

Join us! In an effort to enhance meetings post COVID-19 emergency orders, the City Council invites you to join and/or participate in a variety of ways: Via computer Zoom meetings (no app is necessary), telephone, email and/or text! See details on page 4.

**Vestavia Hills
City Council Agenda
April 11, 2022
6:00 PM**

1. Call to Order
2. Roll Call
3. Invocation – Sam Williamson, Vestavia Hills Chaplain
4. Pledge Of Allegiance
5. Approval Of The Agenda
6. Announcements, Candidates and Guest Recognition
 - a. Board of Education Applicants – Kimberly Cook
 - b. BJCTA Applicants – Mayor Curry
7. Proclamation – Day of Prayer and Thanksgiving – April 11, 2022
8. City Manager’s Report
9. Councilors’ Reports
10. Infrastructure And Community Spaces Update – Raynor Boles, TCU
11. Approval Of Minutes – March 28, 2022 (Regular Meeting)

Old Business

12. Public Hearing – Resolution Number 5381 - Annexation – 90 Day – 2245 And 2249 Blue Ridge Blvd; Request For Annexation And Development Of 25 Townhomes; Taylor Burton And Donald And Alicia Huey, Owners
13. Public Hearing – Resolution Number 5382 – A Resolution Authorizing The City Manager To Accept A Proposal For Acquisition Of Rights-Of-Way And Temporary Construction Easements For Project CMAQ-7030(600) Massey Road
14. Public Hearing – Resolution Number 5383 – A Resolution Authorizing The City Manager To Obtain Certain Professional Services Regarding Land Survey, Geotechnical Investigation, Landscape Design, Etc., For Altadena Valley Park In Preparation Of A Master Plan, Grading For An Access Road And Construction Of A Restroom Facility And Pavilion

15. Public Hearing – Ordinance Number 3083 – An Ordinance Authorizing And Directing The Mayor And City Manager To Execute And Between The City Of Childersburg, Alabama And The City Of Vestavia Hills, Alabama For The Development Of A Plan And The Preparation Of A Contract For The Implementation Of A Collaborative Use Of Land For A Public Safety Firing/Training Range By The Police Departments Of Both Cities.
16. Public Hearing – Ordinance Number 3095 - An Ordinance Adopting And Enacting Supplement IV For The Vestavia Hills Code Of Ordinances, Republished 2013

New Business

17. Resolution Number 5384 – A Resolution Accepting the 2020-2021 Audit for the City of Vestavia Hills, Alabama
18. Public Hearing – Resolution Number 5385 – A Resolution Authorizing The Installation Of A New Support Structure For A Small Cell Facility To Be Located In The Right-Of-Way Of The Following Properties: (1) 2345 Columbiana Road; (2) 1624 Belvedere Drive; (3) 2645 Manchester Court; (4) 3256 Wisteria Drive; And (5) 3309 Shallowford Road

New Business (Requesting Unanimous Consent)

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

19. Public Hearing – Ordinance Number 3089 – Conditional Use Approval For A Veterinarian Clinic With Services Such As Medical, Grooming And Bathing Services Located In The Tenant Space Described As 1360 Montgomery Highway; Wade Cornelius, Vestaridge Commons Shopping Center, LLC (Owner)
20. Public Hearing – Ordinance Number 3090 – Conditional Use Approval For A Grooming And Bathing Service For Dogs; David Ashford, Old Towne Center 33rd Street Holdings LLC And Old Towne Center On Behalf Of Felicia Weston
21. Public Hearing – Ordinance Number 3091 – Annexation – 90 Day Final – 2433 Dolly Ridge Road, Lot 35, Rocky Ridge Estates; Megan Rudolph, Owner
22. Public Hearing – Ordinance Number 3092 – Rezoning – 2433 Dolly Ridge Road, Lot 35, Rocky Ridge Estates; Rezone From Jefferson County E-2 To Vestavia Hills R-1, Compatible Zoning For Annexation; Megan Rudolph, Owner
23. Public Hearing – Ordinance Number 3093 – Annexation – 90 Day Final – 1718 Vestaview Lane; John G. Moss, III, Owner
24. Public Hearing – Ordinance Number 3094 – Rezoning – 1718 Vestaview Lane; Rezone From Jefferson County R-1 To Vestavia Hills R-2, Compatible Zoning For Annexation; Megan Rudolph, Owner

25. Public Hearing – Resolution Number 3086 – A Resolution Authorizing The City Manager To Offer A Relocation Reimbursement For The Recruitment Of A New Department Head
26. Citizens Comments
27. Time Of Adjournment

SPECIAL NOTICE CONCERNING CITY COUNCIL MEETINGS

Due to the COVID-19 safety advice given by the ADPH, the City Council work sessions and meetings are available via video-conference and teleconference. If you choose not to attend in person, you may still participate. Following are instructions for three options to participate remotely.

COMPUTER PARTICIPATION (view/participate in real time)

To participate in by videoconference, click <https://us02web.zoom.us/j/5539517181>. When the Zoom.us window opens in your browser, click “Allow” so that the page may open to a waiting room. The host will open the meeting and bring all into the meeting room at that time. All participants will be automatically muted upon entrance to the meeting. If you wish to speak during time(s) identified for public input, activate the “Raise Hand” feature and unmute yourself by toggling the mute button. When the Mayor recognizes you and gives you the floor, state your name and address for the record and then you may address the Council.

Using the icons on the Zoom screen, you can:

- Mute/unmute your microphone (far left)
- Turn on/off camera (“Start/Stop Video”)
- View Participants – opens a pop-out screen that includes the “Raise Hand” icon that you may use to raise a virtual hand
- Change your screen name displayed in the participant list and video window
- Toggle between “speaker” and “gallery” views – “Speaker view” shows the active speaker; “Gallery view” tiles all of the meeting participants

TELEPHONE PARTICIPATION (view/participate in real time)

To participate by telephone, dial 312.626.6799 and enter the meeting ID: 455 534 3275. All participants will be automatically muted upon entrance to the meeting. If you wish to speak during time(s) identified for public input, press *6 on your phone keypad to unmute yourself. Then state your name and wait for the Mayor to recognize you. When the Mayor recognizes you and gives you the floor, state your name and address for the record and then address the Council.

TEXT AND/OR EMAIL (prior to the meeting or in real time)

If you do not wish to join the meeting but would like to ask a question or make a statement regarding an item on the agenda, you may email the City Council directly at City.Council@vhal.org. You may also text your question/statement to City Council at 205.517.1370. Both of these options are available prior to and during each work session and meeting. Be sure to provide your name and address for the record and your comments will be recited to the City Council as the corresponding item is being addressed. Note: As a matter of record, your name and address are required. If identification is not provided, your comment/question will not be presented.

WHEREAS, prayer is our communication with the Heavenly Father; and

WHEREAS, it enables mankind to give thanks for the life we sometimes take for granted; and

WHEREAS, prayer seems to soften our sorrow and make our griefs and hardships bearable; and

WHEREAS, through prayer we can be prepared to become the instruments of His peace; and

WHEREAS, prayer is a candle that can rekindle the light that will repel the darkness in our midst; and

WHEREAS, by our unity others may know that we are one with the Father and His peace; and

WHEREAS, only as we are filled with the power of God can we do the things the Lord wants of us in any area of our lives; and

WHEREAS, the annual Dogwood Prayer Breakfast will be held Tuesday, April 19th at the Vestavia Country Club.

NOW, THEREFORE, I, Ashley C. Curry, by virtue of the authority vested in me as Mayor of the City of Vestavia Hills in the State of Alabama, do hereby proclaim April 19, 2022 as a special

DAY OF PRAYER AND THANKSGIVING

in Vestavia Hills and earnestly call upon all people of faith and goodwill to support this spiritual effort so that together we may offer prayer, praise and thanksgiving.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Vestavia Hills to be affixed this the 11th day of April 2022.

Ashley C. Curry
Mayor

CITY OF VESTAVIA HILLS

CITY COUNCIL

MINUTES

MARCH 28, 2022

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

MEMBERS PRESENT: George Pierce, Councilor – Presiding Officer
Kimberly Cook, Councilor
Paul Head, Councilor

MEMBERS ABSENT: Mayor Ashley C. Curry
Rusty Weaver, Mayor Pro-Tem

OTHER OFFICIALS PRESENT: Jeff Downes, City Manager
Patrick Boone, City Attorney
Rebecca Leavings, City Clerk
Marvin Green, Fire Chief
Dan Rary, Police Chief
Melvin Turner, Finance Director
George Sawaya, Deputy Finance Director
Brian Davis, Public Services Director
Umang Patel, Court Director*
**present virtually via Zoom or telephone*

Butch Williams, a Vestavia Hills Chaplain, led the invocation which was followed by the Pledge of Allegiance.

APPROVAL OF THE AGENDA

The Presiding Officer Councilor Pierce opened the floor for a motion of approval of the agenda as presented.

MOTION Motion to approve the agenda as presented was by Mrs. Cook seconded by Mr. Head. Roll call vote was, as follows:
Mrs. Cook – yes Mr. Head – yes
Mr. Pierce – yes motion carried.

ANNOUNCEMENTS, CANDIDATES, GUEST RECOGNITION

- Mrs. Cook announced an upcoming vacancy on the Vestavia Hills Board of Education. She indicated that the Council is currently accepting applications for this vacancy through the Office of the City Clerk. Details and the application may be obtained on the City's website. She indicated that the deadline for application is 5 PM, Monday, April 11, 2022.
- Mr. Pierce welcomed Linda Parker, Chamber of Commerce Board member present representing the Chamber.
- Mr. Pierce stated that Tuesday, March 29, 2022 is national "Mom and Pop Business Day." He stated that these small businesses are important and asked that everyone continue to shop local.

CITY MANAGER'S REPORT

- Mr. Downes stated that the new Dogwood Festival is underway. He stated that there are a number of events scheduled for April including many "staycation" events this spring break week.
- Celebrations are being planned for the 20th anniversary of the annexation of Cahaba Heights with a celebration on the 21st of May at The Heights shopping center. He asked everyone to mark that date and stay tuned for more information.
- Mr. Downes stated that Easter is approaching and there are many preparing for family gatherings by pruning, trimming, and preparing their yards. As such, he has urged AmWaste to gather the debris piles that are beginning to appear all over the City. He encouraged everyone to use the Action Center to report these debris piles.
- Mr. Downes stated he does not anticipate any problems with the ongoing construction of Crosshaven with the exception of the County's part of the project over which the City has no control. However, the City has urged the County to acknowledge the need to avoid road closures. Mr. Pierce asked about the nighttime construction. Mr. Downes stated that the city is done with nighttime resurfacing and the asphalt has to cure about 2 weeks before striping can be put down permanently. The intersection of Green Valley and Crosshaven is the County's part of the project.

COUNCILOR REPORTS

- Mrs. Cook announced a "Coffee and Conversation" she has scheduled for April 4, 8-9:30am, at O'Henry's (Patchwork Farms location). The meeting will be an opportunity to talk to school board members. There will be at least one school board member present for this event.

FINANCIAL REPORTS

Melvin Turner III, Finance Director, presented the financial reports for month ending February 2022. He read and explained the reports.

APPROVAL OF MINUTES

The Presiding Officer Councilor Pierce stated that the approval of the March 14, 2022 (Regular Meeting) was needed and opened the floor for a motion.

MOTION Motion to approve the minutes of the March 14, 2022 (Regular Meeting) was made by Mrs. Cook and second was by Mr. Head. Roll call vote as follows:

Mrs. Cook – yes	Mr. Head – yes
Mr. Pierce – yes	motion carried.

OLD BUSINESS

ORDINANCE NUMBER 3088

Public Hearing – Ordinance Number 3088 – An Ordinance Granting A Franchise Agreement With Telepak Networks Inc., And Teklinks, Inc., Doing Business As C-Spire Business

MOTION Motion to approve Ordinance Number 3088 was by Mrs. Cook and seconded by Mr. Head.

Mr. Downes explained that Adam Shaddix of C-Spire is here to represent this franchise request for fiber installation. He stated that the franchise agreement is a 10-year term and is similar to others that have been adopted. He highlighted the key points of the Ordinance and stated it was reviewed and recommended by the City Attorney.

The Presiding Officer Councilor Pierce opened the floor for a public hearing.

Katie Wallace, General Counsel for C-Spire, was attending online and offered to answer any questions.

There being no one else to address the Council, the Presiding Officer Councilor Pierce closed the public hearing and called for the question. Roll call vote was as follows:

Mrs. Cook – yes	Mr. Head – yes
Mr. Pierce – yes	motion carried.

NEW BUSINESS

RESOLUTION NUMBER 5379

Resolution Number 5379 – A Resolution Approving A New Personnel Compensation Schedule For Certain Non-Classified Personnel Of The City Of Vestavia Hills

MOTION Motion to approve Resolution Number 5379 was by Mrs. Cook and seconded by Mr. Head.

Mr. Downes stated that a briefing was sent earlier. He explained that the employees of the City who are laborers are not classified through the Personnel Board. Their pay structure is maintained by the City and has fallen behind many other sister cities making it difficult to recruit and retain this class of employees. He stated that, after studying sister cities, he has recommended an upgraded schedule for these employees and their supervisors in an effort to put the City in a better market position to employ and keep employees.

Mrs. Cook asked how the recruitment works.

Mr. Downes stated that the City does drug screening and does background checks prior to employment and during their employment. On-the-job training as well as safety training occurs within the City.

Mr. Pierce asked about the effective date.

Mr. Downes stated it will be effective April 1, 2022.

Mr. Pierce stated he has recommended a gentleman who is an expert in the field of safety and OSHA regulations to meet with Mr. Downes.

Presiding Officer Councilor Pierce opened the floor for a public hearing. There being no one to address the Council, the he closed the public hearing and called for the question. Roll call vote was as follows:

Mrs. Cook – yes

Mr. Head – yes

Mr. Pierce – yes

motion carried.

RESOLUTION NUMBER 5380

Resolution Number 5380 – A Resolution Adopting The Division “G” Multi-Jurisdictional Hazard Mitigation Plan, In Fulfillment Of The Federal Disaster Mitigation Act Of 2000 And The Local Mitigation Plan Requirements Of The 44 C.F.R. Section 201.6

MOTION Motion to approve Resolution Number 5380 was by Mrs. Cook and seconded by Mr. Head.

Mr. Downes stated that this plan adoption is required as a part of the City's participation in the hazard mitigation plan. He stated this is done every 5 years and is needed to be eligible for federal grants and flood mitigation monies.

Mrs. Cook asked if this process includes receiving public input.

