amount of \$124,625.00
- JD James, Inc (Nature Bridges) in the amount of \$360,384.53
- Gillespie Construction, LLC in the amount of \$282,705.50

The low bid was submitted by Richard Sprouse Construction, Inc. in the amount of \$124,625.00. Our evaluation of the experience, reputation, and financial condition of Richard Sprouse Construction, Inc. indicates they are capable of completing the work required. Therefore, we recommend the award of a contract for construction of the Vestavia Hills Library in the Forest –ADA Path, Bid 2015-05 in the amount of \$124,625.00 be given to said contractor.

We recommend that upon notice of award of contract to contractor that a preconstruction conference between the owner, landscape architect, and contractor should be held to discuss the alternatives submitted in the bid package.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Tony Renta', is positioned below the text 'Sincerely yours,'.

Tony Renta, ASLA
Renta Landscape Architecture, LLC



CITY OF VESTAVIA HILLS

VESTAVIA HILLS LIBRARY IN THE FOREST

ALBERTO "BUTCH" ZARAGOZA
MAYOR

TANEISHA YOUNG TUCKER
DIRECTOR

July 6, 2015

FROM: Taneisha Young Tucker, Library Director

TO: Jeff Downes, City Manager

CC: Rebecca Leavings, City Clerk

RE: ADA Ramp Project for the Vestavia Hills Library in the Forest

On June 9, 2015, three bids were opened based on specifications provided by Renta Landscaping Architecture for an ADA ramp to be constructed at the Vestavia Hills Library in the Forest.

The best and lowest bid was from Richard Sprouse Construction. Based on the base bid, which was \$124,625, I recommend that Richard Sprouse Construction be awarded this project. In addition, attached is a letter from Renta Landscaping Architecture supporting this recommendation.

In 2014, the Library Board of Trustees allocated \$115,000 from the library's Fund 13 Donations Account to cover the cost of this project. These funds were approved by the City Council in the library's 2014/2015 annual budget. Thus far, \$6,954 has been paid toward the project.

The base bid submitted from Sprouse Construction, \$124,625, is over the remaining budget allocation by \$16,579. Alternates were also proposed and submitted during the bid process.

On June 16, 2015, the Library Board of Trustees voted to allocate an additional \$60,000 from Fund 13 to complete the project.

After receiving the Library Board's approval, I met with Mayor Alberto C. Zaragoza, Library Board Chair, Ashley Hicks, and Tony Renta of Renta Landscaping Architecture to discuss the proposed alternates. Based on pricing and the library's immediate needs, we agreed to include the following alternates and contingency estimates:

Alternate 1 plus 10% contingency: Walking Path totaling \$24,145
Alternate 5 plus 10% contingency: Handicapping Parking totaling 3,437.50
Project Contingency /Allowance: \$ 12,462.50

In addition, per the contract with Renta Landscaping Consultants the consulting balance should be no more than \$2,897 plus Reimbursables and Expenses.

Per the estimated expenses listed above, on behalf of the Library Board of Trustees, I request that the Vestavia Hills Council approve an additional \$60,000 from the library's Fund 13 Donations Account to cover the expenses of this project.

Please contact me at 205.978.0161 if you have questions or concerns. Thank you.

RESOLUTION NUMBER 4734

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO DO
ADDITIONAL IMPROVEMENTS TO THE “ADULT” SOFTBALL
FIELDS IN AN MOUNT NOT TO EXCEED \$49,000**

WHEREAS, the City’s athletic fields are under the care and maintenance of Specialty Turf Supply which has improved the condition of a majority of the City’s fields; and

WHEREAS, in an Interoffice Memorandum dated July 6, 2015, the Public Services Director advised the City Manager that the “adult” softball fields are in need of certain improvements and that Specialty Turf Supply has quoted a price not to exceed \$49,000 to complete said improvements. A copy of said memorandum is marked as Exhibit A, attached to and incorporated into this Resolution Number 4734 as though written fully therein; and

WHEREAS, the City Manager has reviewed said request and recommends approval; and

WHEREAS, the Mayor and City Council have reviewed the request and find it is in the best public interest to approve additional funding as requested in the attached Exhibit A.

**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 do all actions necessary in order to secure said improvements to the “adult” softball fields as described in the attached Exhibit A at a cost not to exceed \$49,000; and
2. This Resolution Number 4734 shall become effective immediately upon adoption and approval.

ADOPTED and APPROVED this the 27th day of July, 2015.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

**Vestavia Hills Public Services
1973 Merryvale Road
Vestavia Hills, Al 35216**

INTEROFFICE MEMO

Date: July 6, 2015

TO: Jeff Downes
City Manager

From: Brian Davis
Public Services Director

RE: Funding for Liberty Park Fields 5-9 renovations

Our agreement with Specialty Turf Supply to maintain our athletic fields has improved the condition of a majority of our fields dramatically. Most of the youth sports have contributed at some level to help with the improvements. The fields that are in the most need of additional improvements are the “adult” softball fields. These fields aren’t used exclusively by one sport, and the improvements fall outside of the base agreement.

Mike Hill has provided a quote to improve these fields at a cost of \$9,800 per field. Below is a note from Mike on the history and suggested improvements:

As you know we took over the maintenance of the complex in Feb 2015. The rainfall was well above average for Feb-April which was the biggest challenge since we took over. The other piece is the conditions of the fields. The city has been using a product called quick dry for multiple years to get games in after a big rain; this has essentially changed the profile of the playing surface and has made it almost unmanageable. When the fields become too wet the surface turns to mud at a 2-3” profile, when the rain stops it goes the other way and becomes like concrete and very dusty. This product is made for small applications like puddles, smaller sections of the field that can’t dry and typically you put it down and then remove it from the surface. The name on the bag says it

all, Game Saver. Over the years this has become the primary playing profile surface, which is unmanageable.

The other issue has been the extremely large lips on the back arc of the dirt and grass. The grass has so much build up that it is blocking the water from draining off the back surface and creating a bath tub effect, pooling water in the infield. These two problems have made the playability of the fields go way down with weather events. My recommendation is to take a block of time and a block of fields and re-do the playing surface and grass. We would take out the top 2" of material and replace it with a crushed brick, crimson stone material and re-grade the infields. We would remove the lip and grass back in some of the large dirt infields. This would allow us to manage a smaller portion of dirt and lessen our chances of rainouts, mainly due to water pooling in the areas that are out of play on the dirt the way it is now.

In order to improve these fields prior to next spring, we need to start as soon as possible to take advantage of the summer growing season. I am asking for an additional \$49,000 for this current fiscal year to improve these fields.

Please let me know if you have any questions or concerns.

RESOLUTION NUMBER 4736

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AND DELIVER A DEVELOPMENT AGREEMENT WITH HARDIN GRACE INVESTMENTS, LLC, PHILLIPS AND TODD HOLDINGS, LLC AND G. FRED ACTON, JAMES ACTON AND ANNE A REARDON FOR SANITARY SEWER IMPROVEMENTS TO PROPERTIES ALONG A CERTAIN PORTION OF DOLLY RIDGE ROAD

WHEREAS, Hardin Grace Investments, LLC (“Hardin Grace”), Troy and Barbara Peters (collectively “Peters”) and G Fred Acton, James Acton and Anne A. Reardon (collectively, “Acton”) are the owners of real property situated on Dolly Ridge Road in Vestavia Hills, Alabama; and

WHEREAS, Phillips and Todd Holdings, LLC (“PT Holdings”) has entered into an agreement to purchase the real property presently owned by Peters; and

WHEREAS, Acton is the owner of certain real property on Dolly Ridge Road; and

WHEREAS, Hardin Grace has constructed and installed an underground sanitary sewer line (the “Hardin Grace Sewer Line”) to a point on the Hardin Grace Property which has been dedicated to and accepted by Jefferson County Alabama, a political subdivision of the State of Alabama (the “County”); and

WHEREAS, all parties have worked with the City Manager and have determined that inadequate facilities now exist in the area to serve the sanitary sewer needs for redevelopment of the area and the City has agreed to pay the sum of \$20,000 to the owner of the Hardin Grace Property in order to acquire rights to extend a sewer line through the Hardin Grace Property and enable the provision of required public sanitary and sewer service for those members of the public requiring such services at the PT Holdings Property and the Acton Property; and

WHEREAS, a development agreement between all parties has been drafted and recommended for approval by the City Manager, a copy of which is marked as Exhibit A and is attached to and incorporated into this Resolution Number 4736 as though written fully therein; and

WHEREAS, pursuant to said agreement, PT Holdings, following closing of property presently owned by Peters, will grant an easement to allow additional width on Manorbrook Drive; and

WHEREAS, the Mayor and City Council feel it is in the best public interest to authorize the City Manager to execute and deliver said agreement.

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 authorized to execute and deliver the agreement marked as Exhibit A attached hereto; and
2. This Resolution Number 4736 shall become effective immediately upon adoption and approval.

ADOPTED and APPROVED this the 22nd day of July, 2015.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

DEVELOPMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT (this "Agreement") is made and entered into as of the ___ day of _____, 2015 by and among **CITY OF VESTAVIA HILLS, ALABAMA**, an Alabama municipal corporation (the "City"), **HARDIN GRACE INVESTMENTS, LLC**, an Alabama limited liability company ("Hardin Grace"), **PHILLIPS AND TODD HOLDINGS, LLC**, an Alabama limited liability company (collectively, "PT Holdings"), and **G. FRED ACTON, JAMES ACTON** and **ANNE A. REARDON** (collectively, "Acton").

RECITALS:

Hardin Grace is the owner of that certain real property (the "Hardin Grace Property") situated in the City of Vestavia Hills, Jefferson County, Alabama which is more particularly described in **Exhibit A** attached hereto and incorporated herein by reference.

PT Holdings has entered into an agreement to purchase from Troy W. Peters and wife, Barbara L. Peters (collectively, "Peters") that certain real property owned by Peters situated in the City of Vestavia Hills, Jefferson County, Alabama (the "PT Holdings Property") which is more particularly described in **Exhibit B** attached hereto and incorporated herein by reference.

Acton is the owner of that certain real property (the "Acton Property") situated in the City of Vestavia Hills, Jefferson County, Alabama which is more particularly described in **Exhibit C** which is attached hereto and incorporated herein by reference.

Hardin Grace has heretofore constructed and installed an underground sanitary sewer line (the "Hardin Grace Sewer Line") to a point within the Hardin Grace Property in the approximate location shown on **Exhibit D** attached hereto and incorporated herein by reference. The Hardin Grace Sewer Line has been dedicated to, and accepted by, Jefferson County, Alabama, a political subdivision of the State of Alabama (the "County").

PT Holdings and Acton have approached the City regarding plans to construct on the PT Holdings Property and the Acton Property various commercial, retail and related improvements.

There is currently inadequate public infrastructure for the provision of public sewer services to the PT Holdings Property and the Acton Property.

The PT Holdings Property and the Acton Property are included within an area of the City that the City has determined is necessary for commercial, retail and related development and expansion, and the City has determined that the developments proposed for the PT Holdings Property and the Acton Property will result in a substantial economic benefit to the City by expanding the tax base of the City, increasing the number of jobs within the City, and enhancing the overall quality of life of the citizens of the City, as well as will enable the City to attract and

retain additional commercial and retail developments within and around the PT Holdings Property and the Acton Property.

The City has determined that the provision of adequate public sewer services at and around the PT Holdings Property and the Acton Property is necessary, desirable and in the best interest of the City and its citizens.

The City has determined to pay the sum of \$20,000 to the owner of the Hardin Grace Property which is located directly adjacent to or in close proximity with the PT Holdings Property and the Acton Property and the sanitary sewer access lines to the sanitary sewer system of the County in order to acquire rights to extend a sewer line through the Hardin Grace Property and enable the provision of required public sanitary and sewer services for those members of the public requiring such services at the PT Holdings Property and the Acton Property.

Hardin Grace has agreed to grant to the owners of the PT Holdings Property and the Acton Property a permanent, perpetual and non-exclusive easement along that portion of the Hardin Grace Property described in **Exhibit E** attached hereto and incorporated herein by reference (the "Hardin Grace Sewer Easement Property") for the purpose of constructing underground sanitary sewer lines thereon, together with the right to connect to the Hardin Grace Sewer Line.

PT Holdings has agreed to grant to Acton and their respective heirs, personal representatives, and assigns (a) a permanent, perpetual and non-exclusive easement along that portion of the PT Holdings Property which is more particularly described in **Exhibit F** attached hereto and incorporated herein by reference (the "PT Holdings Sewer Easement Property") for the purpose of constructing underground sanitary sewer lines thereon, together with the right to connect to any extension of the Hardin Grace Sewer Line constructed by PT Holdings within the Hardin Grace Sewer Easement Property.

Pursuant to _____ (the "Road Easement Agreement"), Hardin Grace has heretofore granted to the City an easement and right-of-way for a roadway over and upon that portion of the Hardin Grace Property shown on **Exhibit G** attached hereto and incorporated herein by reference (the "Hardin Grace Road Easement Property").

PT Holdings has agreed to grant to the City an easement and right-of-way for a roadway over and upon that portion of the PT Holdings Property shown on **Exhibit G** attached hereto and incorporated herein by reference (the "PT Holdings Road Easement Property").

Hardin Grace has heretofore constructed curbing and other improvements for the Hardin Grace Property within the Hardin Grace Road Easement Property in the area shown on **Exhibit G** attached hereto and incorporated herein by reference (the "Hardin Grace Encroachments") in violation of the terms and provisions of the Road Easement Agreement.

The City has agreed to (a) repave and reconstruct that portion of Manor Brook Drive, which currently constitutes a prescriptive easement, from Dolly Ridge Road, a public roadway, to the approximate location within the Hardin Grace Road Easement Property and the PT

Holdings Road Easement Property shown on **Exhibit G** attached hereto and incorporated herein by reference (the “Manor Brook Improvements”) and (b) acknowledge the existence of the Hardin Grace Encroachments and not require that the same be removed from the Hardin Grace Road Easement Property.

In connection with the development of the PT Holdings Property, (a) Acton has agreed to grant to PT Holdings an access easement over and upon that portion of the Acton Property shown in **Exhibit H** attached hereto and incorporated herein by reference (the “Acton Access Easement Property”) upon which PT Holdings will construct an access drive (“Access Drive”) to provide vehicular and pedestrian access to and from both the PT Holdings Property and a portion of the Acton Property and Dolly Ridge Road, a public roadway, (b) PT Holdings has agreed to grant to Acton an access easement over and upon that portion of the PT Holdings Property shown in **Exhibit H** hereto and incorporated herein by reference (the “PT Holdings Access Easement Property”) upon which PT Holdings will construct the Access Drive. and (c) Acton has agreed to grant to PT Holdings a parking easement over and upon that portion of the Acton Property shown in **Exhibit H** attached hereto and incorporated herein by reference (the “Parking Easement Property”) in order to provide up to five (5) additional parking spaces (the “Parking Spaces”) for the benefit of the PT Holdings Property.

Following the Closing, as hereinafter defined, PT Holdings has agreed to construct the Access Drive and the Parking Spaces.

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

1. **Definitions.** In addition to the other definitions set forth in this Agreement, as used throughout this Agreement, the following defined terms shall have the meanings set forth below, which meanings shall be applicable to both the singular and plural forms and tenses of such terms:

(a) “Acton Insurance Requirements” means commercial general liability insurance coverage (including contractual liability insurance coverage regarding the indemnification obligations of Acton set forth in this Agreement) for bodily injury (including death) and property damage with a combined single limit of not less than Three Million Dollars for each occurrence and with not less than Three Million Dollars in the aggregate, which commercial general liability insurance policy shall name the then owner of the PT Holdings Property as an additional insured thereunder. An umbrella or excess liability insurance policy may be used to satisfy the foregoing policy limits. All insurance to be maintained hereunder shall be issued by companies having a Best rating of A-/+ or higher and shall be issued on the current ISO form. Certificates of Insurance evidencing the foregoing coverages shall be delivered to the then owner of the PT Holdings Property prior to any entry onto the PT Holdings Sewer Easement Property by any of the Acton Parties.

(b) “Acton Parties” means the then owner of the Acton Property who is exercising the sewer easement rights granted by the owner of the PT Holdings Property to

construct sanitary sewer lines within the PT Holdings Sewer Easement Property and such owner's respective agents, employees, contractors, heirs, personal representatives, successors and assigns.

(c) "Closing" means the closing of the transactions contemplated in this Agreement as provided in Paragraph 7 below.

(d) "Closing Date" shall have the meaning given to such term in Paragraph 7(a) below.

(e) "Conditions" shall have the meaning given to such term in Paragraph 6 below.

(f) "Development Documents" means, collectively, the Sewer Easement Agreement (as defined in Paragraph 3(a) below), the PT Holdings Road Easement Agreement (as defined in Paragraph 4(a) below), and the Cross Access Easement Agreement (as defined in Paragraph 5(a) below).

(g) "Force Majeure" means any delays which are occasioned by or result from acts of God, inclement weather, labor or materials shortages, labor strikes, work stoppages, war, civil unrest, riots, inability to obtain permits, any delays in obtaining any requested consents or approvals from any party to this Agreement, and any other causes beyond the reasonable control of any party to this Agreement; provided, however, that the term "Force Majeure" shall not mean or include the inability of a party to obtain financing or sufficient funds to undertake or complete any of its obligations under this Agreement.

(h) "Governmental Authority" means any and all City, County, state and federal governmental or quasi-governmental agencies, bureaus, departments, divisions or any other regulatory authorities.

(i) "Governmental Requirements" means any and all statutes, ordinances, code provisions, rules, regulations, requirements and directives of any Governmental Authorities.

(j) "PT Holdings Insurance Requirements" means commercial general liability insurance coverage (including contractual liability insurance coverage regarding the indemnification obligations of the PT Holdings Parties set forth in this Agreement) for bodily injury (including death) and property damage with a combined single limit of not less than Three Million Dollars for each occurrence and with not less than Three Million Dollars in the aggregate, which commercial general liability insurance policy shall name Hardin Grace as an additional insured thereunder. An umbrella or excess liability insurance policy may be used to satisfy the foregoing policy limits. All insurance to be maintained hereunder shall be issued by companies having a Best rating of A-/+ or higher and shall be issued on the current ISO form. Certificates of Insurance evidencing the foregoing coverages shall be delivered to Hardin Grace prior to any entry onto the Hardin Grace Sewer Easement Property by any of the PT Holdings Parties.

(k) “PT Holdings Parties” means the then owner of the PT Holdings Property who is exercising the sewer easement rights granted by the owner of the Hardin Grace Property to construct sanitary sewer lines within the Hardin Grace Sewer Easement Property and such owner’s respective agents, employees, contractors, heirs, personal representatives, successors and assigns.

2. **Rules of Construction.** For the purposes of this Agreement, except as otherwise expressly provided herein to the contrary or unless the context otherwise requires:

(a) The terms “include”, “including”, and similar terms shall be construed as if followed by the phrase “without being limited to”.

(b) The terms “herein”, “hereof” and “hereunder” and other words of similar import refer to this Agreement as a whole and not to any particular section, paragraph or other subdivision or Exhibit.

(c) All Recitals set forth in, and all Exhibits to, this Agreement are hereby incorporated in this Agreement by reference.

3. **Grant of Sewer Easements.**

(a) At the Closing, Hardin Grace agrees to execute and deliver to the then owners of the PT Holdings Property and the Acton Property an easement agreement (the “Sewer Easement Agreement”) in form reasonably acceptable to Hardin Grace, PT Holdings and Acton granting to the PT Holdings Parties and the Acton Parties (i) an easement over, across, through, under and upon the Hardin Grace Sewer Easement Property for the purposes of constructing, installing, operating, maintaining, repairing and replacing from time to time underground sanitary sewer lines which will benefit and serve the Acton Property and the PT Holdings Property and (ii) the right to connect to the existing Hardin Grace Sewer Line situated on the Hardin Grace Property.

(b) Contemporaneously with the execution of the Sewer Easement Agreement, the following amounts shall be paid to Hardin Grace in consideration of Hardin Grace entering into the Sewer Easement Agreement:

(i) The City shall pay to Hardin Grace the sum of Twenty Thousand and No/100 Dollars (\$20,000.00), in cash;

(ii) PT Holdings will pay to Hardin Grace the sum of Fifteen Thousand and No/100 Dollars (\$15,000.00), in cash; and

(iii) The then owner of the Acton Property will pay to Hardin Grace the sum of Fifteen Thousand and No/100 Dollars (\$15,000.00), in cash.

(c) The Sewer Easement Agreement shall provide for the following:

(i) PT Holdings will construct and install, at such owner's sole cost and expense (subject to the reimbursement provisions set forth in Paragraph 3(c)(iii) below) an underground sanitary sewer line (the "PT Holdings Sewer Line") under the Hardin Grace Sewer Easement Property to the approximate point within the PT Holdings Sewer Easement Property shown as "_____ " on Exhibit D hereto, which PT Holdings Sewer Line will be constructed in a good and workmanlike manner and in accordance with all applicable Governmental Requirements. PT Holdings agrees that all plans and specifications, as well as the construction schedule for the construction of the PT Holdings Sewer Line shall be submitted to the third party engineer of Hardin Grace for review prior to commencement of any construction activities on the Hardin Grace Sewer Easement Property (which plans shall also reflect the proposed temporary locations for employee parking for any employees of the Hardin Grace Property and the trash dumpster for the Hardin Grace Property during the construction of the PT Holdings Sewer Line). The contractor selected by PT Holdings to install the PT Holdings Sewer Line shall be an Alabama licensed general contractor who shall be bonded and insured. The PT Holdings Sewer Line will be sized to provide sanitary sewer services to the PT Holdings Property and all of the Acton Property. The PT Holdings Sewer Line will be completed on or before six (6) months from the Closing, subject to extensions thereof as a result of any matters of Force Majeure;

(ii) During the construction of the PT Holdings Sewer Line, the PT Holdings Parties will satisfy the PT Holdings Insurance Requirements;

(iii) Upon completion of construction of the PT Holdings Sewer Line (which completion shall be evidenced by the issuance of a certificate or letter of substantial completion by PT Holdings' engineer), Acton agrees to pay one-half (1/2) of the costs and expenses, including engineering fees, paid or incurred by PT Holdings in completing the PT Holdings Sewer Line, as such costs and expenses are certified by PT Holdings' engineer; provided, however, that Acton's share of such costs and expenses shall not exceed \$40,000.00. Such payment by Acton to PT Holdings shall be made no later than thirty (30) days following the giving of such notice by PT Holdings to Acton of such final costs;

(iv) The owner of the Acton Property will construct and install an underground sanitary sewer line (the "Acton Sewer Line") under the PT Holdings Sewer Easement Property to a location within the Acton Property, which Acton Sewer Line will be constructed in a good and workmanlike manner and in accordance with all applicable Governmental Requirements. The owner of the Acton Property agrees that all plans and specifications, as well as the construction schedule for the construction of the Acton Sewer Line shall be submitted to the third party engineer of PT Holdings for review prior to commencement of any construction activities on the PT Holdings Sewer Easement Property. The contractor selected by the owner of the Acton Property

to install the Acton Sewer Line shall be an Alabama licensed general contractor who shall be bonded and insured. The Acton Sewer Line will be completed on or before 90 days from commencement of construction of the Acton Sewer Line, subject to extensions thereof as a result of any matters of Force Majeure;

(v) During the construction of the Acton Sewer Line, the Acton Parties will satisfy the PT Holdings Insurance Requirements; and

(vi) Following completion of construction and installation of any sewer lines by either the PT Holdings Parties or the Acton Parties, the parties agree to execute and deliver to the County such documentation as may be reasonably required by the County to evidence the transfer of any such sanitary sewer lines which have been constructed and installed by any of the parties hereto, together with the transfer and assignment of the easement rights relating thereto.

(d) PT Holdings agrees that the following provisions shall be added to its construction contract with the contractor which will be constructing the PT Holdings Sewer Line on any portion of the Hardin Grace Sewer Easement Property, which provisions shall be substantially as follows:

(i) Any construction activities to be undertaken on any portion of the Hardin Grace Sewer Easement Property which results in the loss of use of any parking spaces or areas within the Hardin Grace Sewer Easement Property must be completed within 30 days following the commencement of any such construction activities;

(ii) If Hardin Grace or any tenants, employees, customers or invitees thereof are unable to utilize any of the parking spaces or areas within the Hardin Grace Sewer Easement Property for more than 30 days following the commencement of any such construction activities on the Hardin Grace Sewer Easement Property, then such contractor shall pay directly to Hardin Grace, as liquidated damages, the sum of \$_____ per day for each day beyond 30 days that any such parking spaces or areas on the Hardin Grace Sewer Easement Property cannot be utilized for parking by Hardin Grace or any tenants, employees, customers or invitees thereof;

(iii) Such contractor shall promptly repair and replace any improvements and landscaping on any of the Hardin Grace Property damaged or destroyed in connection with the construction of the PT Holdings Sewer Line; and

(iv) Force Majeure shall not be a basis for extending such contractor's obligations under Paragraphs 3(d)(i) and 3(d)(ii) above.