Mr. Downes explained the City's and County's process to develop this plan.

There being no one to address the Council, the Presiding Officer closed the public hearing and called for the question. Roll call vote was as follows:

Mrs. Cook – yes	Mr. Head – yes
Mr. Pierce – yes	motion carried.

NEW BUSINESS (UNANIMOUS CONSENT REQUESTED)

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

- Public Hearing – Resolution Number 5381 - Annexation – 90 Day – 2245 And 2249 Blue Ridge Blvd; Request For Annexation And Development Of 25 Townhomes; Taylor Burton And Donald And Alicia Huey, Owners
- Public Hearing – Resolution Number 5382 – A Resolution Authorizing The City Manager To Accept A Proposal For Acquisition Of Rights-Of-Way And Temporary Construction Easements For Project CMAQ-7030(600) Massey Road
- Public Hearing – Resolution Number 5383 – A Resolution Authorizing The City Manager To Obtain Certain Professional Services Regarding Land Survey, Geotechnical Investigation, Landscape Design, Etc., For Altadena Valley Park In Preparation Of A Master Plan, Grading For An Access Road And Construction Of A Restroom Facility And Pavilion
- Public Hearing – Ordinance Number 3083 – An Ordinance Authorizing And Directing The Mayor And City Manager To Execute And Deliver An Agreement Between The City Of Childersburg, Alabama And The City Of Vestavia Hills, Alabama For The Development Of A Plan And The Preparation Of A Contract For The Implementation Of A Collaborative Use Of Land For A Public Safety Firing/Training Range By The Police Departments Of Both Cities.
- Public Hearing – Ordinance Number 3095 - An Ordinance Adopting And Enacting Supplement IV For The Vestavia Hills Code Of Ordinances, Republished 2013

CITIZEN COMMENTS

Mr. Davis stated that pool membership badges will go on sale April 1.

At 6:22 PM, Mrs. Cook made a motion to adjourn. The meeting adjourned at 6:23 PM.

George Pierce
Presiding Officer

ATTESTED BY:

Rebecca Leavings
City Clerk

RESOLUTION NUMBER 5381

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

WHEREAS, there has been a petition filed with the City Clerk of the City of Vestavia Hills, Alabama, and herein presented to the City Council of the City of Vestavia Hills, Alabama, dated February 28, 2020, wherein all owners of certain property contiguous to the City Limits of the City of Vestavia Hills, Alabama, ask that their property be annexed to the City of Vestavia Hills, Alabama; and

WHEREAS, said Petition has been presented to the City Council of the City of Vestavia Hills, Alabama, on the 11th day of April, 2022; and

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

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

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

1. That the said Petition shall be published one (1) time in *The Birmingham News*, a newspaper of general circulation in Vestavia Hills, Jefferson County, Alabama, on the 15th day of April, 2022.

2. That on the 25th day of July, 2022, in the Vestavia Hills City Hall, a public hearing will be held to determine the truths of the matter set forth in said petition and to consider any protests or objections filed in writing with the City Clerk prior to such hearing, to determine whether it is in the public interest or not that said property be annexed to the City of Vestavia Hills, Alabama, and to consider adoption of an Ordinance annexing the territory described in said petition to this Municipality.

3. That this Resolution shall become known and referred to as Resolution Number 5381 by the City Council of the City of Vestavia Hills, Alabama, and as

annexation of the following described property by the City Council of the City of Vestavia Hills, Alabama:

2245 and 2249 Blue Ridge Blvd
Taylor Burton and Donald & Alicia Huey, Owner(s)

More particularly described as follows:

Parcel 1. Commence at the Northeast corner of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 35, Township 18 South, Range 3 West, and run west along the north line of said $\frac{1}{4}$ - $\frac{1}{4}$ Section for 256.34 feet; thence 45 degrees 17 minutes left and Southwesterly for 452.99 feet; thence 90 degrees and 00 minutes left and run Southeasterly for 25.00 feet to the point of beginning of the parcel of land herein described; thence continue Southeasterly along last stated course for 150.00 feet; thence 90 degrees 00 minutes left and run Northeasterly for 100.00 feet; thence 90 degrees 00 minutes right and run Southeasterly for 146.74 feet to a point on the Northwesterly property line of Lot 0, Block 9 or Regent Forest Estates Second Addition as recorded in Map Book 54, Page 73 in the Office of the Judge of Probate of Jefferson County, Alabama, said point being 108.31 feet Northeasterly of Southwesterly corner of said Lot 9, thence 70 degrees 54 minutes right and run Southwesterly for 261.96 feet to the Southwest corner of Lot 8, Block 9 of said Regent Forest Estates, Second Addition; thence 28 degrees 56 minutes left and run Southerly along Westerly property line of Lot 7, Block 9 of said Regent Forest Estates, Second addition for 153.23 feet, thence 138 degrees 02 minutes right run Northwesterly for 346.39 feet thence 90 degrees 00 minutes right and run Northeasterly for 100.00 feet thence 90 degrees 00 minutes left and run Northwesterly for 150.00 feet thence 90 degrees 00 minutes right and run Northeasterly for 150.00 feet to the point of beginning. This parcel of land being Lot 5, Block 1, according to the survey of Regent Forest Estates, Eighth Addition, Jefferson County, Alabama, Map Book 62, Page 22-A.

Parcel 2. parcel of land located in the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 35, Township 18, Range 3 West, which was formerly known as Lots 1-4, in Block 1, of Regent Forest, 8th Addition, as recorded in Map Book 68, Page 22, in the Office of the Judge of Probate of Jefferson County, Alabama, said subdivision having been vacated by that certain instrument in Real Volume 84, Page 526, in said Probate Office. This parcel of land is as follows: Begin at the Northeast corner of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 35, Township 18, South Range 2 West; thence turn Southerly an angle of 125 degrees 29 minutes and run a distance of 58.59 feet to a point, which is the Northwest corner of Lot 15, Block 9, in Regent Forest Estates Second Addition, as recorded in Map Book 54, page 73, in the Office of the Probate Judge of Jefferson County, Alabama; thence turn Southwesterly an angle of 108 degrees 20

minutes and run Southwesterly a distance of 500.10 feet along the rear lot lines of Lots 14, 13,12, 11 and 10, Block 9, in aforesaid Regent Forest Estates 2nd Addition subdivision to a point that is the Northwest Corner of Lot 10 , Block 9, in said subdivision ; thence turn an angle to the left of 169 degrees 04 minutes and 30 seconds and run Southwesterly 28.59 feet along the rear lot line of Lot 9, Block 9, in said subdivision to a point ; thence turn an angle to the right of 70 degrees 54 minutes and run Northwesterly 146.74 feet to a point; thence turn an angle to the left of 90 degrees and run Southwesterly 100 feet to a point; thence turn an angle to the right of 90 degrees and run 150 feet to a point on the south boundary line of the Blue Ridge Blvd. Right of Way, then turn an angle to the right of 90 degrees and run Northeasterly along the said South boundary line of Blue Ridge Blvd. a distance of 440. 75 feet to the point of intersection of the said South boundary line of the Southwest ¼ of Section 35, Township 18 South, Range 2 West, in Jefferson County, Alabama; then turn an angle to the right and run Eastward along the North line of quarter-quarter section a distance of 296.1 feet to the point of beginning.

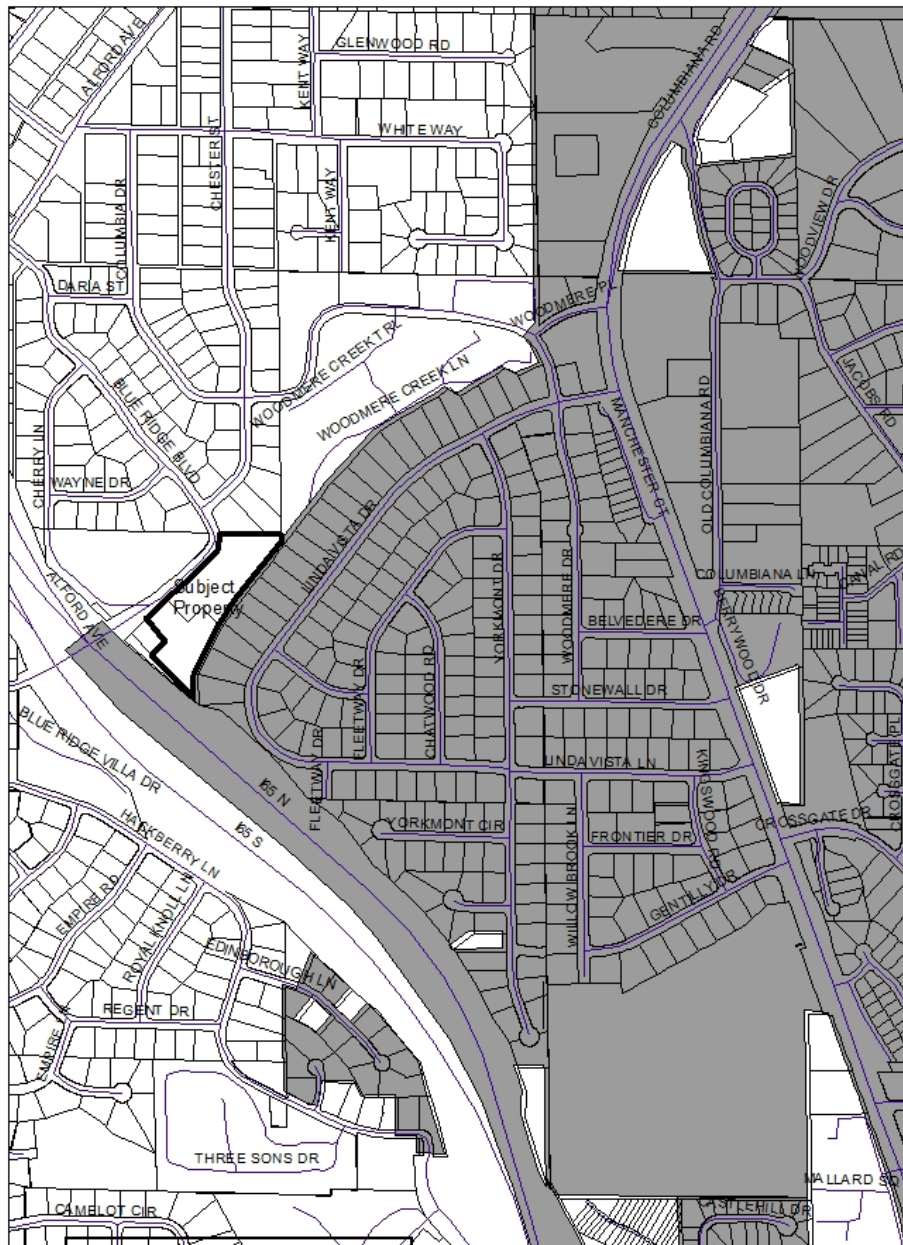
APPROVED and ADOPTED this the 11th day of April, 2022.

Ashley C. Curry
Mayor

ATTESTED BY:

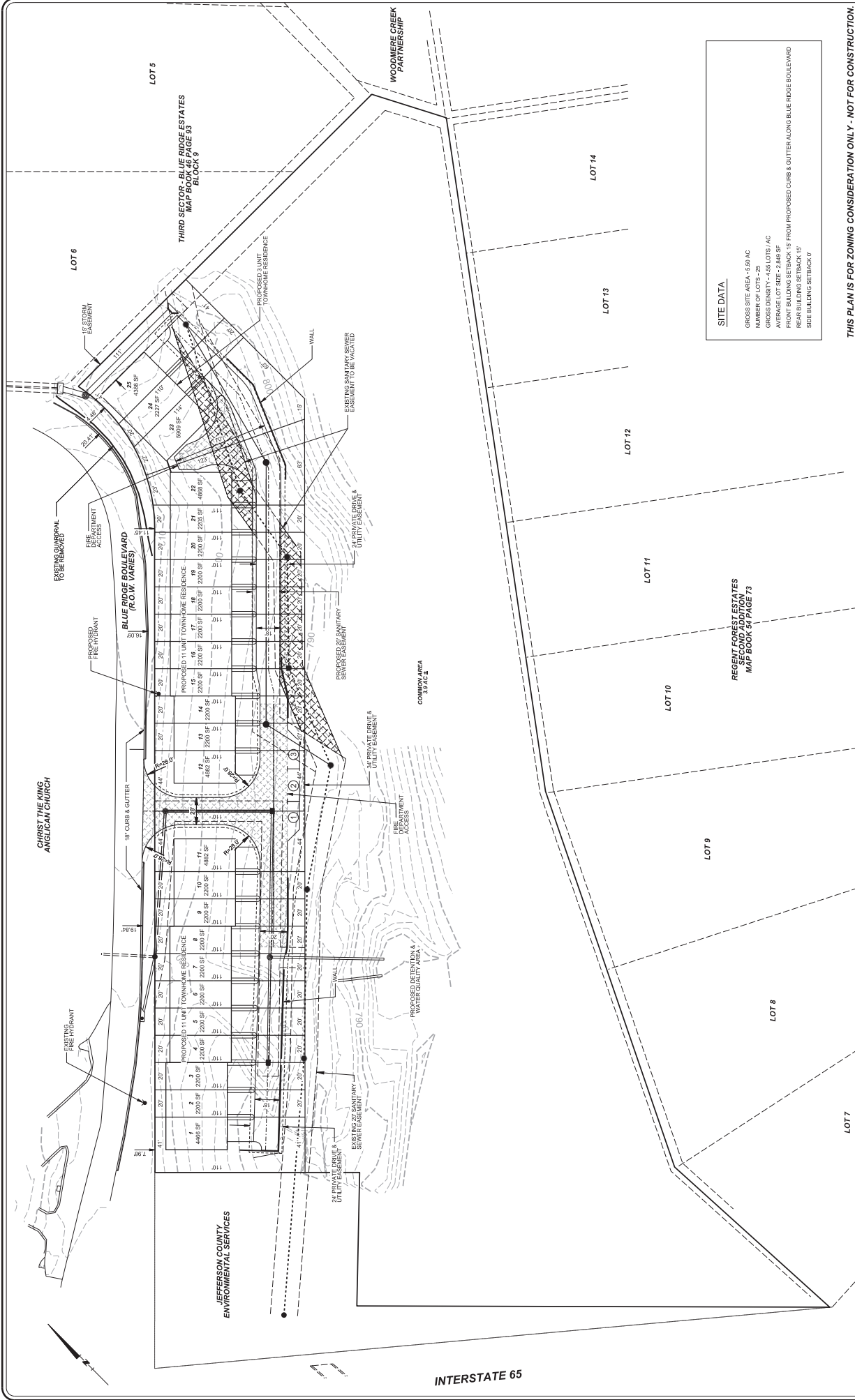
Rebecca Leavings
City Clerk

2245 & 2249 Blue Ridge Blvd



Legend

Vestavia Hills City Limits



SITE DATA

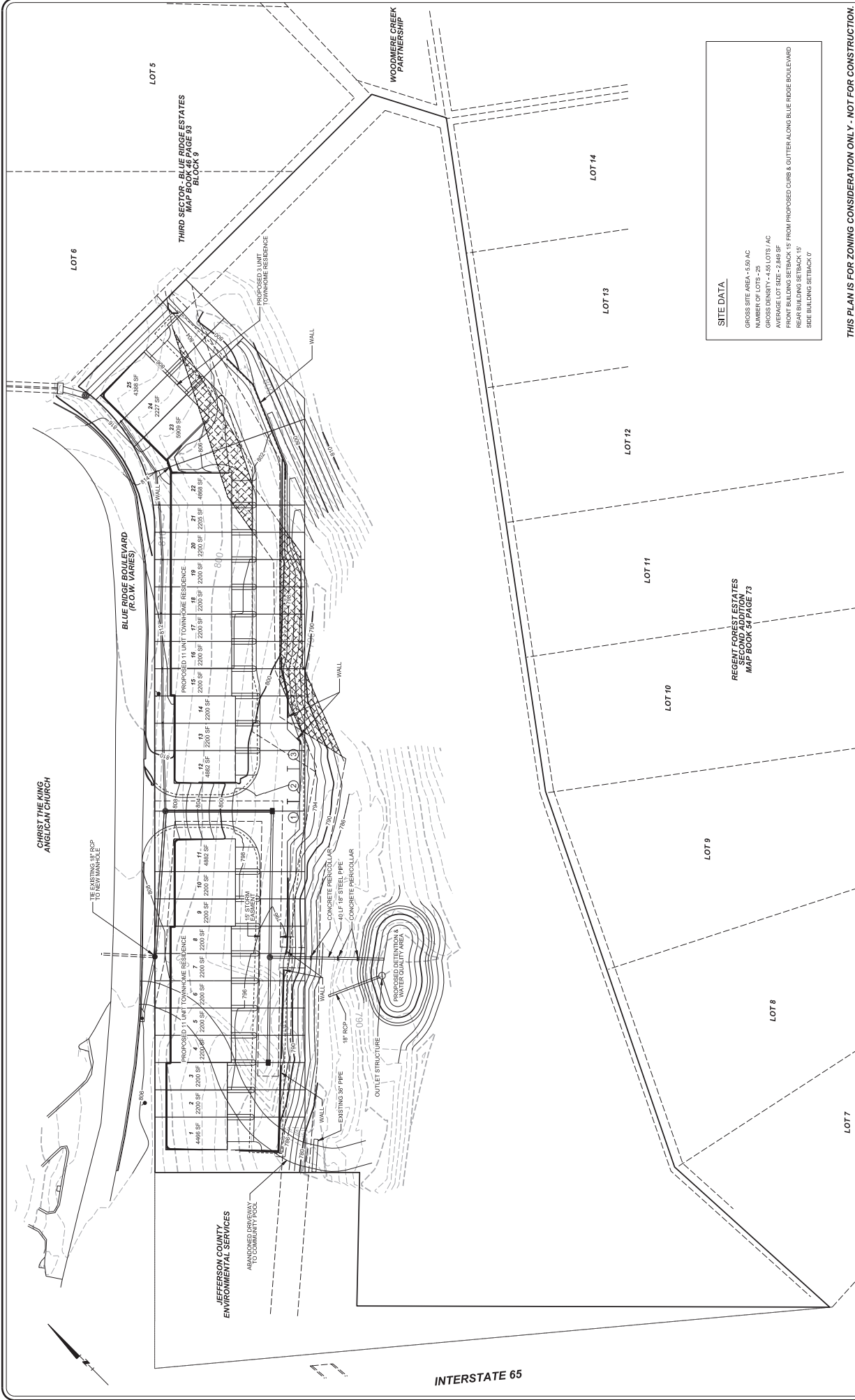
GROSS SITE AREA - 5.59 AC
 NUMBER OF LOTS - 25
 GROSS DENSITY - 4.53 LOTS / AC
 AVERAGE LOT SIZE - 2,244 SF
 FRONT BUILDING SETBACK 15' FROM PROPOSED CURB & GUTTER ALONG BLUE RIDGE BOULEVARD
 REAR BUILDING SETBACK 15'
 SIDE BUILDING SETBACK 0'

THIS PLAN IS FOR ZONING CONSIDERATION ONLY - NOT FOR CONSTRUCTION.

No.	Date	By	Checked	Revision Description

Not valid for construction unless signed in the block		
Robert W. Emery, IV, PE		
Date		

Alabama Engineering Company, Inc. 1214 Alford Avenue, Suite 200 Hoover, Alabama 35226 Phone (205) 803-2161 Fax (205) 803-2162	Rezoning Site Plan Blue Ridge Boulevard Taylor Burton Company Jefferson County, Alabama	Date: 2/1/2022 Sheet No.: C10 Sequence No.: 1 of 2
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SITE DATA

GROSS SITE AREA - 5.59 AC
 NUMBER OF LOTS - 25
 GROSS DENSITY - 4.45 LOTS / AC
 AVERAGE LOT SIZE - 2,246 SF
 FRONT BUILDING SETBACK 15' FROM PROPOSED CURB & GUTTER ALONG BLUE RIDGE BOULEVARD
 REAR BUILDING SETBACK 15'
 SIDE BUILDING SETBACK 0'

THIS PLAN IS FOR ZONING CONSIDERATION ONLY - NOT FOR CONSTRUCTION.

No.	Date	By	Checked	Revision Description

<p>Not valid for construction unless signed in the block</p> <p>Robert W. Emley, IV, PE Date: _____</p>			<p>Alabama Engineering Company, Inc. 1214 Alford Avenue, Suite 200 Hoover, Alabama 35226 Phone (205) 803-2161 Fax (205) 803-2162</p>
<p>Scale: 1" = 40'</p> <p>Drawn by: [Signature]</p> <p>Checked by: [Signature]</p> <p>PE: [Signature]</p> <p>File Name: [Signature]</p> <p>Project No.: [Signature]</p> <p>Sheet No.: [Signature]</p> <p>Date: 2/1/2022</p>			

Annexation Committee Petition Review

Property: 2245 & 2249 Blue Ridge Blvd

Owners: Taylor Burton

Date: 5/04/2020

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 _____
Drainage needs updating
5. Individual household has a Jefferson or Shelby County Tax Assessor minimum market value of _____. Meets city criteria: Yes No
Comment: N/A
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 _____
N/A

Property: 2245 & 2249 Blue Ridge Blvd

8. A non-refundable administrative fee of \$100 has been paid to the city. Furthermore, voluntary contributions, including an application fee, of \$ 1200 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 N/A; Plan to enroll in VH schools Yes No Comments: _____

Other Comments: Dev of 38 Townhomes

George Pierce
Chairman

CITY OF VESTAVIA HILLS
Department Review of Proposed Annexation
(To be completed by Official City Reviewers)

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: 2245 & 2249 Blue Ridge Blvd

C Brady

2245/2249 Blue Ridge Blvd -- concerns noted; roadway in fair condition, but shoulder improvements are needed to assist with drainage flow; appears to be a clogged or obstructed crossdrain pipe limiting flow of water. Significant drainage way crosses this property; and combined with steepness of grades will make development a challenge. Submitted engineering plans are dated 2015 and will need to be updated to meet current City standards. Geotechnical report for slope stability and a traffic impact analysis will be required for engineering approval of presented development plans.

Police Department:

Date: 3/18/2020

Initials: CW

Comments: No problem.

Fire Department:

Date: 3/20/2020

Initials: R Farrell

Comments: n/p via email

Board of Education:

Date: 3/19/2020

Initials: S Bendale

The single family homes we have non-issue with and they would fall into our accepted ratio plan. The 38 townhomes can be an issue with us and the system. Provided these are priced at a value that deters entry level into Vestavia we may be okay with you his. In large, we are not in favor of mass building projects that could cause added stress on our student population and facilities.

R

PARCEL #: 29 00 35 1 001 013.000
OWNER: HUEY DONALD W
ADDRESS: 3535 GRANDVIEW PKWY STE 550 BIRMINGHAM AL 35243-1..
LOCATION: 2249 BLUE RIDGE BLVD BHAM AL 35226

Baths: **0.0** H/C Sqft: **0**
18-023.0 Bed Rooms: **0** Land Sch: **A114**
Land: **97,500** Imp: **0** Total: **97,500**
Acres: **0.000** Sales Info: **05/01/2007** **\$150,000**

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

Tax Year : 2021 ▼

SUMMARY LAND BUILDINGS SALES PHOTOGRAPHS MAPS

SUMMARY

ASSESSMENT
PROPERTY CLASS: 2 OVER 65 CODE:
EXEMPT CODE: DISABILITY CODE:
MUN CODE: 01 COUNTY HS YEAR: 0
SCHOOL DIST: EXM OVERRIDE AMT: \$0.00
OVR ASD VALUE: \$0.00 TOTAL MILLAGE: 50.1

CLASS USE:
FOREST ACRES: 0 TAX SALE:
PREV YEAR VALUE: \$97,500.00 BOE VALUE: 0

VALUE
LAND VALUE 10% \$0
LAND VALUE 20% \$97,500
CURRENT USE VALUE [DEACTIVATED] \$0

TOTAL MARKET VALUE [APPR. VALUE: \$97,500]: \$97,500
Assesment Override:
MARKET VALUE:
CU VALUE:
PENALTY:
ASSESSED VALUE:

TAX INFO

	CLASS	MUNCODE	ASSD. VALUE	TAX	EXEMPTION	TAX EXEMPTION	TOTAL TAX
STATE	2	1	\$19,500	\$126.75	\$0	\$0.00	\$126.75
COUNTY	2	1	\$19,500	\$263.25	\$0	\$0.00	\$263.25
SCHOOL	2	1	\$19,500	\$159.90	\$0	\$0.00	\$159.90
DIST SCHOOL	2	1	\$19,500	\$0.00	\$0	\$0.00	\$0.00
CITY	2	1	\$19,500	\$0.00	\$0	\$0.00	\$0.00
FOREST	2	1	\$0	\$0.00	\$0	\$0.00	\$0.00
SPC SCHOOL1	2	1	\$19,500	\$99.45	\$0	\$0.00	\$99.45
SPC SCHOOL2	2	1	\$19,500	\$327.60	\$0	\$0.00	\$327.60
ASSD. VALUE: \$19,500.00				\$976.95		GRAND TOTAL: \$976.95	

FULLY PAID

DEEDS

INSTRUMENT NUMBER	DATE
200708-15136	05/21/2007
0-0	08/19/1996

PAYMENT INFO

PAY DATE	TAX YEAR	PAID BY	AMOUNT
11/5/2021	2021	TOWNES DEVELOPMENT GROUP LLC	\$976.95
11/20/2020	2020	TOWNES DEVELOPMENT GROUP LLC	\$976.95
10/17/2019	2019	-	\$976.95
11/6/2018	2018	TOWNS DEVELOPMENT GROUP LLC	\$976.95
10/30/2017	2017	TOWNES DEVELOPMENT GROUP	\$976.95
10/24/2016	2016	TOWNES DEVELOPMENT GROUP, LLC.	\$1,045.09
10/14/2015	2015	TOWNES DEVELOPMENT GROUP, LLC	\$976.95
10/8/2014	2014	TOWNES DEVELOPMENT GROUP, LLC	\$991.95
11/7/2013	2013	TOWNES DEVELOPMENT GROUP, LLC	\$991.95

PARCEL #: 29 00 35 1 001 001.004
OWNER: HUEY DONALD W & ALICIA G
ADDRESS: 1216 PERTHSHIRE CT BIRMINGHAM AL 35242-6076
LOCATION: 2245 BLUE RIDGE BLVD BHAM AL 35226

Baths: **0.0** H/C Sqft: **0**
50-028.0 Bed Rooms: **0** Land Sch: **\$156**
 Land: **125,200** Imp: **0** Total: **125,200**
 Acres: **0.000** Sales Info: **05/01/2009 \$120,000**

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

Tax Year : 2021 ▼

SUMMARY LAND BUILDINGS SALES PHOTOGRAPHS MAPS

SUMMARY

ASSESSMENT
 PROPERTY CLASS: 2 OVER 65 CODE:
 EXEMPT CODE: DISABILITY CODE:
 MUN CODE: 01 COUNTY HS YEAR: 0
 SCHOOL DIST: EXM OVERRIDE AMT: \$0.00
 OVR ASD VALUE: \$0.00 TOTAL MILLAGE: 50.1

 CLASS USE:
 FOREST ACRES: 0 TAX SALE:
 PREV YEAR VALUE: \$125,200.00 BOE VALUE: 0

VALUE
 LAND VALUE 10% \$0
 LAND VALUE 20% \$125,200
 CURRENT USE VALUE [DEACTIVATED] \$0

 TOTAL MARKET VALUE [APPR. VALUE: \$125,200]: \$125,200
 Assesment Override:
 MARKET VALUE:
 CU VALUE:
 PENALTY:
 ASSESSED VALUE:

TAX INFO

	CLASS	MUNCODE	ASSD. VALUE	TAX	EXEMPTION	TAX EXEMPTION	TOTAL TAX
STATE	2	1	\$25,040	\$162.76	\$0	\$0.00	\$162.76
COUNTY	2	1	\$25,040	\$338.04	\$0	\$0.00	\$338.04
SCHOOL	2	1	\$25,040	\$205.33	\$0	\$0.00	\$205.33
DIST SCHOOL	2	1	\$25,040	\$0.00	\$0	\$0.00	\$0.00
CITY	2	1	\$25,040	\$0.00	\$0	\$0.00	\$0.00
FOREST	2	1	\$0	\$0.00	\$0	\$0.00	\$0.00
SPC SCHOOL1	2	1	\$25,040	\$127.70	\$0	\$0.00	\$127.70
SPC SCHOOL2	2	1	\$25,040	\$420.67	\$0	\$0.00	\$420.67
ASSD. VALUE:			\$25,040.00				
				\$1,254.50			
						GRAND TOTAL:	\$1,254.50

FULLY PAID

DEEDS

INSTRUMENT NUMBER	DATE
200906-18431	05/28/2009
9904-5541	03/17/1999

PAYMENT INFO

PAY DATE	TAX YEAR	PAID BY	AMOUNT
11/5/2021	2021	TOWNES DEVELOPMENT GROUP LLC	\$1,254.50
11/20/2020	2020	TOWNES DEVELOPMENT GROUP LLC	\$1,254.50
10/17/2019	2019	-	\$1,254.50
11/6/2018	2018	TOWNS DEVELOPMENT GROUP LLC	\$1,254.50
10/30/2017	2017	TOWNES DEVELOPMENT GROUP	\$1,254.50
10/24/2016	2016	TOWNES DEVELOPMENT GROUP, LLC.	\$1,254.50
10/14/2015	2015	TOWNES DEVELOPMENT GROUP, LLC	\$1,254.50
10/8/2014	2014	TOWNES DEVELOPMENT GROUP, LLC	\$1,269.50
11/7/2013	2013	TOWNES DEVELOPMENT GROUP, LLC	\$1,269.50

STATE OF ALABAMA

Jefferson COUNTY

PETITION FOR ANNEXATION TO THE
CITY OF VESTAVIA HILLS, ALABAMA

Date of Petition: February 28, 2020

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

We, the undersigned owners of the properties set out in red outline in Exhibit "A" attached hereto, which properties are contiguous to the City limits of the City of Vestavia Hills, Alabama, under the authority of Act No. 32 of the Special Session of the Alabama Legislature of 1964, do hereby petition the City of Vestavia Hills, Alabama, that the properties set out in red outline in Exhibit "A" attached, situated in Jefferson County, Alabama, be annexed to the City of Vestavia Hills, Alabama. The metes and bounds description of the boundary of the property of the undersigned proposed to be annexed is also set out on said Exhibit "A" and a map showing in red the property proposed for annexation by this petition is also attached and made a part hereof.