(e) The parties hereto acknowledge and agree that the City will **not** undertake to construct, install, operate, maintain, repair or replace any sanitary sewer lines within the Hardin Grace Property, the PT Holdings Property or the Acton Property.

4. **Grant of Road Easement and Construction of Manor Brook Improvements.**

(a) At the Closing, PT Holdings agrees to execute and deliver to the City an easement agreement (the "PT Holdings Road Easement Agreement") in form reasonably acceptable to the City and PT Holdings granting to the City, its agents, employees, contractors, successors and assigns an easement over, across, through, under and upon the PT Holdings Road Easement Property for the purposes of constructing, installing, operating, maintaining, repairing and replacing from time to time thereon the Manor Brook Improvements and utility lines.

(b) The City will not require the removal of the existing Hardin Grace Encroachments from the Hardin Grace Road Easement Property; provided, however, that no further improvements of any kind shall be constructed, installed, placed, operated or maintained by Hardin Grace or any of its successors and assigns within any portion of the Hardin Grace Road Easement Property.

(c) Promptly following the Closing, the City agrees to commence and complete of the Manor Brook Improvements within the PT Holdings Road Easement Property and the Hardin Grace Road Easement Property.

(d) Following the completion of construction of the Manor Brook Improvements, the City will maintain the Manor Brook Improvements as if the same constituted part of a City right-of-way.

5. **Grant of Cross Access Easement and Parking Easement.**

(a) At the Closing, the then owners of the PT Holdings Property and the Acton Property agree to enter into a cross access and parking easement agreement (the "Cross Access Easement Agreement") pursuant to which Acton will grant to PT Holdings an access easement over and upon the Acton Access Easement Property, PT Holdings will grant to Acton an access easement over and upon the PT Holdings Access Easement Property and Acton will grant to PT Holdings an exclusive easement over and upon the Parking Easement Property for the construction and maintenance thereon of Parking Spaces for the benefit of the PT Holdings Property.

(b) The Cross Access Easement Agreement shall provide that, promptly following the Closing, PT Holdings will commence and complete construction of the Access Drive over and upon the Acton Access Easement Property and the PT Holdings Access Easement Property and the Parking Spaces within the Parking Easement Property in a good and workmanlike manner and in accordance with all applicable Governmental Requirements. Construction of the Access Drive and Parking Spaces will be completed by PT Holdings no later than 12 months following the Closing Date, subject to extensions thereof as a result of any matters of Force Majeure. The Cross Access Easement Agreement shall also provide that the then owner of the PT Holdings Property and the then owner of any portion of the Acton Property

served by the Access Drive shall at all times satisfy the PT Holdings Insurance Requirements and the Acton Insurance Requirements, respectively. The plans and specifications for the Access Drive and the Parking Spaces shall be prepared by PT Holdings and shall be submitted to Acton for review and approval, which approval shall not be unreasonably withheld or delayed.

(c) Following completion of construction of the Access Drive and the Parking Spaces, the then owner of the PT Holdings Property shall at all times maintain the same in good condition and repair at all times and in accordance with all applicable Governmental Requirements; provided, however, that at such time as any of the Acton Property begins utilizing the Access Drive for access to any of the Acton Property, then the then owner of the Acton Property utilizing the Access Drive shall pay its prorata share of the costs and expenses incurred by the then owner of the PT Holdings Property to maintain the Access Drive, which prorata share shall equal a fraction, the numerator of which shall be the total number of parking spaces within the Acton Property served by the Access Drive (as the same may be increased from time to time with subsequent development of the Acton Property) and the denominator of which shall be the sum of the Parking Spaces plus the total number of parking spaces within the Acton Property served by the Access Drive (as the same may be increased from time to time with future development of the Acton Property).

(d) PT Holdings and Acton, for themselves, their heirs, personal representatives and assigns, acknowledge and agree that at such time as a final certificate of occupancy is issued by the City for any building constructed on any portion of the Acton Property which utilizes the Access Drive for access to such building, then the Access Drive will become a one-way only drive heading in a westerly direction.

(e) PT Holdings and Acton, for themselves and their respective heirs, personal representatives, successors and assigns, acknowledge and agree that the City does **not** and will **not** have any obligation to construct, install, operation, maintain, repair or replace the Access Drive, the Parking Spaces or any other improvements of any nature situated on the PT Holdings Property or the Acton Property (other than the Manor Brook Improvements).

6. **Conditions.**

(a) The Closing of the transactions contemplated herein is expressly subject to and conditioned upon the satisfaction of all of the following conditions (collectively, the "Conditions") on or prior to the Closing Date:

(i) The Closing contemplated by this Agreement occurs simultaneously with the closing of the sale by Peters to PT Holdings of all of the PT Holdings Property (the "PT Holdings Land Sale Closing");

(ii) All of the Development Documents have been approved by all of the parties thereto;

(iii) This Agreement as well as any of the Development Documents to which the City may be a party shall have been approved by the City Council of the City; and

(iv) The Acton Access Easement Property and the Parking Easement Property situated on the Acton Property shall have been rezoned to a B.1.2 zoning classification under the City's zoning ordinance.

(b) If, for any reason, any of the Conditions have not been satisfied by the Closing Date, then this Agreement shall automatically terminate, be deemed null and void and none of the parties hereto shall have any further obligations or liabilities under this Agreement.

(c) All of the parties hereto agree to cooperate with each other and exercise good faith efforts to cause all of the Conditions to be satisfied on or prior to the Closing Date.

7. **Closing.**

(a) Subject to the satisfaction of the Conditions, the consummation of the transactions contemplated by this Agreement (the "Closing") shall occur on or before the earlier of either (i) the PT Holdings Land Sale Closing or (ii) _____, 2015 (the "Closing Date").

(b) At the Closing, each of the parties hereto shall execute the Development Documents to which any such party is a party.

(c) At the Closing, the consideration payable to Hardin Grace pursuant to the terms and provisions of Paragraph 3(b) above shall be paid to Hardin Grace.

(d) At the Closing, Acton and PT Holdings shall equally pay the costs and expenses of recording the Development Documents in the Office of the Judge of Probate of Jefferson County, Alabama.

8. **Covenants Running with the Land.** To the extent the Closing hereunder occurs, all of the terms, provisions, agreements, rights, powers, covenants and obligations set forth in the Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, personal representatives, successors and assigns. To the extent PT Holdings or Acton transfer(s) or conveys any portion of the PT Holdings Property or the Acton Property, respectively, to any third party ("Third Party"), then such Third Party shall be bound by all of the terms and provisions of this Agreement and PT Holdings or Acton, as applicable, shall no longer have any further obligations hereunder with respect to any portion of the PT Holdings Property or the Acton Property, respectively, transferred to any such Third Party.

9. **Miscellaneous Provisions.**

(a) Notices. All notices required or permitted hereunder shall be in writing and shall be served on all of the parties hereto at the following addresses:

If to the City: City of Vestavia Hills, Alabama
513 Montgomery Highway
Vestavia Hills AL 35216
Attention: Mr. Butch Zaragoza, Mayor
Facsimile: (205) 978-0189
Email: butchzaragoza@ci.vestaviiahills.al.us

and City of Vestavia Hills, Alabama
513 Montgomery Highway
Vestavia Hills AL 35216
Attention: Mr. Jeff Downes, City Manager
Facsimile: (205) 978-0189
Email: jdownes@vahal.org

With copies to: Stephen R. Monk
Bradley Arant Boult Cummings LLP
One Federal Place
1819 Fifth Avenue North
Birmingham, Alabama 35203
Facsimile: (205) 488-6429
Email: smonk@babbc.com

Patrick H. Boone
215 Richard Arrington Jr., Blvd. N., Suite 705
Birmingham, Alabama 35203
Facsimile: (205) 324-2295
Email: patrickboone@bellsouth.net

If to Hardin Grace: Hardin Grace Investments, LLC

Attention: _____
Facsimile: (____) _____
Email: _____

If to PT Holdings: PT Holdings, LLC

Facsimile: (205) _____
Email: _____

If to Acton:

G. Fred Acton
James Acton
Anne A. Reardon

Facsimile: (205) _____
Email: _____

Any such notices shall be deemed to be sufficiently given or served upon any party hereto when (i) sent by personal delivery to the address set forth above, (ii) deposited in the United States mail by registered or certified mail, return receipt requested, postage prepaid and addressed as provided above, (iii) deposited with a nationally recognized overnight delivery courier service for next business day delivery and addressed as set forth above, (iv) sent by facsimile transmission during regular business hours of any business day, in which case notice shall be deemed given upon confirmation of transmission of such facsimile notice, or (v) sent by electronic mail (email) to the email address set forth above, in which case notice shall be deemed given upon confirmation of transmission of such email notice. The above addresses may be changed by written notice to the other parties given in the manner set forth above.

(b) Applicable Law. This Agreement shall be governed by, and construed in accordance with, the laws of the State of Alabama.

(c) Modification. Neither this Agreement nor any provision hereof may be waived, modified or amended, except by a written instrument signed by all of the parties hereto.

(d) Captions. The captions or headings used herein are included for convenience and general reference only and shall not be construed to describe, define or limit the scope, intent or construction of this Agreement.

(e) Exhibits. Each exhibit which is referred and attached to this Agreement is incorporated herein as if set out fully in the body hereof.

(f) Binding Effect. This Agreement shall be binding upon and shall inure to the benefit of the parties hereto and their respective successors and assigns.

(g) Time. Time is of the essence in the performance of all obligations of each party to this Agreement.

(h) Brokerage Commissions. The parties hereto represent and warrant to each other that they have not dealt with any broker or sales agent in connection with the transactions contemplated by this Agreement. Each of Hardin Grace, PT Holdings and Acton do hereby indemnify, defend and hold the other parties to this Agreement harmless from and against any and all claims, suits, liabilities, judgments and expenses, including reasonable attorneys' fees and expenses, suffered, paid or incurred by any of the other parties to this Agreement as a result of any claim or claims for brokerage commissions, finder's fees or other compensation asserted by any person, firm or corporation in connection with the execution of this Agreement and the consummation of the transactions contemplated by this Agreement.

(i) Entire Agreement. This Agreement constitutes the entire and complete agreement between the parties hereto and supersedes any prior oral or written agreements or understandings between the parties with respect to the Property and the matters set forth in this Agreement. It is expressly agreed that there are no verbal understandings or agreements which in any way change the terms, covenants and conditions herein set forth, and that no modification of this Agreement and no waiver of any of its terms and conditions shall be effective unless made in writing and duly executed by the parties hereto.

(j) Partial Invalidity. If any provision of this Agreement or the application thereof to any person or circumstance shall, to any extent, be invalid or unenforceable, the remainder of this Agreement or the application of such provision to persons or circumstances other than those as to which it is held invalid or unenforceable shall not be affected thereby and each provision shall be valid and enforceable to the fullest extent permitted by law.

(k) Survival. All of the terms and provisions of this Agreement shall survive the Closing.

(l) Rules of Construction. The parties hereto and their respective counsel have participated in the drafting and redrafting of this Agreement and the general rules of construction which would construe any provision of this Agreement in favor or to the advantage of one party as opposed to the other as a result of one party drafting this Agreement as opposed to the other or in resolving any conflict or ambiguity in favor of one party as opposed to the other on the basis of which party drafted this Agreement are hereby expressly waived by both parties hereto. In the event of any conflict or ambiguity between the terms and provisions of this Agreement and any of the Development Documents, the terms and provisions of the Development Documents shall at all times control.

(m) No Partnership and No Third Party Beneficiaries. Nothing contained in this Agreement and no action by the parties hereto will be deemed or construed to create the relationship of principal and agent, or a partnership, or a joint venture or any association between or among any of the parties hereto. Except for any successors and assigns of the parties hereto, this Agreement does not create any rights or obligations in favor of any third parties who have not executed this Agreement.

(n) Liability of the City. Notwithstanding anything provided herein to the contrary, Owner acknowledges and agrees that the obligations of the City set forth herein are limited by the limitations imposed on public bodies, municipalities and public corporations by the Constitution of the State of Alabama and laws affecting the use and maintenance of public property.

(o) No Waiver. No consent or waiver, express or implied, by any party hereto or to any breach or default by any other party in the performance by such other party of its obligations hereunder shall be valid unless in writing, and no such consent or waiver to or of one breach or default shall constitute a consent or waiver to or of any other breach or default in the performance by such other party of the same or any other obligations of such party hereunder. Failure on the part of any party to complain of any act or failure to act of any party or to declare such other party in default, irrespective of how long such failure continues, shall not constitute a

waiver by such party of its rights hereunder. The granting of any consent or approval in any one instance by or on behalf of any party hereto shall not be construed to be a waiver or limit the need for such consent in any other or subsequent instance.

(p) Counterparts and Facsimile/Portable Document Format Execution. This Agreement may be executed and delivered, by facsimile and portable document format and/or in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument and shall become a binding Agreement when one or more of the counterparts have been signed by each of the parties and delivered to the other party.

[The remainder of this page has been left intentionally blank]

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first above written.

CITY:

CITY OF VESTAVIA HILLS, ALABAMA, an Alabama municipal corporation

By: _____
Printed Name: _____
Title: _____

By: _____
Printed Name: _____
Title: _____

HARDIN GRACE:

HARDIN GRACE INVESTMENTS, LLC, an Alabama limited liability company

By: _____
Printed Name: _____
Title: _____

PT HOLDINGS:

PHILLIPS AND TODD HOLDINGS, LLC, an Alabama limited liability company

By: _____
Printed Name: _____
Title: _____

ACTON:

G. Fred Acton

James Acton

Anne A. Reardon

EXHIBIT A

Legal Description of Hardin Grace Property

EXHIBIT B

Legal Description of PT Holdings Property

EXHIBIT C

Legal Description of Acton Property

EXHIBIT D

**Locations of Termination Points for Hardin Grace Sewer Line and Proposed PT Holdings
Sewer Line**

EXHIBIT E

Legal Description of Hardin Grace Sewer Easement Property

EXHIBIT F

Legal Description of PT Holdings Sewer Easement Property

EXHIBIT G

**Drawing Reflecting Locations of Hardin Grace Road Easement Property, PT Holdings
Road Easement Property, Hardin Grace Encroachments and Extent of Manor Brook
Improvements**

EXHIBIT H

Drawing Reflection Locations of Acton Access Easement Property, PT Holdings Access Easement Property and Parking Easement Property

ORDINANCE NUMBER 2573

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-4 TO VESTAVIA HILLS R-9.

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-4 (residential) Vestavia Hills R-9 (planned residential district):

3786 & 3790 Poe Drive
Lots 5A & 5B Overton Investments Res. Of New Merkle (MB 239/PG 94), and
Lots 6 & 7, Block 3, Glass 3rd Add to New Merkle (MB 29/PG 35
David Horton and Overton Investments, LLC, owner(s)

BE IT FURTHER ORDAINED that said rezoning be subject to the following conditions: (1) Construction of four (4) single-family detached residences similar to the development plan marked Exhibit A, a copy of which is attached to and incorporated into this Ordinance Number 2573 as though written fully therein.

APPROVED and ADOPTED this the 27th day of July 2015.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

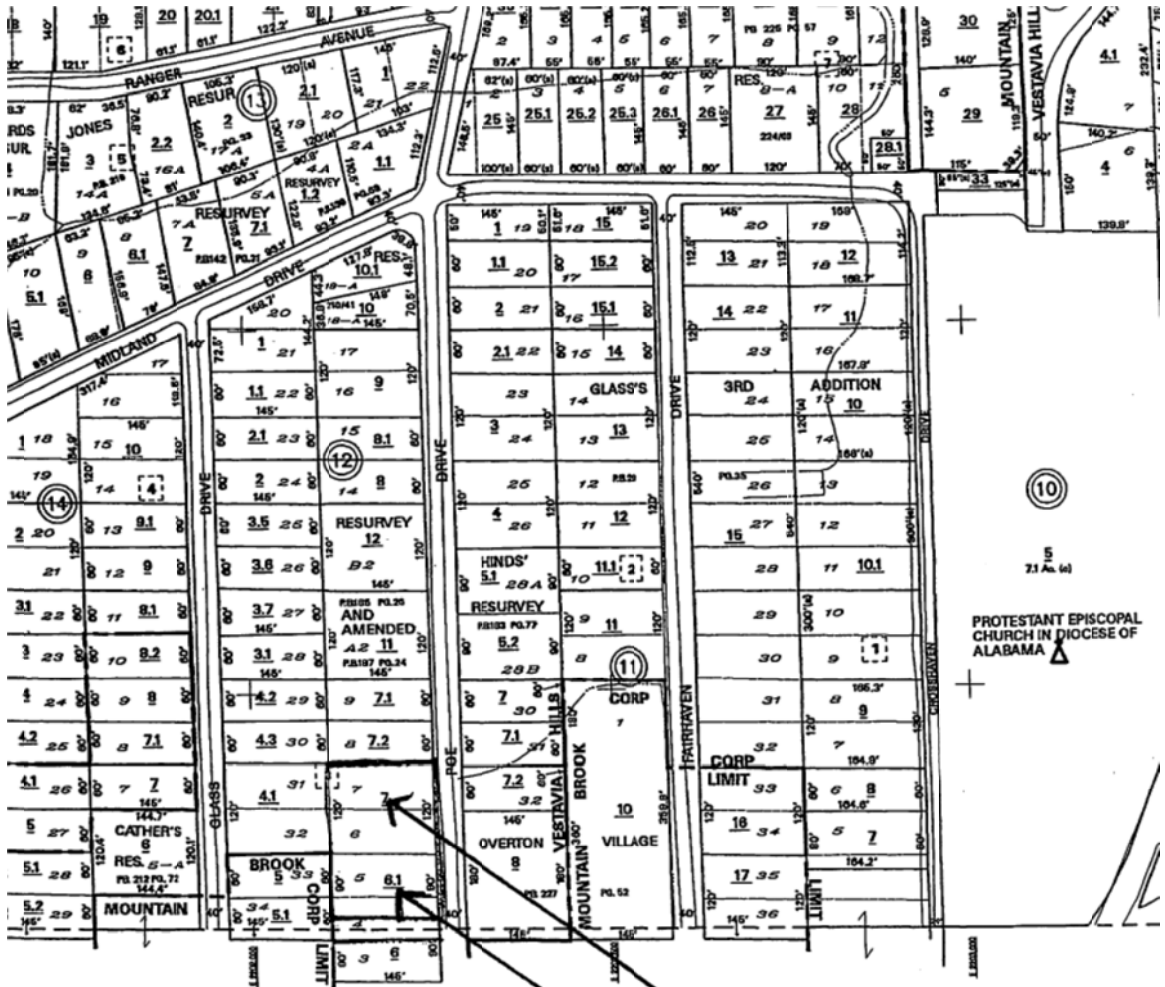
Rebecca Leavings
City Clerk

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 # 2573 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 27th day of July 2015 as same appears in the official records of said City.

Posted at Vestavia Hills Municipal Center, Vestavia Hills Library in the Forest, New Merkle House and Vestavia Hills Recreational Center this the _____ day of _____, 2015.

Rebecca Leavings
City Clerk



FOR TAX PURPOSES ONLY - NOT TO BE USED FOR CONVEYANCE

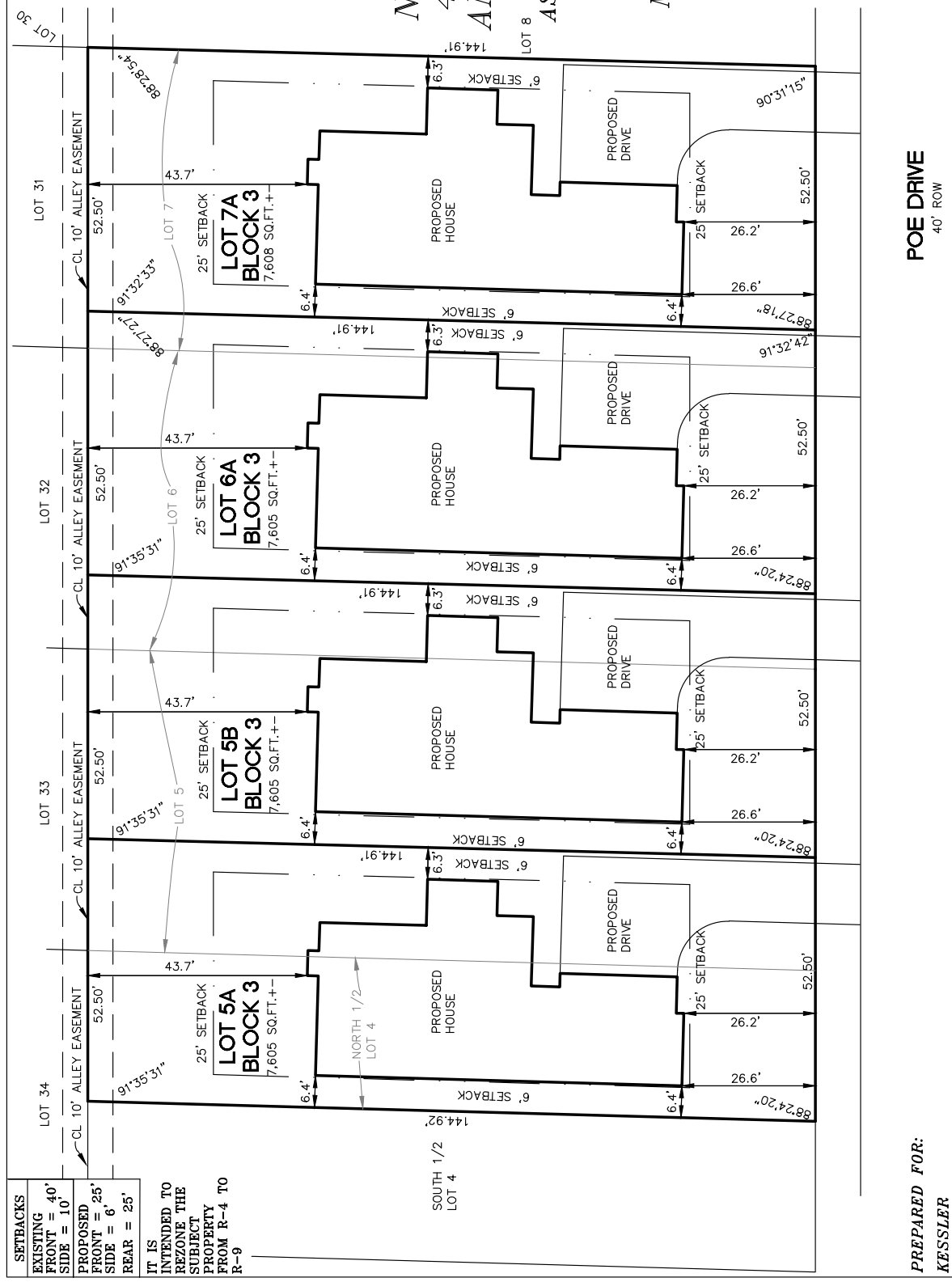
subject
properties

PLOT PLAN NORTH HALF LOT 4, LOT 5, LOT 6 AND LOT 7 BLOCK

3
AS RECORDED IN M.B. 29,
PG. 35

SCALE: 1" = 20'
DATE: MAY 7, 2015
MAP OF GLASS' 3RD
ADDITION TO NEW
MERKLE

120 BISHOP CIRCLE, SUITE 300
PELHAM, AL 35124
TEL - (205) 403-9158
FAX - (205) 403-9175



SETBACKS
EXISTING FRONT = 40'
EXISTING SIDE = 10'
PROPOSED FRONT = 25'
PROPOSED SIDE = 6'
PROPOSED REAR = 25'

IT IS INTENDED TO REZONE THE SUBJECT PROPERTY FROM R-4 TO R-9

PREPARED FOR:
KESSLER

FOR INFORMATION ONLY

THIS IS NOT A SURVEY AND IS FOR INFORMATION PURPOSES ONLY. RESURVEY MAY BE REQUIRED.