The undersigned petitioners do further petition that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, set a date for the hearing of this petition and any objections in writing to the petition or protest, on a date certain and that no less than ninety (90) days before said date certain for said hearing on this petition, that a notice of said hearing along with this petition be published in a newspaper of general circulation in Jefferson County, Alabama.

We, the undersigned petitioners do also ask that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, do all things necessary and requisite to comply with the terms of Act No. 32 of the Special Session of the Alabama Legislature of 1964.

Contact:**Taylor Burton****Taylor Burton Company, Inc.****3239 Lorna Road, Suite 108****Birmingham, AL 35216****205-822-7936**

EXHIBIT "A"

LOT: 2 parcels - Metes and bounds
BLOCK: (See attached legal descriptions)
SURVEY:

RECORDED IN MAP BOOK _____, PAGE _____, IN THE _____

PROBATE OFFICE OF Jefferson COUNTY, ALABAMA.

COUNTY ZONING: parcel 1 - RT; parcel 2 - R4

COMPATIBLE CITY ZONING: _____

LEGAL DESCRIPTION (METES AND BOUNDS):

PARCEL #1

Commence at the Northeast corner of the SW 1/4 of the NE 1/4 of Section 35, Township 18 South, Range 3 West, and run west along the north line of said 1/4-1/4 Section for 256.34 feet; thence 45 degrees 17 minutes left and Southwesterly for 452.98 feet; thence 90 degrees and 00 minutes left and run Southwesterly along last stated course for 150.00 feet; thence 90 degrees 00 minutes right and run Northwesterly for 100.00 feet; thence 90 degrees 00 minutes right and run Southwesterly for 146.74 feet to a point on the Northwesterly property line of Lot 9, Block 9 or Regent Forest Estates Second Addition as recorded in Map Book 54, Page 73 in the Office of the Judge of Probate of Jefferson County, Alabama, said point being 108.31 feet Northwesterly of Southwesterly corner of said Lot 9, thence 70 degrees 54 minutes right and run Southwesterly for 261.98 feet to the Southwest corner of Lot 8, Block 9 of said Regent Forest Estates, Second Addition; thence 28 degrees 56 minutes left and run Southerly along Westerly property line of Lot 7, Block 9 of said Regent Forest Estates, Second Addition for 153.23 feet; thence 138 degrees 02 minutes right run Northwesterly for 346.39 feet thence 90 degrees 00 minutes right and run Northwesterly for 100.00 feet thence 30 degrees 00 minutes left and run Northwesterly for 150.00 feet thence 90 degrees 00 minutes right and run Northwesterly for 150.00 feet to the point of beginning. This parcel of land being Lot 5, Block 1, according to the survey of Regent Forest Estates, Eighth Addition, Jefferson County, Alabama, Map Book 62, Page 22-A.

PARCEL #2

A parcel of land located in the Southwest 1/4 of the Northeast 1/4 of Section 35, Township 18, Range 3 West, which was formerly known as lots 1-4, in Block 1, of Regent Forest, 8th Addition, as recorded in Map Book 68, Page 22, in the Office of the Judge of Probate of Jefferson County, Alabama, said subdivision having been vacated by that certain instrument in Real Volume 84, Page 526, in said Probate Office. This parcel of land is as follows:
Begin at the Northeast corner of the Southwest 1/4 of the Northeast 1/4 of Section 35, Township 18, South Range 2 West; thence turn Southerly an angle of 125 degrees 29 minutes and run a distance of 59.59 feet to a point, which is the Northwest corner of Lot 15, Block 9, in Regent Forest Estates Second Addition, as recorded in Map Book 54, page 73, in the Office of the Probate Judge of Jefferson County, Alabama; thence turn Southwesterly an angle of 108 degrees 20 minutes and run Southwesterly a distance of 500.10 feet along the rear lot lines of Lots 14, 13, 12, 11 and 10, Block 9, in aforesaid Regent Forest Estates 2nd Addition subdivision to a point that is the Northwest Corner of Lot 10, Block 9, in said subdivision; thence turn an angle to the left of 168 degrees 04 minutes and 30 seconds and run Southwesterly 28.59 feet along the rear lot line of Lot 9, Block 9, in said subdivision to a point; thence turn an angle to the right of 70 degrees 54 minutes and run Northwesterly 146.74 feet to a point; thence turn an angle to the right of 90 degrees and run Southwesterly 100 feet to a point; thence turn an angle to the right of 90 degrees and run the right of 90 degrees and run Northwesterly along the Blue Ridge Blvd. Right of Way; then turn an angle to the right of 80 degrees and run Northwesterly along the said South boundary line of Blue Ridge Blvd. a distance of 440.75 feet to the point of intersection of the said South boundary line of the Southwest 1/4 of Section 35, Township 18 South, Range 2 West, in Jefferson County, Alabama; then turn an angle to the right and run Eastward along the North line of quarter-quarter section a distance of 298.1 feet to the point of beginning.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals, or caused these presents to be executed by their duly authorized representatives, with full authority.

SIGNATURE(S)

DESCRIPTION OF PROPERTY

<u>David Huey</u>	Lot	Block	Survey	<u>see attached exhibit</u>
<u>Alicia Huey</u>	Lot	Block	Survey	<u>see attached exhibit</u>
<u>Myra Burt</u>	<u>(agent for owners)</u>			

(Use reverse side hereof for additional signatures and property descriptions, if needed).

STATE OF ALABAMA

Jefferson COUNTY

Alicia Huey being duly sworn says: I am one of the persons who signed the above petition, and I certify that said petition contains the signatures of all the owners of the described property.

Alicia Huey
Signature of Certifier

Subscribed and sworn before me this the 28th day of February, 2020.



Leslie W Rully
Notary Public

My commission expires: 2-3-21

RESOLUTION NUMBER 5382

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT A PROPOSAL FOR ACQUISITION OF RIGHTS-OF-WAY AND TEMPORARY CONSTRUCTION EASEMENTS FOR PROJECT CMAQ-7030(600) MASSEY ROAD

WHEREAS, the City of Vestavia Hills City Council is desirous of certain infrastructure improvements along Massey Road to include, but not limited to sidewalks, stormwater, roadway, etc.; and

WHEREAS, the City has worked with the Alabama Department of Transportation for a grant to assist in the funding of said infrastructure in project CMAQ-7030(600) Massey Road; and

WHEREAS, September 23, 2019, the Mayor and City Council approved and adopted Ordinance Number 2877 accepting a funding grant for CMAQ-7030(600) Massey Road with an 80/20 local match for a total of \$90,941.80 (\$72,753.44 CMAQ funds, \$18,188.36 local match); and

WHEREAS, acquisitions of rights-of-way and temporary construction easements need to be made in order to gain the property needed for planned infrastructure improvements; and

WHEREAS, the City Engineer has obtained a proposal from Tillman Consulting LLC who proposes to manage the project of obtaining said rights-of-way and construction easements needed for an estimated \$61,250 with some amounts to be determined estimated to be covered by a 15% contingency fee for a total of \$70,500. Said proposal is marked as Exhibit A, a copy of which is attached to and incorporated into this Resolution Number 5382 as if written fully therein; and

WHEREAS, the Mayor and City Council feel its in the best public interest to accept said proposal.

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

1. That the City hereby accepts the proposal submitted by Tillman Consulting LLC for acquisition services in an amount estimated at \$61,250 as detailed in the attached Exhibit A; and
2. Said approval shall also include a 15% contingency as noted in the proposal (TBD) for a total expenditure not to exceed \$70,500; and

3. The City Manager is hereby authorized to execute and deliver any and all documents needed in order to secure the services and the acquisition of rights-of-way needed in order to accomplish said infrastructure improvements; and
4. This Resolution Number 5382 shall become effective immediately upon adoption and approval.

ADOPTED and APPROVED this the 11th day of April, 2022.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk



Tillman Consulting, LLC

404 Montgomery Street Gadsden AL 35901
256-504-5705

Proposal for City of Vestavia Re: Project CMAQ-7030(600) Massey Road

March 10, 2022

Mr. Brady, P.E.

In accordance with your request, I am submitting a proposal on the referenced project. The Proposal is estimated to provide the right of way acquisition services identified as follows:

1. Manage the project beginning with property owner notification and ending with the signing of all agreements or provided to the Project Attorney for closing.
2. If needed, probate court services to include working with Project Attorney based on a negotiated hourly rate or flat fee.
3. Employ and manage the following professionals as needed to complete the project:
 - Real Estate Appraisers
 - Review Appraisers
 - Negotiation Professionals
 - Right of Entry Agreements
 - Offer Letters
 - Agreement to Purchase by the City of Vestavia
 - Furnish Negotiation Log per parcel
 - Furnish Final Negotiation Report
 - Provide recommendations during the negotiation process
 - Request Donations/Waivers when appropriate
4. Coordinate professional services with the project engineer, attorney, and city personnel to ensure that project acquisition is completed in compliance with ALDOT regulations and applicable legal issues.

Order of Process

- Notify property owners by letter regarding the project (letters to be hand delivered if possible)
- Notification of project will provide the names of parties from which property owners should expect contact
- After property owner notification, appraisers to begin contacting property owners by certified mail and/or phone calls
- Appraisers will provide property owners opportunity to accompany the appraiser during the inspection
- Review appraiser to accompany the appraiser during the inspection – with property owner if possible
- Appraisals reviewed as completed
- Review appraiser responds to the appraiser concerning any issues that not addressed in the appraisal report.
- Review Appraiser responds to the appraiser concerning issues that should be addressed

March 10, 2022

Page Two

- The appraiser submits revised report, if needed, to the reviewing appraiser for final approval
- The Review Appraiser approves appraisal report conclusions and then submits to the City for approval. ALDOT will be sent samples of the appraisals or more if they request for guidance.
- The City-approved offer will be presented to the property owner on the approved ALDOT offer letter by the Negotiator
- The Project Manager will present the property owner's response to the City
- Negotiations continue until the Project Manager and the City determine that further negotiations would be futile.
- The proposal includes negotiations for 45 days after the initial contact with the property owner.
- The final negotiation report is submitted to the City Attorney for condemnation filing at the appropriate time
- The Project Manager will continue to be available for consultation and/or recommendations as needed

Project Timeline

- The completed Acquisition Phase is estimated to be submitted to the client within 2 to 3 months +- of authorization to proceed.
- The timeline projections will be provided for the appraisals, review appraisals and negotiations if proposal is accepted.

Special Notes

- A. The proposal is an estimate based on the project maps and the engineer drawings or surveys. The proposal could change if there are changes in the maps as to the number of parcels, property types, change in land size, etc.
- B. ***The relocation services are not included in the Basic Services proposal. However, Tillman Consulting, LLC will provide relocation services, if needed, and invoice for said services based on the hourly rate provided in the proposal or a flat fee.***
- C. The proposal includes services to acquire the project right of way with the variables being the ***hourly or flat fee*** services for relocation and probate court services. The probate court services would include the need for valuation testimony. The hourly rate will be invoiced at the hourly rate for each of the company personnel.
- D. The acquisition provided in the project will be completed in accordance with the Alabama Eminent Domain Code ALDOT policies/procedures and the Uniform Act. The published regulations are not always up to date and guidance will be required from the Project Attorney.
- E. The time requirements are diminutive and will require that the client furnish title work identifying the parcel ownership as soon as possible or the completion date could change.
- F. The time constraints may require that some of the acquisition process be different from the normal order but is necessary to meet the completion dates.
- G. It is recommended the City have a team appointed to handle decisions that have to be made during the acquisition process in order to ensure the project remains on

schedule. During the negotiation stage it is important that decisions for approval be quickly made.

- H. The proposal basic services include partial appraisals and services as identified in **Exhibit A** attached to this proposal. **The basic services does not include full appraisals or any second appraisals on tracts exceeding the acquisition of a set amount.** Projects under the Federal Acquisition Regulations apply the trigger amount for second appraisals for appraisal amounts of \$350,000 +- or complex assignment. It doesn't appear any second appraisals will be necessary and may not apply in the Alabama Code.
- I. The City of Vestavia is responsible of payment for services as per contract to Tillman Consulting, LLC.

In conclusion, my proposal is as follows:

TOTAL BASIC SERVICES

Total with all independent reviews: \$61,250 (1)

Total with reviewer waiver negotiations: TBD (2)

- (1) Includes before and after appraisals of the land and improvements in the taking if any. The independent reviews, negotiations for project. **The attachments provide for the breakdown of the proposal.**
- (2) Includes consultant providing waivers, management and negotiations which is allowed when waivers are appropriate. The utilization of waivers is only allowed when the acquisition is \$10,000 or below.