CITY OF VESTAVIA HILLS
SYNOPSIS AND STAFF RECOMMENDATION CONCERNING
APPLICATION BEFORE THE PLANNING AND ZONING COMMISSION

Date: May 4, 2015

- **CASE:** P-0515-24
- **REQUESTED ACTION:** Request of Rezoning of property from Vestavia Hills R-4 (single-family residential) to VH R-9 (planned single-family residential district) for construction of two single-family homes
- **ADDRESS/LOCATION:** 3786 & 3790 Poe Drive, N ½ of Lot 4, Lots 5, 6 & 7, Glass' 3rd Addition to New Merkle
- **APPLICANT/OWNER:** David Horton and Overton Investments LLC
- **REPRESENTING AGENT:** Jason Kessler, KADCO, Hoover AL
- **GENERAL DISCUSSION:** Property is located on Poe Drive and currently has one single-family home constructed on 3 1/2 lots of record. Request is to build four homes with setbacks of 6' on side and 25' on front with requested R-9 zoning in lieu of the required 10' sides and 40' front of typical R-4 zoning. A proposed site plan is included depicting said setbacks and lot widths.
- **CAHABA HEIGHTS COMMUNITY PLAN:** This property is located in Figure 19 of the Comprehensive Master Plan in an area designated as Neighborhood. It is also located in an area noted as "medium density residential" in the Cahaba Heights Community Plan. This request is not consistent with the comprehensive plan and the City's Comprehensive Master Plan, but is compliant with the area development of more dense residential housing.
- **STAFF REVIEW AND RECOMMENDATION:**
 1. **City Planner Review:** I have looked at all of the relevant zoning / subdivision requirements related to this proposal, including application, notification, setbacks, area of lot development, etc. Notification has been sent to property owners pursuant to Alabama law. I have reviewed this request and find it does meet the minimum requirements of the proposed zoning. Several new properties have built to the same setbacks citing various "hardships". This property has no unnecessary hardship and was referred instead to seek zoning change rather than variance for building.

City Planner Recommendation: No Recommendation.

2. **City Engineer Review:** I have reviewed the application and request that the applicant provide grading and drainage plans to City Engineer for review and approval prior to permitting for construction.
3. **City Fire Marshal Review:** I have reviewed the application and found no problems as proposed.
4. **Building Safety Review:** I have reviewed the application and found no problems with development as proposed.

MOTION Mr. Gilchrist made a motion to recommend approval of Rezoning of 3786 & 3790 Poe Drive from from Vestavia Hills R-4 (single-family residential) to VH R-9 (planned single-family residential district) for construction of four single-family homes. Second was by Mr. Goodwin. Motion was carried on a roll call; vote as follows:

Mr. Goodwin – yes	Mr. Burrell – yes
Mr. Gilchrist – yes	Mr. Sharp – yes
Mr. Wolfe – yes	Mr. House – yes
Mr. Larson – yes	Motion carried.

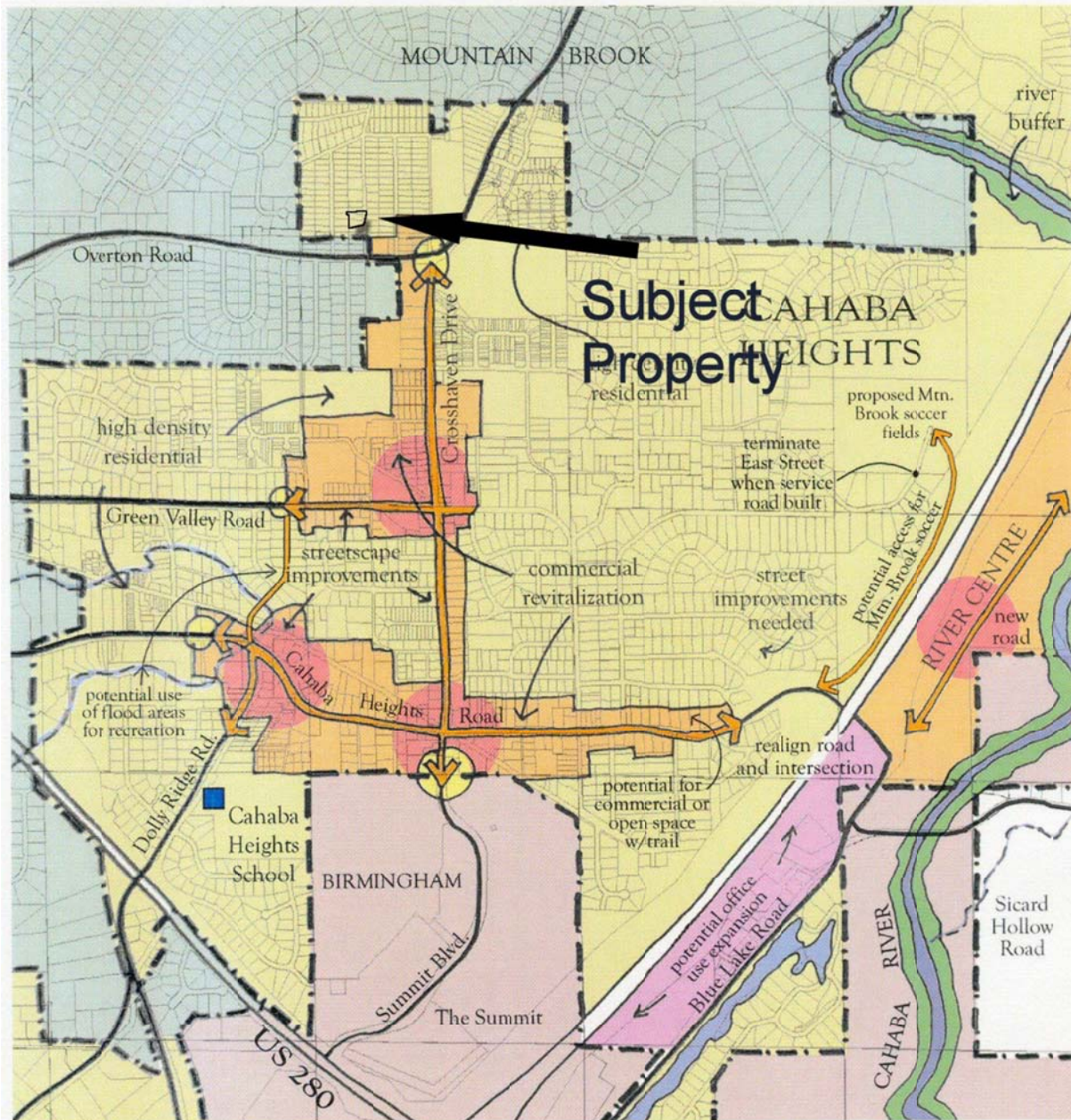
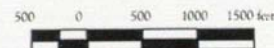



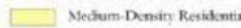


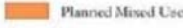


Figure 19: Cahaba Heights
Land Use Analysis

- 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. Mx 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 periphery. Other uses may include institutions and public space.
- Gateways and Nodes - Gateways are entryways into the community or village enhanced with consistent signage, landscaping, and other elements. Nodes are sites, such as transit stops, where public spaces, signage, and other public design elements should be considered.

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



Future Land Use

- | | | |
|--------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------|
|  Low-Density Residential |  Retail/Mixed Use |  Institutional |
|  Medium-Density Residential |  Limited Mixed Use |  Parks and Open Space |
|  High-Density Residential |  Planned Mixed Use | |
|  Birmingham |  Jefferson County |  Mountain Brook |

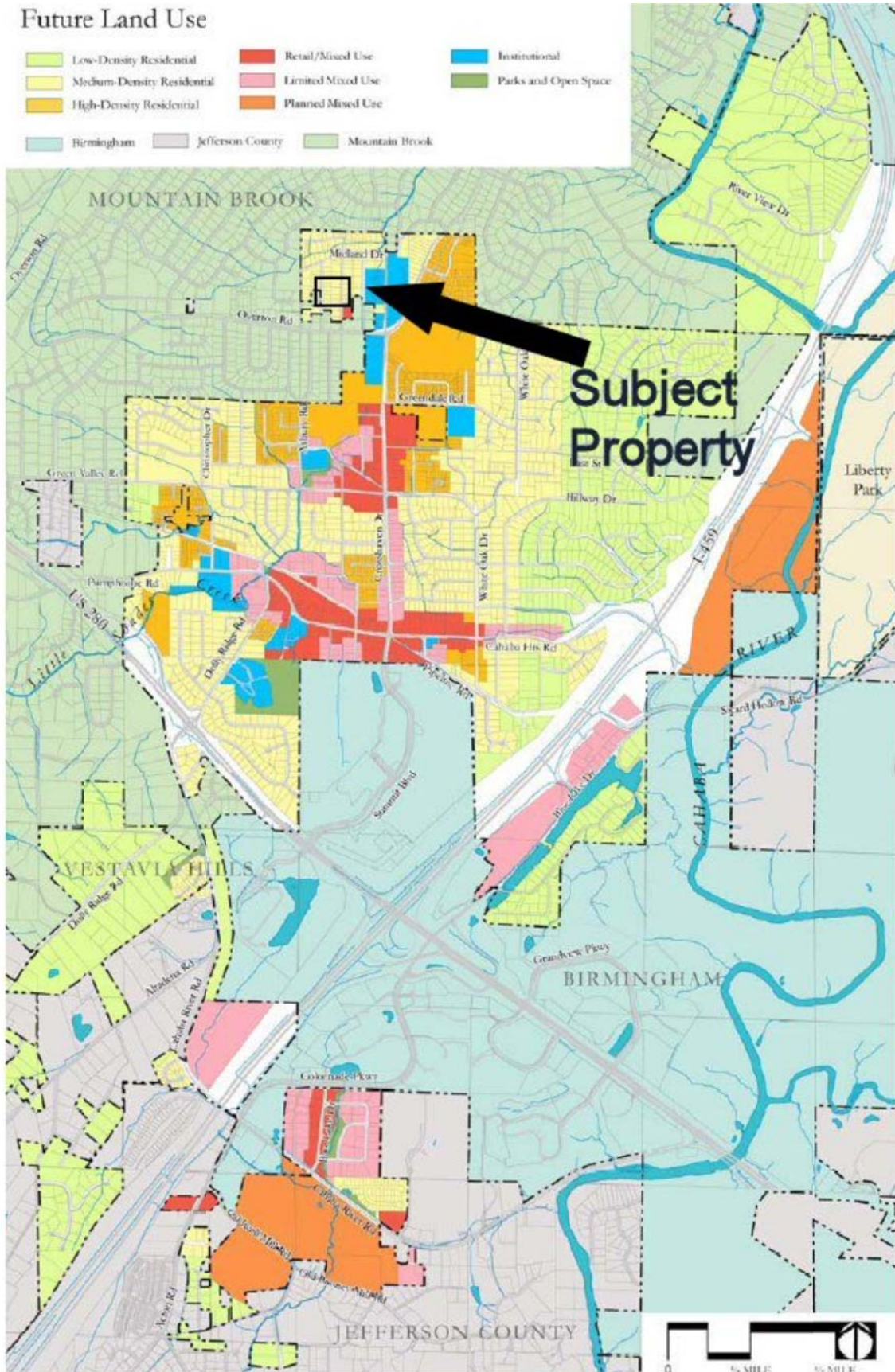


Figure 4: Future Land Use Map

ORDINANCE NUMBER 2574

**ANNEXING CERTAIN TERRITORY TO THE
CORPORATE LIMITS OF THE CITY OF
VESTAVIA HILLS, ALABAMA.**

WHEREAS, on the 13th day of April, 2015, a petition was presented to the City Council of the City of Vestavia Hills, Alabama, proposing the annexation of certain property to the City of Vestavia Hills, Alabama, under the provisions of Act 32 of the Special Session on the Alabama Legislature of 1964; and

WHEREAS, the City Council of the City of Vestavia Hills, at the time and place of its regular meeting on said date, made a determination that the matters contained in the Petition were true and that it was in the public interest that said property be annexed to the City of Vestavia Hills, Alabama.

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

1. That the following property which was described in said petition be annexed to the City of Vestavia Hills, Alabama:

3400 Kettering Lane
Lot 16 Ridgedell Park
Natan and Lindsey Shar, Owner(s)

2. That this Annexation shall become effective upon the adoption and approval of this Ordinance in accordance with the provisions of law, after which the heretofore described property shall become a part of the City of Vestavia Hills, Alabama.

3. That the City Clerk be and is hereby directed to publish this Ordinance in accordance with the requirements of the law and to file a copy hereof, together with a duly certified copy of the petition, with the Probate Judge of Jefferson County, Alabama.

ADOPTING and APPROVED this the 27th day of July, 2015.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

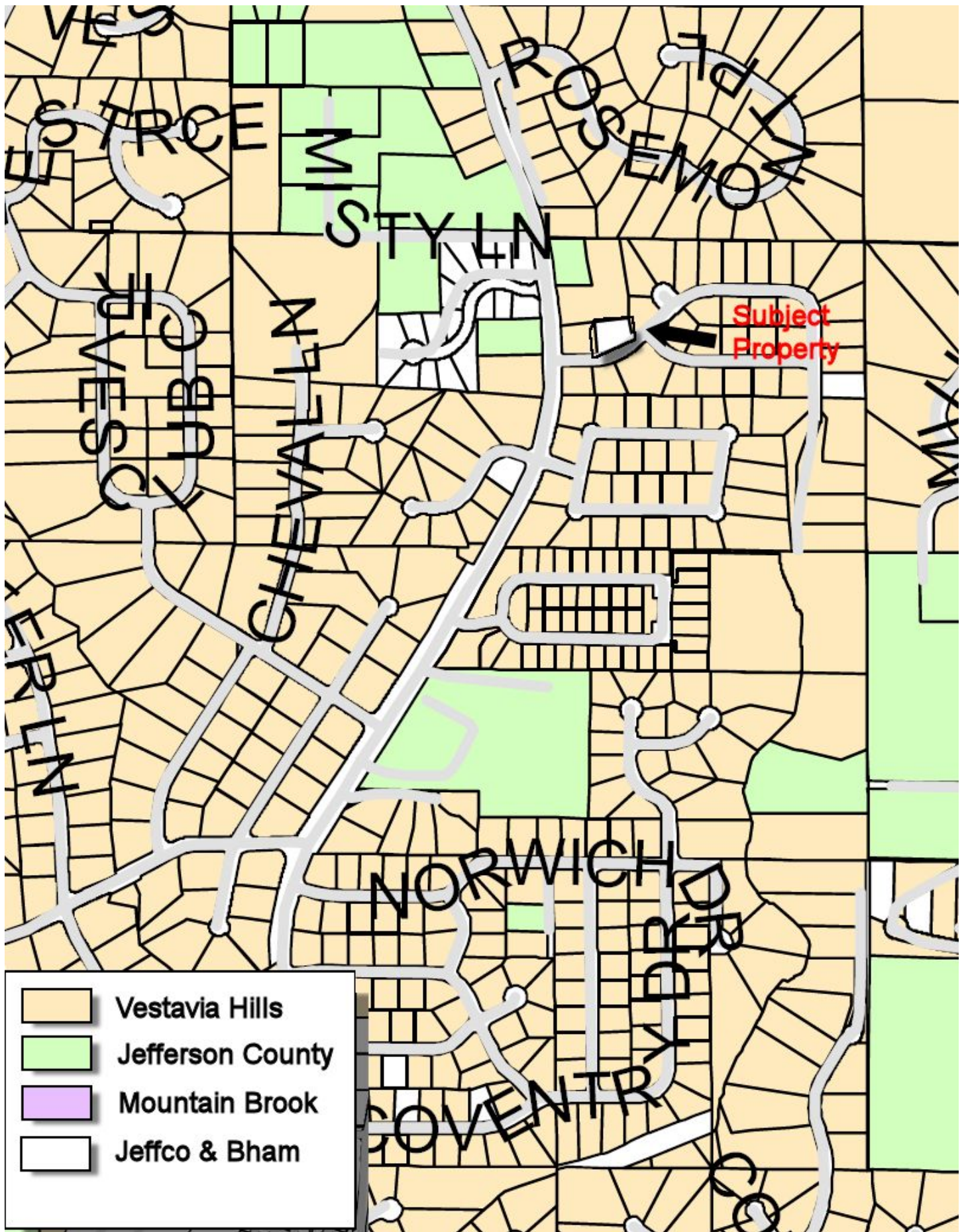
Rebecca Leavings
City Clerk

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 # 2574 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 27th day of July, 2015, 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 Merkle House and Vestavia Hills Recreational Center this the _____ day of _____, 2015.

Rebecca Leavings
City Clerk



Annexation Committee Petition Review

Property: 3405 Sagewood Trail

Owners: April and Donald Winningham III

Date: February 12, 2015

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 _____. 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 _____ Number in city _____
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: 3405 Sagewood Trail


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 2; Plan to enroll in VH schools Yes No _____ Comments: _____

Other Comments: _____



George Pierce
Chairman

PARCEL #: 28 00 29 1 001 003.000 [111-C+] Baths: 2.0 H/C Sqft: 1,930
OWNER: MEEHAN J TIMOTHY & CHRISTINE S 18-011.0 Bed Rooms: 4 Land Sch: L1
ADDRESS: 3405 SAGEWOOD TRL VESTAVIA AL 35243-2047 Land: 147,000 Imp: 136,000 Total: 283,000
LOCATION: 3405 SAGEWOOD TRL VESTAVIA HILLS AL 35243 Acres: 0.000 Sales Info: 06/01/2004 \$262,500

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

Tax Year : 2013

SUMMARY LAND BUILDINGS SALES PHOTOGRAPHS MAPS

SUMMARY

ASSESSMENT

PROPERTY CLASS: 3 OVER 65 CODE:
 EXEMPT CODE: 2-2 DISABILITY CODE:
 MUN CODE: 02 COUNTY HS YEAR: 0
 SCHOOL DIST: EXM OVERRIDE AMT: \$0.00
 OVR ASD VALUE: \$0.00 TOTAL MILLAGE: 50.1

VALUE

LAND VALUE 10% \$147,010
 LAND VALUE 20% \$0
 CURRENT USE VALUE [DEACTIVATED] \$0
CLASS 2
CLASS 3
 BLDG 001 111 \$136,000

CLASS USE:
 FOREST ACRES: 0 TAX SALE:
 PREV YEAR VALUE: \$283,000.00
 BDE VALUE: 0

TOTAL MARKET VALUE [APPR. VALUE: \$283,000]: \$283,010
 Assesment Override:
 MARKET VALUE:
 CU VALUE:
 PENALTY:
 ASSESSED VALUE:

donnie.winningham@gmail.com

TAX INFO

	CLASS	MUNCODE	ASSD. VALUE	TAX	EXEMPTION	TAX EXEMPTION	TOTAL TAX
STATE	3	2	\$28,300	\$183.95	\$4,000	\$26.00	\$157.95
COUNTY	3	2	\$28,300	\$382.05	\$2,000	\$27.00	\$355.05
SCHOOL	3	2	\$28,300	\$232.06	\$0	\$0.00	\$232.06
DIST SCHOOL	3	2	\$28,300	\$0.00	\$0	\$0.00	\$0.00
CITY	3	2	\$28,300	\$0.00	\$0	\$0.00	\$0.00
FOREST	3	2	\$0	\$0.00	\$0	\$0.00	\$0.00
SPC SCHOOL1	3	2	\$28,300	\$144.33	\$0	\$0.00	\$144.33
SPC SCHOOL2	3	2	\$28,300	\$475.44	\$0	\$0.00	\$475.44

TOTAL FEE & INTEREST: (Detail) \$5.00

ASSD. VALUE: \$28,300.00

\$1,417.83

GRAND TOTAL: \$1,369.83

March Council

DEEDS

INSTRUMENT NUMBER

201461-17975
 200408-2153

DATE

5/15/2014
 06/09/2004

PAYMENT INFO

PAY DATE	TAX YEAR	PAID BY	AMOUNT
12/2/2014	2014	CORELOGIC INC	\$1,369.83
1/11/2014	2013	TIM MEEHAN CHRISTINE S MEEHAN	\$1,369.83
2/22/2013	2012	TIMOTHY MEEHAN	\$1,398.72
20111221	2011	***	\$1,426.45
20101201	2010	***	\$1,426.45
20091207	2009	***	\$1,426.45
20081120	2008	***	\$1,446.98

*Vol Cont - 1,415.00
 Vol Cont - 697.59
 Total \$ 2,112.59*

EXHIBIT "C"

CITY OF VESTAVIA HILLS
Department Review of Proposed Annexation
(To Be completed by City Staff)

The following properties have requested to be annexed into the City. Please review this request and then forward your comments to the City Clerk as soon as is reasonably possible.

Location: 3405 Sagewood Trail

Engineering: Date: _____ Initials: _____

Comments: 2015 Annexation Review – Engineering/Public Services _____
Review comments, 1/29/15, CBrady _____

Public Services:

3405 Sagewood Lane – no concerns noted; the City already provides maintenance services to this street and is in good condition.

Police Department: Date: 1-12-15 Initials: [Signature]

Comments: _____

Fire Department: Date: 1/28/15 Initials: [Signature]

Comments: _____

ORDINANCE NUMBER 2575

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 JEFFERSON COUNTY R-1 TO VESTAVIA HILLS R-2.

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 Jefferson County R-1 (residential) Vestavia Hills R-2 (residential district):

3400 Kettering Lane
Lot 16, Ridgedell Park
Natan Shar, Owner

APPROVED and ADOPTED this the 27th day of July 2015.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

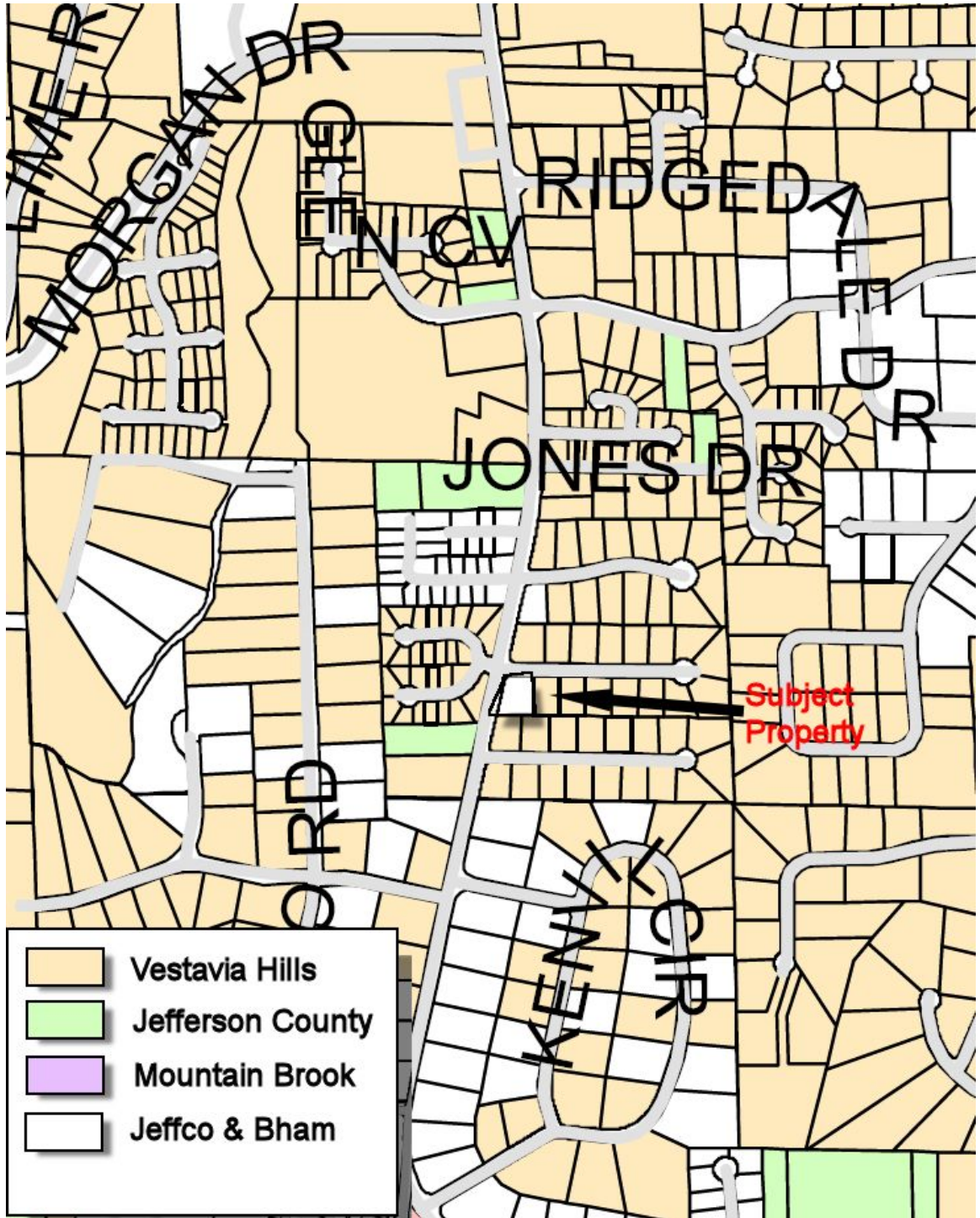
Rebecca Leavings
City Clerk

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 # 2575 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 27th day of July 2015 as same appears in the official records of said City.