Sincerely,

T. Mandell Tillman



T. Mandell Tillman, MAI, AI-GRS
State of Alabama License #G00073
State of Georgia License #3343
State of Mississippi License #GA-1357

EXHIBIT A

Massey Road – Vestavia Hills Project

Tract #	Name	Appraisal	Review Appraisal	Donation	Waivers	Negotiations	Relocation
1	Anthony Serra	Omit	Omit	Omit	Omit	Omit	Omit
2	VA Investments, LLC	\$4,000	\$2,000	TBD	\$1,500	\$1,500	-0-
3	Omit						
4	CSH & G, LLC			Yes			
5	Omit	Omit	Omit	Omit	Omit	Omit	Omit
6	Vestavia Professional Assoc, LLC			Yes			
7	Jamie Verell & Daniel Goff	\$4,000	\$2,000	TBD	\$1,500	\$1,500	-0-
8	Rebecca Burbank, Cabana Assoc, Inc.			Yes			
9	Evergreen, LLC			Yes			
10	Chris M. Lane	\$4,000	\$2,000		\$1,500	\$1,500	-0-
11	Trent & Melonee Hatfield	\$4,000	\$2,000	TBD	\$1,500	\$1,500	-0-
12	Melanie Hardee			Yes			
13	Mary W. Smith			Yes			
14	Melodie Ann Taylor			Yes			
15	Alexander & Geetha Vasanthakumar	\$4,000	\$2,000		\$1,500	\$1,500	-0-
16	Nancy J. Handley			Yes			
17	Barbara D. Hill			Yes			
18	Barbara H. Bishop			Yes			
19	Ruby Jacobs Hickey			Yes			
20	Mary E. Knowles			Yes			
21	Rose Marie Tortorici			Yes			
22	Peggy B. Schoel, New Paddy Mou	\$4,000	\$2,000	TBD	\$1,500	\$1,500	-0-
23	Private Mini Storage Realty, LP			Yes			
24	Ten Key, LLC			Yes			
25	Liberty Mortgage Corporation	\$4,000	\$2,000	TBD	\$1,500	\$1,500	-0-

Tract #	Name	Appraisal	Review Appraisal	Donation	Waivers	Negotiations	Relocation
26	DWK Properties, LLC			Yes			
27	Canvasback Productions, Inc.			Yes			
	Sub - Totals	\$28,000	\$14,000		TBD	\$10,500	-0-
	Project Coordination	\$8,750					
	Total Project Cost	\$61,250					

RESOLUTION NUMBER 5383

A RESOLUTION AUTHORIZING THE CITY MANAGER TO OBTAIN CERTAIN PROFESSIONAL SERVICES REGARDING LAND SURVEY, GEOTECHNICAL INVESTIGATION, LANDSCAPE DESIGN, ETC., FOR ALTADENA VALLEY PARK IN PREPARATION OF A MASTER PLAN, GRADING FOR AN ACCESS ROAD AND CONSTRUCTION OF A RESTROOM FACILITY AND PAVILION

WHEREAS, the City is desirous of assembling a master plan for the development of the Altadena Valley Park (“the AVP”); and

WHEREAS, the City has had discussions with Shelby County for partnering on developing a portion of the AVP that’s located in Shelby County; and

WHEREAS, in order to assemble the master plan and plans for partnering with Shelby County, the City needs to obtain some information such as land surveys, geotechnical investigation, landscape design and civil engineering design; and

WHEREAS, the Public Services Director has obtained a proposal for the above described professional services from Engineering Design Group LLC (“EDG”), a copy of which is marked as Exhibit A, attached to and incorporated into this Resolution Number 5383; and

WHEREAS, the Mayor and the City Council feel it is in the best public interest to accept said proposal and obtain the needed information.

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

1. The City Manager is hereby authorized to accept said proposal and to execute any and all documents necessary to secure said needed professional services; and
2. Said funding shall be expensed to the City’s General Fund in an amount estimated at \$55,600 as detailed in the attached Exhibit A, with an additional 15% contingency for a total not to exceed \$63,940; and
3. This Resolution Number 5383 shall become effective immediately upon adoption and approval.

ADOPTED and APPROVED this the 11th day of April, 2022.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

**Vestavia Hills Public Services
1032 Montgomery Highway
Vestavia Hills, AL 35216**

INTEROFFICE MEMO

Date: March 24, 2022

TO: Jeff Downes
City Manager

From: Brian Davis
Director of Public Services

RE: Altadena Valley Park

As you are aware, we have been working on a master plan for Altadena Valley Park (AVP). We have had discussions with Shelby County about grading for the access road and parking, as well as construction of a restroom facility and pavilion.

In order for the grading and construction, we must first perform a land survey, geotechnical investigation, landscape design, and civil engineering design. The attached proposal from EDG outlines their scope of services.

I am requesting a supplemental appropriation out of the general fund in the amount of \$55,600 which includes a fifteen percent contingency. Please let me know if you have any questions.

CC: Rebecca Leavings



March 24, 2022

The City of Vestavia Hills
1032 Montgomery Highway
Vestavia Hills, AL 35216

Attn: Brian Davis-Public Services Director

**Re: Proposal of Professional Services
Altadena Park-Vestavia Hills, AL**

Dear Brian,

Engineering Design Group, LLC is pleased to submit this scope of services related to the above-referenced project. Our scope of services is based on a conceptual layout provided by your Renta Urban Land Design. A copy of this layout is attached to this document as "Exhibit A." Our understanding of the project is that the City of Vestavia Hills plans to construct a new park on land located between the Cahaba River and the Altadena Ridge residential development. The park will be designed and constructed in phases. This document pertains to the first phase of the project. We understand that the first phase will include a new parking area and restroom facility. Access will be provided via Lakeland Trail.

Our scope of services includes land survey, geotechnical investigation, landscape/hardscape design, and civil engineering design of the proposed improvements. We have solicited the services of Renta Urban Land Design for the design of landscape/hardscape elements, and Contour Engineering for geotechnical exploration of the site.

Our scope of services is described in detail on the following pages. Thank you for the opportunity to present this document. We look forward to working with you on this project.

This document is provided with the expectation that it is not being used in a price comparison with other professional services firms. Alabama law prohibits licensed engineers and land surveyors from participating in any process that solicits prices from two or more licensed engineers or land surveyors simultaneously. The law defines this practice as bidding and participation by a licensee is prohibited. If this agreement is being used in this manner, we must by law, withdraw this agreement from consideration.

Attachments: Exhibit A-Conceptual Site Plan (By Others), Exhibit B-Geotechnical Consultant Proposal

1.0 Scope of Services

1.1 Boundary and Topographic Survey

Engineering Design Group will perform a Boundary Tie and Topographic Survey for the subject property. The subject property is listed as Tax Parcels 2800334002001.004 and 2800334002001.000 in the office of the Judge of Probate of Jefferson County, Alabama.

Visible encroachments onto and beyond the limits of the surveyed parcel will be noted and shown on the survey. The legal description, as recorded in the office of the Judge of Probate of Jefferson County, will be shown on the survey. Engineering Design Group will not perform an independent title search of the surveyed parcel of land. ALTA/NSPS requirements and procedures will not be utilized during the Boundary Survey.

We will show visible utilities and subsurface utilities as marked by utility companies or as shown on maps. We will coordinate with Alabama One Call requesting all subsurface utilities situated in public right-of-way marked to enable an accurate location and depiction of the subsurface utilities. Alabama One Call does NOT mark any utilities that are within the limits of private property.

Visible improvements will be shown including buildings, walls, fences, sidewalks, curbs, parking areas, and paved areas. Landscaped areas and tree lines will be shown on the survey, individual shrubs and trees will not be shown on survey.

We will perform topographic locations on a portion of the subject property. Contours will be shown at a 1-foot interval and based from USGS datum. Spot elevations will be shown in flat areas. Two benchmarks will be set on site. Visible drainage structures will be shown indicating top and invert elevations as well as type and size of pipes. Visible improvements will be shown including buildings, walls, fences, sidewalks, curbs, parking areas, and paved areas. Landscaped areas and tree lines will be shown on survey, individual shrubs and trees will not be shown on survey.

The topographic locations will extend from the back of existing lots of Altadena Ridge Subdivision and along the North edge of pavement of Lakeland Trail Road. The Topographic Survey will cover approx. 6 acres.

1.2 Geotechnical Investigation

We have solicited the services of Contour Engineering to provide a geotechnical investigation of the site. Their proposal is attached hereto as Exhibit B. The stated fee for their service as shown in Section 2.0 of this proposal does NOT include any markup for coordination and management by Engineering Design Group.

1.3 Civil Construction Documents

We will develop a set of civil construction documents for the site improvements. We will submit the Construction Documents to the City of Vestavia Hills for their review and comment. We will meet with you and any necessary City Officials as-needed to work through any design issues that arise during permitting. The following scope

items reflect what is typically included in our civil engineering design. The Construction Documents will include the following design information, at a minimum:

- a. Phase I Erosion Control Plan-The plan will include initially-required Best Management Practices (BMPs) items for the control of erosion related to site construction activities.
- b. Site Layout Plan-Plan will provide horizontal control for the layout of the parking facility, restroom building, and other permanent site structures.
- c. Site Grading and Drainage Plan-Plan will include grading and drainage associated with the improvements. We have assumed that storm water detention will not be required and that design is therefore excluded from our scope of services.
- d. Access/Driveway Plan/Profile-We will provide plan and profile drawings to the Jefferson County Roads and Transportation Department for the permitting of a new access drive for the parking facility.
- e. Storm Drainage Profiles-We will provide necessary profiles for storm drainage pipes associated with the improvements.
- f. Utility Plan-Plan will include coordination with the project's MEP engineer for any additional site electrical conduit, site water services, or site sanitary sewer drains. It is understood that the new restroom facility will be tied to Jefferson County's sanitary sewer infrastructure, as the majority of the site is within a floodplain (an on-site system's field lines cannot be located within a floodplain). We will investigate the availability of the County's sewer system to serve the project.
- g. Erosion Control Plan-Plan will include the necessary structural BMP devices for the control of sedimentation at the site.
- h. Permitting Services-We will submit final civil construction plans and permit applications to the City of Vestavia Hills for the purpose of obtaining a land disturbance permit. We will also submit plans to the Jefferson County Roads and Transportation Department for the new access to Lakeland Trail.
- i. Notes and Details-We will provide standard notes and details which pertain to the site's specific construction requirements. This will also include standard Waffle House details.

1.4 Landscape/Hardscape Design

We have solicited the services of Renta Urban Land Design for the design of the project's hardscapes. This will include trail improvements, plaza at the restroom pavilion, sidewalks and landscape planting plans. Construction administration for items related to landscape hardscape is also included within this scope of services. The stated fee for their service as shown in Section 2.0 of this proposal does NOT include any markup for coordination and management by Engineering Design Group.

1.5 Alabama Department of Environmental Management NPDES Permit

On September 15, 2020, ADEM adopted the new Alabama Environmental Permitting & Compliance System (AEPACS) for the application and management of National Pollutant Discharge Elimination System Permits. Effective April 1, 2016, ADEM established General Permit No. ALR 100000 for discharges associated with regulated construction activity that will result in land disturbance equal to or greater

than one acre or from construction activities involving less than one acre and which are part of a common plan of development or sale equal to or greater than one acre. Construction site operators/owners seeking coverage under this general permit must submit a Notice of Intent (NOI) in accordance with the permit requirements. Operators/owners of all regulated construction sites must implement and maintain effective erosion and sediment controls in accordance with a Construction Best Management Practices Plan (CBMPP) prepared and certified by a Qualified Credentialed Professional (QCP). This site is located within a Priority Construction Zone. Engineering Design Group will create the CBMPP Plan (to be kept on-site throughout construction). We will submit the CBMPP and NOI through ADEM's AEPACS system and coordinate with the Permittee during the approval process. The application fee associated with the permit is the responsibility of the Owner.

1.6 Best Management Practices (BMP) Inspections

Per the requirements of the ADEM permit, we will perform BMP inspections of erosion control devices within the site. These inspections are required after each $\frac{3}{4}$ " rainfall event, and at least monthly. We will provide a report of our findings, and recommendations for remediation to any noted erosion control deficiencies. Our report will include photographs. We have assumed that the project will take 6 months to construct. Therefore, approximately 10 inspections will be required during the construction phase.

1.7 Construction Administration

We will be available during construction to answer questions or provide clarifications to the project team. We will meet with the Contractor and/or Owner as necessary during construction. This service will be provided at our standard hourly rates. We have provided a budgetary amount for this task item in Section 2.0.

1.8 Additional Services

Any service need that arises and is required but has not been included in our original scope of services will be performed on an hourly basis according to the fee schedule included in this document. We will discuss with the Client any additional service before performing the service and will not proceed with additional work without the Client's approval.

Exclusions

Items specifically **NOT INCLUDED** in this scope of work include: ALTA Survey, Private Utility Locate Coordination, Geotechnical Testing, Off-Site Improvements, Corps of Engineers Permitting, Structural Design of Retaining Walls, Landscape Design, Storm Water Monitoring, Utility Main Extension or Relocation and any Off-Site Improvements other than those included within the scope of services. If any of these items becomes necessary, we will perform those tasks as Additional Services or help you to contract with an entity which provides that service.

Your signature on the following page will serve as our formal notice to proceed with the above-described scope of services.

2.0 Estimate of Compensation for Services:

Engineering Design Group, LLC's fee for the scope of services outlined in Part 1.0 is as follows:

2.1 Boundary and Topographic Survey	\$ 6,900.00 Lump Sum
2.2 Geotechnical Investigation	\$ 6,950.00 Lump Sum
2.3 Civil Construction Documents	\$15,000.00 Lump Sum
2.4 Landscape/Hardscape Design	\$12,500.00 Lump Sum
2.6 ADEM NPDES Permit	\$ 2,500.00 Lump Sum
2.7 BMP Inspections	\$ 2,000.00 Budget Estimate
2.8 Construction Administration	\$ 1,500.00 Budget Estimate
2.9 Additional Services	Hourly Rates as Required
Reimbursables	\$ 1,000.00 Budget

Engineering Design Group, LLC can commence work immediately upon receipt of your written authorization to proceed. If this proposal is acceptable, please authorize Engineering Design Group, LLC to proceed with the above Scope of Services by signing in the appropriate location and returning a copy to Engineering Design Group, LLC.

Sincerely,
Engineering Design Group, LLC



Wade H. Lowery P.E., Alabama License #27002

"This cost proposal is accepted as written and Engineering Design Group LLC is hereby authorized to commence the work as described in the above Scope of Services"

Authorization by: _____

Title: _____

Date: _____

HOURLY RATE SCHEDULE AND REIMBURSABLE EXPENSES

Personnel time for additional services covered under this agreement will be invoiced based on the following Rate Schedule. These Rates are subject to adjustment on January 1st of each year.