Posted at Vestavia Hills Municipal Center, Vestavia Hills Library in the Forest, New Merkle House and Vestavia Hills Recreational Center this the _____ day of _____, 2015.

Rebecca Leavings
City Clerk



CITY OF VESTAVIA HILLS
SYNOPSIS AND STAFF RECOMMENDATION CONCERNING
APPLICATION BEFORE THE PLANNING AND ZONING COMMISSION

Date: JUNE 11, 2015

- **CASE:** P-0615-33
- **REQUESTED ACTION:** Rezoning from Jefferson County R-1 to Vestavia Hills R-2
- **ADDRESS/LOCATION:** 3400 Kettering Ln.
- **APPLICANT/OWNER:** Nathan Shae. 3400 Kettering Ln. Birmingham, AL 35243
- **GENERAL DISCUSSION:** Property was annexed overnight by City Council on 4/13/15 with the passage of Resolution 2559. Applicant is requesting the compatible rezoning as part of the annexation process.
- **STAFF REVIEW AND RECOMMENDATION:**

1. **City Planner Review:** I have looked at all of the relevant zoning / subdivision requirements related to this proposal, including application, notification, setbacks, area of lot development, etc. Notification has been sent to property owners pursuant to Alabama law. I have reviewed this request and find it does meet the minimum requirements of the proposed zoning.

City Planner Recommendation: No recommendation

2. **City Engineer Review:** I have reviewed the application and I have no issues with this request.
3. **City Fire Marshal Review:** I have reviewed the application and I have no issues with this request.
4. **Building Safety Review:** I have reviewed the application and I have no issues with this request.

MOTION Mr. Gilchrist made a motion to recommend approval of Rezoning of 3400 Kettering Ln. from Rezoning from Jefferson County R-1 to Vestavia Hills R-2 For The Purpose Of Annexation. Second was by Mr. Goodwin. Motion was carried on a roll call; vote as follows:

Mr. Goodwin – yes	Mr. Burrell – yes
Mr. Gilchrist – yes	Mr. Sharp – yes
Mr. Wolfe – yes	Mr. House – yes
Mr. Larson – yes	Motion carried.

ORDINANCE NUMBER 2576

**ANNEXING CERTAIN TERRITORY TO THE
CORPORATE LIMITS OF THE CITY OF
VESTAVIA HILLS, ALABAMA.**

WHEREAS, on the 13th day of April, 2015, a petition was presented to the City Council of the City of Vestavia Hills, Alabama, proposing the annexation of certain property to the City of Vestavia Hills, Alabama, under the provisions of Act 32 of the Special Session on the Alabama Legislature of 1964; and

WHEREAS, the City Council of the City of Vestavia Hills, at the time and place of its regular meeting on said date, made a determination that the matters contained in the Petition were true and that it was in the public interest that said property be annexed to the City of Vestavia Hills, Alabama.

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

1. That the following property which was described in said petition be annexed to the City of Vestavia Hills, Alabama:

3405 Sagewood Lane
Lot 23-A, Resurvey of Lots 21, 22 & 23, Sagewood
April and Donald Winningham, Owner(s)

2. That this Annexation shall become effective upon the adoption and approval of this Ordinance in accordance with the provisions of law, after which the heretofore described property shall become a part of the City of Vestavia Hills, Alabama.

3. That the City Clerk be and is hereby directed to publish this Ordinance in accordance with the requirements of the law and to file a copy hereof, together with a duly certified copy of the petition, with the Probate Judge of Jefferson County, Alabama.

ADOPTING and APPROVED this the 27th day of July, 2015.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

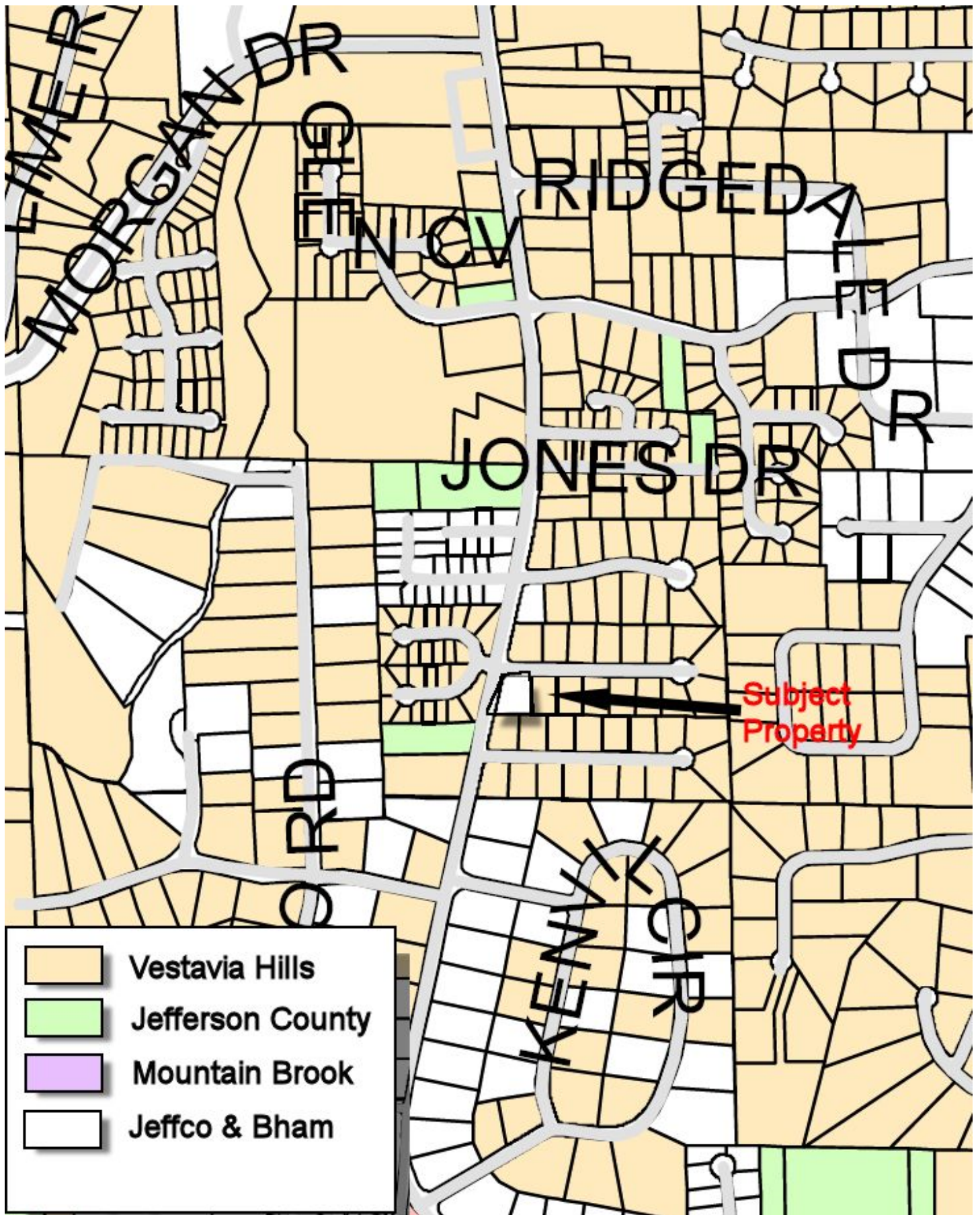
Rebecca Leavings
City Clerk

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 # 2576 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 27th day of July, 2015, 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 Merkle House and Vestavia Hills Recreational Center this the _____ day of _____, 2015.

Rebecca Leavings
City Clerk



Annexation Committee Petition Review

Property: 3400 Kettering Lane

Owners: Natan and Lindsey Shar

Date: February 12, 2015

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 _____. 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 ~~16~~ 15 Number in city ~~15~~ 15
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: 3400 Kettering 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 ~~1~~; Plan to enroll in VH schools Yes No _____ Comments: _____

Other Comments: _____



George Pierce
Chairman

PARCEL #: 28 00 32 3 005 037.000
OWNER: SHAR NATAN A & LINDSEY S W
ADDRESS: 3400 KETTERING LN VESTAVIA AL 35243-2806
LOCATION: 3400 KETTERING LN BHAM AL 35243

[111-C0] Baths: 2.0 H/C Sqft: 1,175
 18-034.0 Bed Rooms: 3 Land Sch: L1
 Land: 72,800 Imp: 87,900 Total: 160,700
 Acres: 0.000 Sales Info: 01/01/2005
 \$143,500

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

Tax Year : 2013

SUMMARY LAND BUILDINGS SALES PHOTOGRAPHS MAPS

SUMMARY

ASSESSMENT

PROPERTY CLASS: 3 OVER 65 CODE:
 EXEMPT CODE: 2-2 DISABILITY CODE:
 MUN CODE: 02 COUNTY HS YEAR: 0
 SCHOOL DIST: EXM OVERRIDE AMT: \$0.00
 OVR ASD VALUE: \$0.00 TOTAL MILLAGE: 50.1

VALUE

LAND VALUE 10% \$72,840
 LAND VALUE 20% \$0
 CURRENT USE VALUE [DEACTIVATED] \$0
CLASS 2
CLASS 3
 BLDG 001 111 \$87,900

CLASS USE:
 FOREST ACRES: 0 TAX SALE:
 PREV YEAR VALUE: \$160,700.00 BOE VALUE: 0

TOTAL MARKET VALUE [APPR. VALUE: \$160,700]: \$160,740
 Assesment Override:
 MARKET VALUE:
 CU VALUE:
 PENALTY:
 ASSESSED VALUE:

TAX INFO

	CLASS	MUNCODE	ASSD. VALUE	TAX	EXEMPTION	TAX EXEMPTION	TOTAL TAX
STATE	3	2	\$16,080	\$104.52	\$4,000	\$26.00	\$78.52
COUNTY	3	2	\$16,080	\$217.08	\$2,000	\$27.00	\$190.08
SCHOOL	3	2	\$16,080	\$131.86	\$0	\$0.00	\$131.86
DIST SCHOOL	3	2	\$16,080	\$0.00	\$0	\$0.00	\$0.00
CITY	3	2	\$16,080	\$0.00	\$0	\$0.00	\$0.00
FOREST	3	2	\$0	\$0.00	\$0	\$0.00	\$0.00
SPC SCHOOL1	3	2	\$16,080	\$82.01	\$0	\$0.00	\$82.01
SPC SCHOOL2	3	2	\$16,080	\$270.14	\$0	\$0.00	\$270.14

TOTAL FEE & INTEREST: (Detail) \$5.00

ASSD. VALUE: \$16,080.00

\$805.61

GRAND TOTAL: \$757.61

DEEDS

PAYMENT INFO

INSTRUMENT NUMBER	DATE	PAY DATE	TAX YEAR	PAID BY	AMOUNT
200503-418	01/28/2005	12/8/2014	2014	WELLS FARGO HOME MORTGAGE	\$757.61
956-163	05/29/1973	12/11/2013	2013	WELLS FARGO	\$757.61
		12/20/2012	2012	WELLS FARGO	\$757.12
		20111230	2011	***	\$765.13
		20101210	2010	***	\$807.71
		20091207	2009	***	\$807.71
		20081120	2008	***	\$820.24

EXHIBIT "C"

CITY OF VESTAVIA HILLS
Department Review of Proposed Annexation
(To Be completed by City Staff)

The following properties have requested to be annexed into the City. Please review this request and then forward your comments to the City Clerk as soon as is reasonably possible.