Engineering Rate Schedule

- Principal in Charge \$150.00 per hour
- Project Manager \$130.00 per hour
- Senior Design Engineer \$120.00 per hour
- Project Engineer \$105.00 per hour
- Engineering Drafter \$ 85.00 per hour

Surveying Rate Schedule

- PLS \$125.00 per hour
- Field Crew \$145.00 per hour
- Field Crew Construction Layout** \$155.00 per hour
- Senior Drafter \$ 95.00 per hour
- Drafter \$ 85.00 per hour

**Construction Layout requested by the client performed on holidays and weekends will be invoiced at 1.5 times the hourly rate listed above.

Reimbursable Expenses

Expenses incurred for work covered under this contract will be invoiced at cost plus 15 percent. These expenses include, but are not limited to:

- Printing
- Shipping
- Permitting and Application Fees
- Outside Consultants
- Travel – (Travel will be reimbursed at \$0.58 per mile)

Payment

Services rendered in accordance with this proposal will be invoiced monthly based on work completed. Invoices are due upon receipt and will be considered delinquent if not received within 30 days after receipt. Engineering Design Group LLC may, without legal consequence, suspend services until payment is received.

Client agrees that payment for services rendered shall not be contingent or dependent upon any conditions or any action or undertaking of the Client other than those conditions, if any, specifically set forth in this agreement, and the "Civil Engineer and Designer Agreement".

ALTADENA VALLEY PARK MASTERPLAN



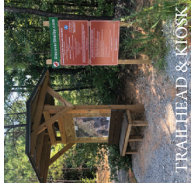
LOW IMPACT TRAILS



TRAIL SIGNAGE



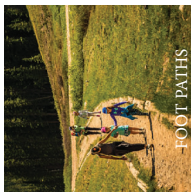
RESTROOM PAVILION



TRAILHEAD & KIOSK



BIKE REPAIR STATION



FOOT PATHS



PLAYGROUND



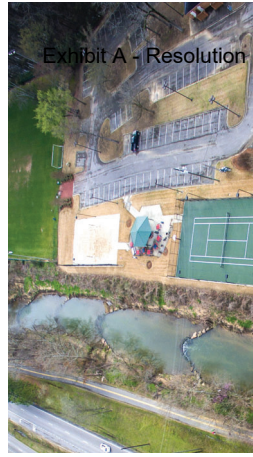
WAYFINDING AND SIGNAGE



LOW IMPACT PARKING AND SITE CIRCULATION



NATURAL SOFT MATERIAL SELECTIONS



RESIDENTIAL SCALE PARKING LOT (PLANTED, LOW DENSITY)

PROPOSED PARKING & TRAILHEAD

THE PLAN SHOWS GENERAL LAYOUT FOR THE SITE AND IS NOT A CONTRACT DOCUMENT. THE SITE PLAN IS FOR INFORMATIONAL PURPOSES ONLY. THE PLAN IS NOT TO BE USED FOR CONSTRUCTION OR OTHER PURPOSES WITHOUT THE WRITTEN CONSENT OF THE ENGINEER. THE ENGINEER'S RESPONSIBILITY IS LIMITED TO THE DESIGN OF THE TRAILHEAD AND PARKING AREAS SHOWN ON THIS PLAN. THE ENGINEER DOES NOT WARRANT THE ACCURACY OF THE DATA PROVIDED TO HIM OR HER BY THE CLIENT. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE ENGINEER'S LIABILITY IS LIMITED TO THE DESIGN OF THE TRAILHEAD AND PARKING AREAS SHOWN ON THIS PLAN.

March 22, 2022

Mr. Wade H. Lowery, P.E.
Engineering Design Group, LLC
Via email: wade@edgalabama.com

Re: Proposal for Geotechnical Engineering Services
ALTADENA PARK – PHASE 1
Vestavia Hills, Jefferson County, Alabama
Proposal No: AG22EDG-134

Dear Wade,

Contour Engineering, LLC (Contour) appreciates the opportunity to provide a geotechnical exploration for the referenced project. The following proposal includes a summary of the planned scope of services, an estimated budget, and project schedule.

PROJECT INFORMATION:

The subject site is located off Lakeland Trail in Vestavia Hills, Alabama. The project will involve the construction of a one-story restroom building(s) with slab-on-grade with associated parking and drive areas and a roadway. Grading has not been finalized, however, we have assumed some cuts could be on the order of 5 feet. Maximum column and wall loads are assumed to be 80 kips and 3 to 4 kips per linear foot, respectively.

SCOPE OF SERVICES:

Field and Laboratory Testing:

- A field program will include two (2) soil test borings with Standard Penetration Testing (SPT) to depths ranging from 15 feet, or auger refusal, within building pad area and five (5) parking areas to depths of 10 feet, or auger refusal. In addition, six to seven SPT borings will be drilled along the centerline of the roadway to depths of 10 feet, or auger refusal.
- Laboratory soil classification testing will be performed on representative samples;
- A field engineer will be present during for coordination;

Engineering Analysis and Report:

Upon completion of the field and laboratory testing, a report will be prepared that will include the following:

- Description of existing soil and groundwater conditions including detailed boring records and profiles, and Boring Location Plan;
- A description of the area and site geologic conditions;

- Recommendations for site preparation, excavation and grading, backfilling and compaction;
- On-site soil characteristics and suitability for reuse as structural fill;
- Foundation and slab on grade recommendations available bearing pressures and estimated settlements;
- Seismic Site Classification per the IBC 2018; and
- Pavement recommendations.

FEE AND SCHEDULE:

We can complete the above scope of services for the following fee:

Mobilization and SPT Borings	\$3,800
Field Engineering/Coordination/Stratification	\$1,000
Laboratory Testing (Atterberg/Sieve/Moisture Content)	\$400
Engineering Analysis and Report	<u>\$1,750</u>

Geotechnical Engineering Services **\$6,950***

*The fee assumes permission is granted and the site is accessible to truck mounted drilling equipment. Clearing with a dozer will be an additional \$2,500 for access.

We are prepared to start the field program within 5 business days from receiving signed authorization to proceed. We estimate that the fieldwork will require approximately two days to complete. The report will be completed within 10 working days after completion of the fieldwork.

CLOSING:

Thank you for considering Contour Engineering, LLC for your Geotechnical Engineering consulting needs. Please contact our office if you have any questions.

Sincerely,
Contour Engineering, LLC



Jason T. Ayers, P.E.
Senior Engineer



Contour Engineering, LLC
STANDARD AGREEMENT FOR SERVICES AND GENERAL TERMS

Description of Services Geotechnical Exploration

Project Name and Location Altadena Park – Phase 1 – Vestavia Hills, AL

Proposal No. and Date AG22EDG-134 - March 22, 2022 Budget: See Proposal

FOR PAYMENT OF INVOICES:

Firm _____ Phone No. _____

Address _____

_____ Zip Code _____ FAX No. _____

Attention _____ Title _____

REPORT DISTRIBUTION:

Firm _____ Firm _____ Firm _____

Address _____ Address _____ Address _____

Attn: _____ Attn: _____ Attn: _____

PAYMENT TERMS: Net 30 Days, a late payment charge of 18% per annum, including all cost of collection and attorney fees may be added after 30 days.

PROPOSAL ACCEPTANCE

The Terms and Conditions of this Proposal are:

Accepted this _____ day of _____, 20 _____

Individual, firm or corporate body name

Signature of authorized representative

Name of authorized representative and title



General Terms and Conditions

1. **Scope of Services** – Contour Engineering, LLC (Contour) shall provide the Basic Services and Additional Services set forth herein. Contour is not responsible for the supervision or direction of the actual work of the contractor, or for Site safety. Client agrees that Contour will not be expected to make exhaustive or continuous site visits beyond those established in the proposal or contract, but that construction observation appropriate for the construction stage shall be performed. It is understood that field services provided by Contour will not relieve the contractor of his responsibilities for performing the work in accordance with the plans and specifications. Contour will observe, test, document and alert the contractor and/or client, in a timely manner, when we deem work pertinent to our scope of services is not being performed in accordance with the plans and specifications. Full-time construction observation by our employees does not mean that Contour is observing placement of all materials. Full-time construction observation means that an employee of Contour has been assigned to the project for the time required to fulfill our contractual responsibilities.
2. **Owner's Responsibility** – Client shall grant or obtain free access to the site for all equipment and personnel necessary for Contour to perform the services to be furnished under this Agreement.
3. **Payment of Invoices** – Invoices are due and payable within 30 days of receipt. If client fails to make any payments due Contour for services and expenses within 30 days after receipt of Contour's invoice therefore, the amounts due Contour will be increased at the rate of 1.5% per month. In addition, Contour may after giving seven days written notice to client, suspend services under this Agreement until Contour has been paid in full all amounts due for services, expenses and other related charges. Payments will be credited first to interest then to principal.
4. **Standards of Performance** –The standard of care for all professional engineering and related services performed or furnished by Contour under this Agreement will be the care and skill ordinarily used by members of the profession practicing under similar circumstances at the same time and in the same locality. Contour makes no warranties, express or implied, under this Agreement or otherwise, in connection with its services. Client shall be responsible for, and Contour may rely on, the accuracy and completeness of specifications, requirements, programs, instructions, reports, data, drawings, and other information furnished by Client to Contour pursuant to this Agreement. Contour may use such specifications, requirements, programs, instructions, reports, data, drawings and information in performing or furnishing services under this Agreement. In the event necessary requirements or specifications are not provided before services commence, Contour's Project Manager may set basic requirements for soil density tests and concrete sample fabrication that will be used until such time as they are provided. Inspections performed by Contour relating to the current state general permit are to determine substantial compliance with the Project Drawings. Contour is not responsible to determine that said drawings take into account any applicable federal, state, county, or local requirements.
5. **Disposal of Samples** –Contour may dispose of all stored soil, rock, and asphalt samples 60 or more days after submission of the final report covering those samples. Contour may dispose of stormwater samples immediately upon testing.
6. **Use of Documents** –All Documents are instruments of service in respect to this Project, and Contour shall retain ownership and property interest therein (including the right to reuse at the discretion of Contour) whether or not the Project is completed.
7. **Certificate of Insurance** –Contour shall procure and maintain insurance coverage as it deems to be adequate. Certificates for such policies shall be provided to the owner upon request.
8. **Termination** –Either party upon 30 days written notice in the event of substantial failure by the other party to perform may terminate this Agreement.
9. **Dispute Resolution** –Owner and Contour agree to negotiate all disputes between them in good faith for a period of 30 days from the date of notice prior to exercising their rights to litigate.
10. **Indemnification** –To the fullest extent permitted by law, Contour shall indemnify and hold harmless Client, Client's officers, directors, partners, and employees from and against any and all costs, losses and damages (including but not limited to all fees and charges of engineers, architects, attorneys, and other professionals and all court or arbitration or other dispute resolution costs) caused solely by the negligent acts or omissions of Contour or Contour's officers, directors, partners, employees, and Contour's Consultants in the performance and furnishing of Contour's services under this Agreement.

To the fullest extent permitted by law, Client shall indemnify and hold harmless Contour, Contour's officers, directors, partners, employees and Contour's Consultants from and against any and all costs, losses and damages (including but not limited to all fees and charges of engineers, architects, attorneys and other professionals and all court or arbitration or other dispute resolution costs) caused solely by the negligent acts or omissions of Client or Client's officers, directors, partners, employees, and Client's Consultants with respect to this Agreement or the Project.

To the fullest extent permitted by law, Contour's total liability to Client and anyone claiming by, through or under Client for all costs, losses or damages caused in part by the negligence of Contour and in part by the negligence of Client or any other negligent entity or individual, shall not exceed the percentage share that Contour's negligence bears to the total negligence of Client, Contour and all other negligent entities or individuals.
11. **Successors, Assigns, and Beneficiaries** – Client and Contour each is hereby bound and the partners, successors, executors, administrators and legal representatives of Client and Contour are hereby bound to the other party to this Agreement and to the partners, successors, executors, administrators and legal representatives (and said assigns) of such other party, in respect of all covenants, agreements and obligations of the Agreement.
12. **Limitation of Liability** –In recognition of the relative risks, rewards and benefits of the project to both the Client and Contour, the risks have been allocated such that the Client agrees that, to the fullest extent permitted by law, Contour's total liability to the Client for any and all injuries, claims, losses, expenses, damages or claim expenses arising out of this agreement from any cause or causes, shall not exceed \$50,000.00.

TERMS AND CONDITIONS:

1. **CONTRACT** - These Contract Provisions and the accompanying Proposal constitute the full and complete Agreement between the parties and may be changed, amended, added to, superseded, or waived only if both parties specifically agree in writing to such amendment of the Agreement. In the event of any inconsistency between these Contract Provisions and any proposal, contract, purchase order, requisition, notice to proceed, or like document, these Contract Provisions shall govern.
2. **RIGHT OF ENTRY** - When entry to property is required for the CONSULTANT to perform its services, the Client agrees to obtain legal right-of-entry on the property.
3. **DOCUMENTS** - All reports, notes, drawings, specifications, data, calculations, and other documents, including those in electronic form, prepared by CONSULTANT are instruments of CONSULTANT's service that shall remain CONSULTANT's property. The Client agrees not to use CONSULTANT-generated documents for marketing purposes, for projects other than the project for which the documents were prepared by CONSULTANT, or for future modifications to this project, without CONSULTANT's express written permission.

Any reuse or distribution to third parties without such express written permission or project-specific adaptation by CONSULTANT will be at the Client's sole risk and without liability to CONSULTANT or its employees, subsidiaries, independent professional associates, subconsultants, and subcontractors.

4. **DISPOSAL OF SAMPLES** - CONSULTANT will discard samples upon completion of the work covered under this Agreement, unless the Client instructs otherwise in writing.
5. **HAZARDOUS MATERIALS** - The scope of CONSULTANT's services for this Agreement does not include any responsibility for detection, remediation, accidental release, or services relating to waste, oil, asbestos, lead, or other hazardous materials, as defined by Federal, State, and local laws or regulations.
6. **CONSTRUCTION PHASE SERVICES** - If CONSULTANT performs any services during the construction phase of the project, CONSULTANT shall not supervise, direct, or have control over Contractor's work. CONSULTANT shall not have authority over or responsibility for the construction means, methods, techniques, sequences or procedures or for safety precautions and programs in connection with the work of the Contractor. CONSULTANT does not guarantee the performance of the construction contract by the Contractor and does not assume responsibility for the Contractor's failure to furnish and perform its work in accordance with the Contract Documents.
7. **STANDARD OF CARE** - CONSULTANT and its employees, subsidiaries, independent professional associates, subconsultants, and subcontractors will exercise that degree of care and skill ordinarily practiced under similar circumstances by design professionals providing similar services.
8. **OPINION OF PROBABLE COSTS** - When required as part of its work, CONSULTANT will furnish opinions of probable cost, but does not guarantee the accuracy of such estimates. Opinions of probable cost, financial evaluations, feasibility studies, economic analyses of alternate solutions, and utilitarian considerations of operations and maintenance costs prepared by CONSULTANT hereunder will be made on the basis of CONSULTANT's experience and qualifications and will represent CONSULTANT's judgment as an experienced and qualified design professional. However, users of the probable cost opinions must recognize that CONSULTANT does not have control over the cost of labor, material, equipment, or services furnished by others or over market conditions or contractors' methods of determining prices or performing the work.
9. **SUSPENSION OF WORK** - The Client may, at any time, by written notice, suspend further work by CONSULTANT. The Client shall remain liable for, and shall promptly pay CONSULTANT for all services rendered to the date of suspension of services, plus suspension charges, which shall include the cost of assembling documents, personnel and equipment, rescheduling or reassignment, and commitments made to others on Client's behalf.

Client shall pay CONSULTANT pursuant to the rates and charges set forth in the Proposal. CONSULTANT will submit monthly invoices to Client for services rendered and expenses incurred. If Client does not pay invoices within thirty (30) days of submission of invoice, CONSULTANT may, upon written notice to the Client, suspend further work until payments are brought current.

10. **CHANGES OR DELAYS** - Unless the accompanying Proposal provides otherwise, the proposed fees constitute CONSULTANT's estimate to perform the services required to complete the Project. Required services often are not fully definable in the initial planning; accordingly, developments may dictate a change in the scope of services to be performed. Where this occurs, changes in the Agreement shall be negotiated and an equitable adjustment shall be made.

Costs and schedule commitments shall be subject to renegotiation for unreasonable delays caused by the Client's failure to provide specified facilities, direction, or information, or if CONSULTANT's failure to perform is due to any act of God, labor trouble, fire, inclement weather, act of governmental authority, failure of transportation, accident, power failure, or interruption or any other cause beyond the reasonable control of CONSULTANT. Temporary work stoppage caused by any of the above may result in additional cost beyond that outlined in the accompanying Proposal.

11. **CONFLICTS OF INTEREST** - This assignment may involve parties with adverse interests to clients with whom CONSULTANT has current or past relationships. It is CONSULTANT policy to make reasonable attempts to identify such relationships prior to acceptance of a professional assignment, but CONSULTANT cannot assure that conflicts or perceived conflicts will not arise, and CONSULTANT does not accept responsibility for such occurrences.
12. **REIMBURSABLE EXPENSES** - CONSULTANT will bill direct non payroll expenses at cost plus 10%. Direct expenses include all reasonable expenses resulting from required responses to subpoenas or court orders related to work under the Contract.
13. **MISCELLANEOUS** - Invalid Terms: In the event any of these Contract Provisions are found to be illegal or otherwise unenforceable, the unenforceable Contract Provision will be stricken. Striking such a Contract Provision shall have no effect on the enforceability of the remaining Contract Provisions and those remaining Contract Provisions shall continue in full force and effect as if the unenforceable Contract Provision were never included in the Agreement.

Mediation: The Client and CONSULTANT agree to submit all claims and disputes arising out of this Agreement to non-binding mediation prior to the initiation of legal proceedings. This provision shall survive completion or termination of this Agreement; however, neither party shall seek mediation of any claim or dispute arising out of this Agreement beyond the period of time that would bar the initiation of legal proceedings to litigate such claim or dispute under the applicable law.

CONSULTANT Reliance: CONSULTANT shall be entitled to rely, without liability, on the accuracy and completeness of any and all information provided by Client, Client's consultants and contractors, and information from public records, without the need for independent verification.

Certifications: CONSULTANT shall not be required to sign any documents, no matter by whom requested, that would result in CONSULTANT's having to certify, guaranty, or warrant the existence of conditions that CONSULTANT cannot ascertain.

Third Parties: Nothing contained in this Agreement shall create a contractual relationship with, or a cause of action in favor of, a third party against either the Client or CONSULTANT. CONSULTANT's services hereunder are being performed solely for the benefit of the Client, and no other entity shall have any claim against CONSULTANT because of this Agreement or CONSULTANT's performance of services hereunder.

Consequential Damages: Neither the Client nor the CONSULTANT shall be liable to the other or shall make any claim for any incidental, indirect or consequential damages arising out of, or connected in any way to the Project or this Agreement. This mutual waiver includes, but is not limited to, damages related to loss of use, loss of profits, loss of income, loss of reputation, unrealized savings or diminution of property value and shall apply to any cause of action including negligence, strict liability, breach of contract and breach of warranty.

14. **OTHER PROVISIONS** - Notwithstanding anything contained in the Agreement to the contrary, the City and Engineering Design Group, LLC agree to add the following terms, provisions and conditions to the said Agreement as Section 15 to said Agreement:

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

INDEPENDENT CONTRACTOR - Engineering Design Group, LLC is an independent contractor for purposes of this Agreement. Nothing contained in the Agreement shall be construed to mean that said Engineering Design Group, LLC is the servant, agent or employee of the City of Vestavia Hills, Alabama.

WORKER'S COMPENSATION - EDG shall carry Worker's Compensation insurance for all of its employees and those of its subcontractors engaged in the work at the site in accordance with the State of Alabama Worker's Compensation Law.

LIABILITY INSURANCE - EDG shall carry Public Liability Insurance with limits of Three Hundred Thousand Dollars (\$300,000.00), per person, and One Million Dollars (\$1,000,000.00), per occurrence, to cover and protect the City and EDG and its subcontractors against claims or injury to or death of one or more than one person because of accidents which may occur or result from operations under the Agreement. The City of Vestavia Hills, Alabama shall be added as "an additional insured" to the general comprehensive liability insurance policy of EDG.

INDEMNITY - EDG shall indemnify and save harmless the City of Vestavia Hills, Alabama, its Mayor, City Manager, individual members of the City Council, servants, agents, employees or representatives from any and all claims, demands, controversies, actions, causes of action, liabilities of action, lawsuits, liabilities and damages arising out of or resulting from property damage, personal injury and/or death suffered or alleged to have been suffered by any person as a result of work performed by EDG under this Agreement.

PROFESSIONAL ENGINEER - EDG represents, covenants and warrants that it is a licensed professional engineer within the meaning of Title 34-11-1(3), Code of Alabama, 1975, in good standing with the State of Alabama Board of Licensure for Professional Engineers and Land Surveyors.

STANDARD OF CARE AND COMPLIANCE WITH APPLICABLE LAWS – EDG shall perform its professional services in a manner consistent with that degree of skill and care ordinarily exercised by practicing design professionals performing similar services at the same time, in the same locality, at the same site and under the same or similar circumstances and conditions. EDG makes no other representations or warranties, whether expressed or implied, with respect to the services rendered hereunder. EDG shall exercise usual and customary professional care in its efforts to comply with the provisions of the labor law and state, federal and local laws, statutes, codes, rules, regulations and ordinances that are applicable to the performance of this Agreement between the City and Engineering Design Group, LLC. It is understood, however, that various laws, statutes, codes, rules, regulations and ordinances are subject to varying and sometimes contradictory interpretation. EDG shall exercise its professional skill and care consistent with the generally accepted standard of care to provide services that comply with such laws, statutes, codes, rules, regulations and ordinances. EDG cannot warrant that all documents issued by it shall comply with said laws, statutes, codes, rules, regulations, and ordinances.

ARBITRATION; MEDIATION; ALTERNATE DISPUTE RESOLUTION - The City agrees to arbitrate disputes or to engage in alternate dispute resolution (ADR) if arbitration or ADR is required by the agreement as a means of resolving disagreements arising thereunder or is a precondition to the pursuit of other legal remedies, but only to the extent (a) the rights and remedies available under such arbitration rules or processes do not afford EDG greater relief (e.g., attorney's fees, damages, etc.) than would be available under otherwise applicable law, (b) the venue for the arbitration or mediation proceeding is in Jefferson County, Alabama, and (c) the costs of such proceedings (including the fees of the arbitrator or mediator) are divided evenly between the parties.

ATTORNEY'S FEES; COURT COSTS; LITIGATION EXPENSES - The City shall not be liable for attorney's fees, court costs, litigation expenses, and like charges except and to the extent such fees, costs and charges would be assessed against the City under applicable law in the absence of any contractual provision imposing or assigning liability therefor.

INDEMNIFICATION; HOLD HARMLESS; RELEASE; WAIVER; LIMITATIONS OF LIABILITY OF REMEDIES - The City shall not and does not indemnify, hold harmless or release EDG or any other person, firm, or legal entity for, from or with respect to any claim, cause of action, cost, charge, fee, expense, or liability whatsoever arising out of or relating to the subject matter of the Agreement or the performance or nonperformance thereof; nor shall or does the City waive its right to assert or pursue any remedy or claim for relief of any kind that it may have against EDG or any other person, firm, or entity for any actual or alleged default or other breach of legal duty on the part of EDG or any person, firm or entity in privity therewith or acting on EDG's behalf. Any limitation or restriction regarding the type, nature, form, amount or extent of any right, remedy, relief or recovery that would otherwise be available to the City is expressly disavowed, excluded from the terms of the Agreement, and void.

GOVERNING LAW - This Agreement shall be governed by the laws of the State of Alabama. The jurisdiction and venue for the resolution of any dispute shall be in Jefferson County, Alabama.

COMPLIANCE WITH TITLE 41-16-5, CODE OF ALABAMA, 1975, BOYCOTT LIMITATIONS - Act 2016-312 of the Alabama Legislature prohibits a governmental entity from entering into certain public contracts with a business entity unless the contract includes a representation that the business is not currently engaged in, and an agreement that the business will not engage in, the boycott of a person or an entity based upon the person or business doing business with a jurisdiction with which the state can enjoy open trade. The prohibition does not apply if a business offers to provide goods or services for at least 20 percent less than the lowest certifying business entity or to a contract with a value less than \$15,000.00. EDG represents and warrants that it is not currently engaged in, and will not engage in, the boycott of a person or an entity based in or doing business with a jurisdiction with which this state can enjoy open trade.

ORDINANCE NUMBER 3083

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR AND CITY MANAGER TO EXECUTE AND DELIVER A MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE CITY OF CHILDERSBURG, ALABAMA AND THE CITY OF VESTAVIA HILLS, ALABAMA FOR THE DEVELOPMENT OF A PLAN AND THE PREPARATION OF A CONTRACT FOR THE IMPLEMENTATION OF A COLLABORATIVE USE OF LAND FOR A PUBLIC SAFETY FIRING/TRAINING RANGE BY THE POLICE DEPARTMENTS OF BOTH CITIES.

WITNESSETH THIS ORDINANCE NUMBER 3083 APPROVED AND ADOPTED
by the City Council of the City of Vestavia Hills, Alabama on this the 14th day of March, 2022.

WITNESSETH THESE RECITALS:

WHEREAS, the City of Childersburg, Alabama (“Childersburg”) is a municipal corporation organized, existing and operating pursuant to the laws of the State of Alabama; and

WHEREAS, Childersburg operates the City of Childersburg Police Department (“CPD”) pursuant to the authority of Title 11-43-55, *Code of Alabama, 1975*; and

WHEREAS, the City of Vestavia Hills, Alabama (“Vestavia”) is a municipal corporation organized, existing and operating pursuant to the laws of the State of Alabama; and

WHEREAS, Vestavia operates the City of Vestavia Hills Police Department (“VHPD”) pursuant to the authority of Title 11-43-55, *Code of Alabama, 1975*; and

WHEREAS, CPD and VHPD wish to collaborate for the development of a Plan and the preparation of a contract for the use of land by CPD and VHPD for a Public Safety Firing/Training Range by both CPD and VHPD; and

WHEREAS, a Memorandum of Understanding (“MOU”) by and between the City of Childersburg, Alabama and the City of Vestavia Hills, Alabama is attached hereto, marked as Exhibit 1 and incorporated into this ordinance by reference as though set out fully herein; and

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

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

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

WHEREAS, Title 11-102-1, *Code of Alabama, 1975*, authorizes counties and municipalities to enter into a written contract with any one or more such counties or municipalities for the joint exercise of any power or service. Requirements of such contracts are:

1. the contract must be in writing.
2. the term of the contract must not exceed three (3) years.
3. the contract may be renewed from time to time.
4. the contract must specify the purpose of the contract.
5. the contract must specify the method of termination of the contract.
6. the contract must specify the manner of financing.
7. the governing body of the county (by resolution) and the municipality (by ordinance) must approve the contract.
8. the contract shall not be for levying taxes, zoning or for the collection, transportation, storage or disposal of solid waste; and

WHEREAS, Title 11-102-3, *Code of Alabama, 1975*, regarding joint contracts between municipalities provides as follows:

“No contract entered into pursuant to this chapter shall take effect until the contract has been approved by the governing body of each of the contracting municipalities or counties. Approval by a county governing body shall be by adoption of a resolution and approval by a municipal governing body shall be by adoption of an ordinance of general and permanent operation.”; and

WHEREAS, CPD and VHPD recommend that Childersburg and Vestavia authorize and direct the execution and delivery of the MOU with the firm understanding that whatever plan and

contract is developed and prepared must be subsequently approved by the City Council by the enactment of an ordinance on a subsequent date.

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

1. **RECITALS:** The recitals set forth in the premises above are hereby approved, confirmed and ordained by the enactment of this Ordinance Number 3083.

2. **EXHIBITS:** Exhibit 1 described in the premises above is hereby incorporated into this ordinance by reference as though set out fully herein.

3. **AUTHORIZATION:** Upon approval, adoption and enactment of this Ordinance Number 3083, the Mayor and City Manager are hereby authorized and directed to execute and deliver the MOU marked as Exhibit 1 and any and all other documents and to take whatever action is necessary all in accordance with the terms, provisions and conditions of the MOU attached hereto.

4. **CONSIDERATION BY CITY COUNCIL:** The Vestavia Hills Police Department, upon completion of the development plan and preparation of the contract with the City of Childersburg, shall submit the same to the City Council for consideration.

5. **ULTIMATE APPROVAL BY THE CITY COUNCIL:** The completed plan and contract shall become effective only after approval of the City Council by ordinance enacted at a public meeting after giving the required legal notice.