Location: 3400 Kettering Lane

Engineering:

2015 Annexation Review – Engineering/Public Services

Comments: Review comments, 1/29/15, CBrady

3400 Kettering Lane – no significant concerns noted; Kettering Lane is in fair condition and the City already provides maintenance services to this street; Rocky Ridge Road is anticipated to be re-inherited by Jefferson County for “through road” maintenance.

Police Department:

Date: 1-12-15 Initials: [Signature]

Comments: _____

Fire Department:

Date: 1/28/15 Initials: [Signature]

Comments: _____

ORDINANCE NUMBER 2577

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 JEFFERSON COUNTY R-1 TO VESTAVIA HILLS R-2.

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 Jefferson County R-1 (residential) Vestavia Hills R-2 (residential district):

3405 Sagewood Trail,
Lot 23A, Resurvey of Lots 21, 22 & 23, Sagewood
Donald and April Winningham, Owners

APPROVED and ADOPTED this the 27th day of July 2015.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

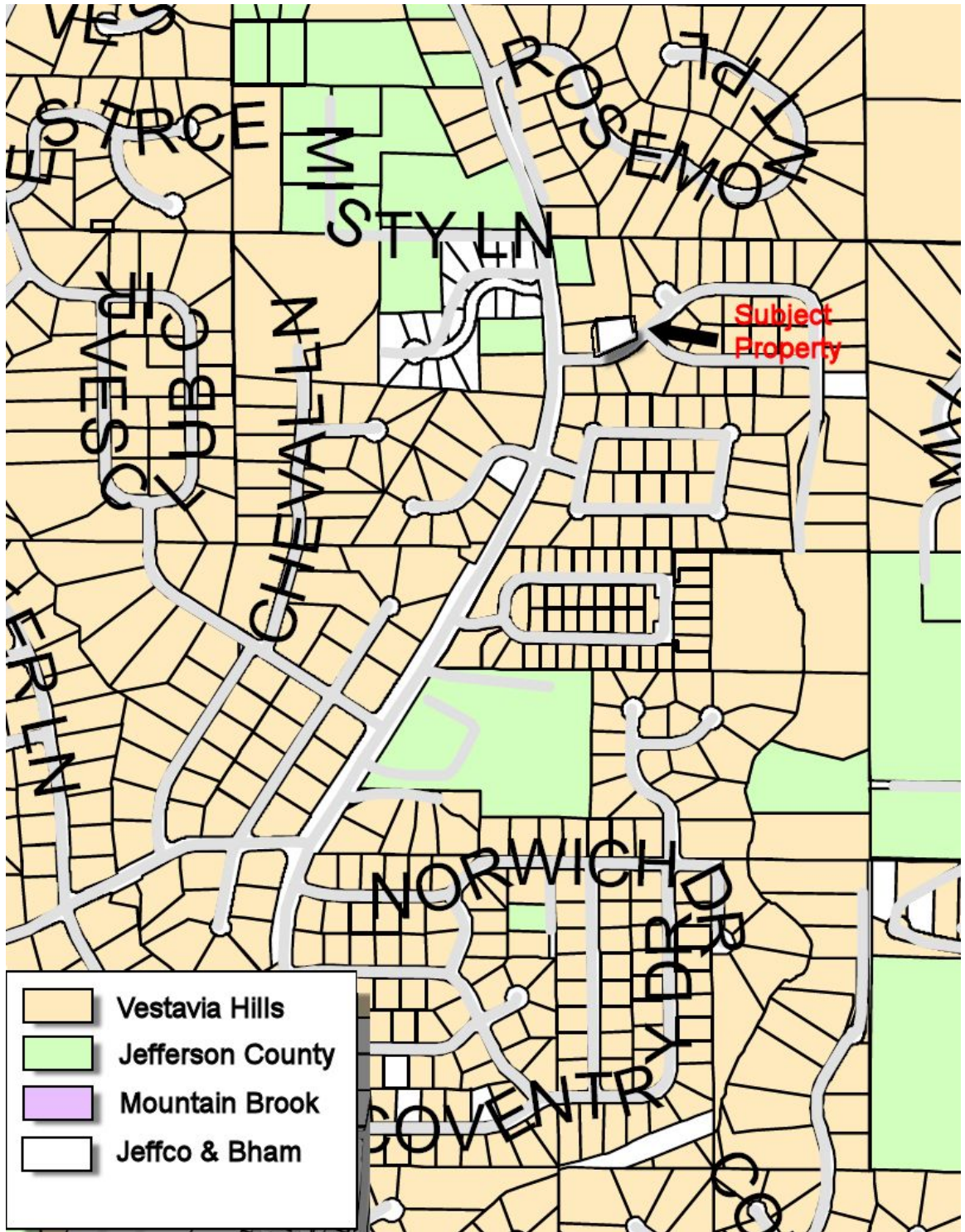
Rebecca Leavings
City Clerk

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 # 2577 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 27th day of July 2015 as same appears in the official records of said City.

Posted at Vestavia Hills Municipal Center, Vestavia Hills Library in the Forest, New Merkle House and Vestavia Hills Recreational Center this the _____ day of _____, 2015.

Rebecca Leavings
City Clerk



CITY OF VESTAVIA HILLS
SYNOPSIS AND STAFF RECOMMENDATION CONCERNING
APPLICATION BEFORE THE PLANNING AND ZONING COMMISSION

Date: JUNE 11, 2015

- **CASE:** P-0615-30
- **REQUESTED ACTION:** Jefferson County R-1 to Vestavia Hills R-2
- **ADDRESS/LOCATION:** 3405 Sagewood Trail
- **APPLICANT/OWNER:** Donald F. Winningham III & April S. Winningham. 3405 Sagewood Trail Birmingham, AL 35243
- **GENERAL DISCUSSION:** Property was annexed overnight by City Council on 4/13/15 with the passage of Resolution 2650. Applicant is requesting the compatible rezoning as part of the annexation process.
- **VESTAVIA HILLS COMPREHENSIVE PLAN:** The request is consistent with the plan for medium density residential.
- **STAFF REVIEW AND RECOMMENDATION:**
 1. **City Planner Review:** I have looked at all of the relevant zoning / subdivision requirements related to this proposal, including application, notification, setbacks, area of lot development, etc. Notification has been sent to property owners pursuant to Alabama law. I have reviewed this request and find it does meet the minimum requirements of the proposed zoning.

City Planner Recommendation: No recommendation
 2. **City Engineer Review:** I have reviewed the application and I have no issues with this request.
 3. **City Fire Marshal Review:** I have reviewed the application and I have no issues with this request.
 4. **Building Safety Review:** I have reviewed the application and I have no issues with this request.

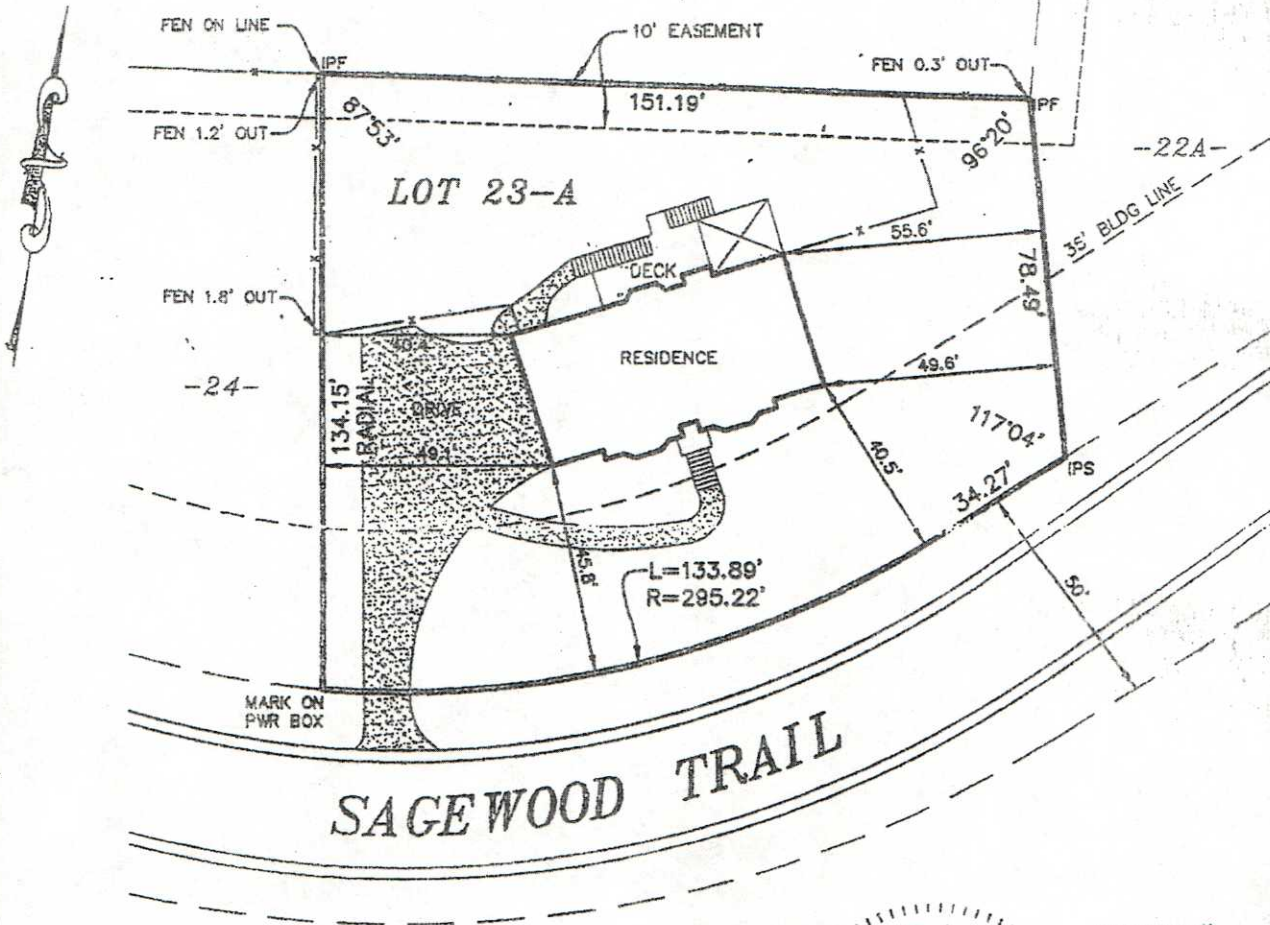
MOTION Mr. Burrell made a motion to recommend approval of Rezoning of 3405 Sagewood Trail from Jefferson County R-1 to Vestavia Hills R-2 For The Purpose Of Annexation. Second was by Mr. Gilchrist. Motion was carried on a roll call; vote as follows:

Mr. Goodwin – yes
Mr. Gilchrist – yes
Mr. Wolfe – yes
Mr. Larson – yes

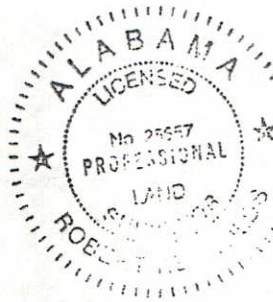
Mr. Burrell – yes
Mr. Sharp – yes
Mr. House – yes
Motion carried.

REYNOLDS SURVEYING CO., INC.
 Surveying - Land Planning

Exhibit - Resolution No. 4693



- LEGEND
- UTILITY POLE
 - GUY WIRE
 - RETAINING WALL
 - CONCRETE
 - X- FENCE
 - O- OVERHEAD ELECTRICAL
 - IPF IRON PIN FOUND
 - IPS IRON PIN SET



SCALE: 1" = 40'



STATE OF ALABAMA
 JEFFERSON COUNTY

"CLOSING SURVEY"

I, Robert Reynolds, a Registered Surveyor, do here by state that this is a true and correct plat or map of Lot 23-A, Block , of RESURVEY OF LOTS 21, 22, & 23, SAGEWOOD, as recorded in Map Book 97, Page 35 in the Office of the Judge Of Probate in JEFFERSON County, Alabama. All parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice of Surveying in the State of Alabama to the best of my knowledge, information and belief. The improvements on said premises are as shown. There are no visible encroachments on over or across said lands except as shown. According to my survey this the 10TH day of MAY, 2014.

NOTE: This survey is not transferable to any additional institutions or subsequent owners.

Purchaser: WINNINGHAM
 Address: 3405 SAGEWOOD TRAIL

Robert Reynolds

Reg. No. 25657
 A-798/57