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

7. **EFFECTIVE DATE:** This ordinance shall become effective upon its approval, adoption, enactment and publication by posting as set forth in Title 11-45-8(b), *Code of Alabama, 1975*.

ORDAINED, APPROVED, ADOPTED, DONE and ORDERED on this the 14th day of March, 2022.

Ashley C. Curry
Mayor

ATTESTED BY

Rebecca Leavings
City Clerk

CERTIFICATION OF CITY CLERK

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, Rebecca Leavings, City Clerk of the City of Vestavia Hills, Alabama, do hereby certify that the above and foregoing is a true and correct copy of an ordinance duly and legally adopted by the City Council of the City of Vestavia Hills, Alabama, on the 14th day of March, 2022 while in regular session, and the same appears of record in the minute book of said date of said City.

Witness my hand and seal of office this _____ day of _____, 2022.

Rebecca Leavings, City Clerk

**MEMORANDUM OF UNDERSTANDING
CHILDERSBURG PD & VESTAVIA HILLS PD
PUBLIC SAFETY RANGE PARTNERSHIP**

1. Parties: This Memorandum of Understanding (hereinafter referred to as “MOU”) is entered into between two municipalities pursuant to the authority of Title 11-102-1, et seq., *Code of Alabama, 1975*: the City of Childersburg, Alabama (referred to as “Childersburg”) and the City of Vestavia Hills, Alabama (referred to as “Vestavia Hills”) for the development and implementation of a collaborative use of land for a Public Safety Firing/Training Range located in the City of Childersburg, Shelby County, Alabama (hereinafter referred to as the “range”)

2. Purpose: Childersburg and Vestavia Hills are collaborating in order to utilize the range/training area to train sworn officers, retirees needing qualification, and tactical team members. Vestavia Hills Police Department (“VHPD”) and Childersburg Police Department (“CPD”) may also host in-house (taught by VHPD or CPD members) and external training (taught by outside instructors) open to outside law-enforcement agencies. VHPD and CPD may also host clinics that teach firearms safety to residents of Vestavia Hills, Childersburg or other civilians.

3. It is Mutually Agreed Upon and Understood by and Between the Parties That:

A. For purposes of this MOU the term Executive Officers refers to Chief of the Vestavia Police Department and Chief of Childersburg Police Department or their designees.

B. This MOU may be revised as necessary by mutual consent of the parties, by issuance of a written amendment signed and dated by all parties and approved by the City Councils of the Cities of Childersburg and Vestavia Hills as required by Title 11-102-3, *Code of Alabama, 1975*.

C. This MOU does restrict both parties from participating in similar agreements and/or activities with other public or private entities that would increase use of the range by parties not listed.

D. Each party shall perform its responsibilities and activities described herein as an independent contractor and not as an officer, agent, servant or employee of any other parties hereto. Each party shall be solely responsible for the acts and omissions of its officers, agents, employees, and volunteers, if any.

E. Each party shall be responsible for maintaining its own insurance coverage, through commercial insurance, self-insurance, or a combination thereof, against any claim, expense, cost, damage, or liability arising out of the performance of its responsibilities pursuant to this MOU.

F. Unless terminated through written notice by one of the parties within 30 calendar days of October 1st of each fiscal year denoted herein, this MOU shall remain in force. Through mutual consent this MOU may be terminated at any time.

G. Concerning shared use, the Childersburg Police Department and the Vestavia Hills Police Department will equally share priority usage of the range. The Training Lieutenant or Training Sergeant of the City of Vestavia Hills Police Department will publish and maintain a real time on-line calendar which will be used by both departments in order to schedule training.

H. The Vestavia Hills Police Department shall reserve any unfilled slots in VHPD training cycles for members of the Childersburg Police Department. These cycles include: Patrol Rifle Certification, APOST Qualifications, Patrol Rifle Qualifications, Low Light Qualifications, Counter Ambush/Officer Survival Training and Active Shooter Training. Any in house training or qualifications conducted by VHPD will be free of charge to Childersburg Police Department when slots are available.

I. If the Vestavia Hills Police Department hosts firearms training through a third party, any unfilled slots shall be first offered to Childersburg Police Department. The Childersburg Police Department would be responsible for any associated fees or tuition.

J. Childersburg and Vestavia Hills will be able to move storage containers and/or build storage sheds on the property of the range.

K. Officers of the Childersburg Police Department and the Vestavia Hills Police Department members will be able to utilize vehicles on the property of the range. All due care will be exercised to prevent damage to grass or concrete or any structure.

L. Officers of the Childersburg Police Department and the Vestavia Hills Police Department will be able to train with small explosive devices at the range. Such devices include but are not limited to: noise-flash diversionary devices (flash-bangs) and door breaching charges.

M. The Police Departments of the Cities of Childersburg and Vestavia Hills shall prepare the following for subsequent consideration by the City Councils of the City of Childersburg and the City of Vestavia Hills:

- (i) development plan for the firing range; and
- (ii) formal agreement for usage of the firing range.

N. When the plan, formal agreement and estimate of cost for the construction of the firearms facilities is completed, it will be presented to the Childersburg City Council and the Vestavia Hills City Council for consideration.

O. The signing of this Memorandum of Understanding does not constitute a formal undertaking, and as such it simply intends that the signatories shall strive to reach, to the best of their abilities, the goals and objectives stated in this MOU.

4. **Signatures.** In witness whereof, the parties to this MOU through their duly authorized representatives have executed this MOU on the dates indicated below and certify that they agree to the terms and conditions of this MOU.

City of Childersburg _____	Date _____
Ken Wesson, Mayor	

City of Childersburg _____	Date _____
Richard McClelland, Chief of Police	

City of Vestavia Hills _____	Date _____
Jeffrey Downes, City Manager	

City of Vestavia Hills _____	Date _____
Ashley C. Curry, Mayor	

City of Vestavia Hills _____	Date _____
Danny P. Rary, Chief of Police	

PATRICK H. BOONE
ATTORNEY AND COUNSELOR AT LAW
NEW SOUTH FEDERAL SAVINGS BUILDING, SUITE 705
215 RICHARD ARRINGTON, JR. BOULEVARD NORTH
BIRMINGHAM, ALABAMA 35203-3720
TELEPHONE (205) 324-2018
FACSIMILE (205) 324-2295

E-Mail: patrickboone@bellsouth.net

February 23, 2022

By Electronic Mail

Captain Sean Richardson
Vestavia Hills Police Department
Vestavia Hills Municipal Center
1032 Montgomery Highway
Vestavia Hills, Alabama 35216

In Re: Ordinance Number 3083 Approving MOU Between the Cities of Childersburg and Vestavia Hills for Public Safety Firing/Training Range

Dear Captain Richardson:

In connection with the above matter, I am enclosing suggested draft of Ordinance Number 3083. Title 11-102-1, *Code of Alabama, 1975*, allows the Cities of Childersburg and Vestavia Hills to enter into a contract for the joint use of land for a public safety firing/training range by the Police Departments of both cities.

Certain Alabama laws apply to contracts of this nature. They are:

- (a) The City Council is the legislative branch of the municipality and has the management and control of the finances and all of the property belonging to the city.
- (b) All contracts must be approved by the City Council before execution and delivery.
- (c) The Mayor and City Manager must sign all contracts.
- (d) Joint contracts between two municipalities must contain seven elements:
 1. the contract must be in writing.
 2. the term of the contract must not exceed three (3) years.
 3. the contract may be renewed from time to time.

February 23, 2022

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4. the contract must specify the purpose of the contract.
5. the contract must specify the method of termination of the contract.
6. the contract must specify the manner of financing.
7. the governing body of the county (by resolution) and the municipality (by ordinance) must approve the contract.
8. the contract shall not be for levying taxes, zoning or for the collection, transportation, storage or disposal of solid waste.

(e) Title 11-102-3, *Code of Alabama, 1975*, regarding joint contracts between two municipalities provides as follows:

“No contract entered into pursuant to this chapter shall take effect until the contract has been approved by the governing body of each of the contracting municipalities or counties. Approval by a county governing body shall be by adoption of a resolution and approval by a municipal governing body shall be by adoption of an ordinance of general and permanent operation.”

RECOMMENDATIONS

A. I recommend that Ordinance Number 3083 be introduced for a first read at the City Council meeting on March 7, 2022 and that it be considered for approval at the City Council meeting on March 21, 2022.

B. If Ordinance Number 3083 is enacted, then in such event I recommend that the Police Departments of the Cities of Childersburg and Vestavia Hills prepare a plan for the development of the proposed public safety firing/training range and a contract regarding its joint use. Please remember that the contract must contain the subjects set forth in Title 11-102-1, *Code of Alabama, 1975*.

C. Once the plan has been developed and the contract been prepared, I recommend that the same be submitted to the City Council for consideration and final approval by another ordinance at a subsequent date.

D. I have made some changes to the MOU and forward you:

- (i) Redline/blue line draft.
- (ii) Clean copy of final draft.

February 23, 2022
Page 3

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

Sincerely,

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

Patrick H. Boone
Vestavia Hills City Attorney

PHB:gp

cc: City Manager Jeffrey D. Downes (by e-mail)
City Clerk Rebecca Leavings (by e-mail)
Police Chief Danny Rary (by e-mail)

ORDINANCE NUMBER 3095

AN ORDINANCE ADOPTING AND ENACTING SUPPLEMENT IV FOR THE VESTAVIA HILLS CODE OF ORDINANCES, REPUBLISHED 2013 PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; AND PROVIDING WHEN SUCH SUPPLEMENTS AND THIS ORDINANCE SHALL BECOME EFFECTIVE.

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

Section 1. Supplement No. 4 to the Code entitled "Vestavia Hills Code of Ordinances, Republished 2013," is adopted.

Section 2. All Ordinances of a general and permanent nature enacted on or before February 24, 2020, and in conflict with the Ordinances included in the supplement or recognized and continued in force by reference therein, are repealed.

Section 3. The repeal provided for in Section 2 hereof shall not be construed to revive any Ordinance or part thereof that has been repealed by a subsequent Ordinance that is repealed by this Ordinance.

Section 4. Unless another penalty is expressly provided, every person convicted of a violation of any provision of the Supplement or any Ordinance, rule or regulation adopted or issued in pursuance thereof shall be punished by a fine of not less than \$1.00 nor more than \$500.00 or by imprisonment at hard labor for not exceeding six months or by both such fine and imprisonment. Each act of violation and each day upon which any such violation shall continue or occur shall constitute a separate offense. In addition to the penalty prescribed above, the City may pursue other remedies such as abatement of nuisances, injunctive relief and revocation of licenses or permits.

Section 5. The Ordinances included in this Supplement shall be deemed to be incorporated in the Code, so that reference to the Code includes such Ordinances.

Section 6. Ordinances adopted after February 24, 2020 that amend or refer to Ordinances that have been included in the supplement shall be construed as if they amend or refer to like provisions of the Code.

Section 7. This Ordinance shall become effective upon adoption, approval and publication as required by law.

ADOPTED and APPROVED this 25th day of April, 2022.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CERTIFICATION:

I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance # 3095 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 25th day of April, 2022 as same appears in the official records of said City.

Posted at Vestavia Hills City Hall, Vestavia Hills Library in the Forest, Vestavia Hills Civic Center and Vestavia Hills New Merkel Houser this the _____ day of _____, 2022.

Rebecca Leavings
City Clerk

RESOLUTION NUMBER 5384

**A RESOLUTION ACCEPTING THE 2020-2021 AUDIT
FOR THE CITY OF VESTAVIA HILLS, ALABAMA**

WHEREAS, the audit for the fiscal year 2020-2021 has been submitted to the City Manager, Mayor and the City Council for review; and

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

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

1. That the City Council wishes to accept the audit for the fiscal year 2020-2021; and
2. That a copy of the submitted audit be affixed to this resolution marked “Exhibit A.”

ADOPTED and APPROVED this the 11th day of April, 2022.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk



City of Vestavia Hills, Alabama

FINANCIAL STATEMENTS

September 30, 2021



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Exhibit A - Resolution No 5384
Carr, Riggs & Ingram, LLC
3700 Colonnade Parkway
Suite 300
Birmingham, AL 35243

(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, 2021, 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.

Auditors' 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 and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. 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 auditors' 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.

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, 2021, 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 and budgetary comparison information on pages 4.1-4.12 and page 50 as well as the pension and OPEB schedules on pages 51-54 and notes to required supplementary information on page 55 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 combining other governmental fund financial statements are presented for purposes of additional analysis and is not a required part of the basic financial statements.

The combining other governmental 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 other governmental 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 March 22, 2022, on our consideration of the City's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the City's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering City's internal control over financial reporting and compliance.

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

CARR, RIGGS & INGRAM, LLC

Birmingham, Alabama

March 22, 2022

**CITY OF VESTAVIA HILLS, ALABAMA
MANAGEMENT'S DISCUSSION AND ANALYSIS
September 30, 2021**

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, 2021. Please read the report in conjunction with the City's financial statements and notes to the financial statements that immediately follow this analysis.

Financial Highlights: Significant Items to Note

- ❖ The assets of the City exceeded its liabilities at September 30, 2021, \$98.06 million (Total Net Position).
- ❖ The City's net position increased 10.60% (\$9.40 million) in 2021.
- ❖ The total cost of the City's programs for the 2021 fiscal year was \$52.9 million. The net cost was \$43.68 million after subtracting grants and contributions and charges for services.
- ❖ At September 30, 2021, the general fund unassigned fund balance, excluding the City's committed funds (Emergency Reserves) for economic stabilization of \$14.43 million, was \$6.19 million or 15.85% of total general fund operating expenses before debt service.
- ❖ Major capital expenditures totaled \$19.81 million including \$15.93 million projects in progress.
- ❖ The City decreased its outstanding General Obligation Warrants by \$4.24 million, exclusive of \$1.50 million held in the QECB Debt Sinking Fund.

Using the Annual Financial Report - An Overview for the User

The annual financial report consists of five parts - the *independent auditors' report*, *management's discussion and analysis* (this section), the *basic financial statements*, *required supplementary information*, and *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 of a private sector business. 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 of a private sector business. It presents information showing how the City's net position changed during the current fiscal year only. All of the current year revenues and expenses are accounted for in the *statement of activities* regardless of when cash is received or paid. This statement shows gross expenses and offsetting program revenues to arrive at net cost information for each major expense function or activity of the City. By showing the change in net position for the year, the reader may be able to determine whether the City's financial position has improved or deteriorated over the course of the current fiscal year.

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

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

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

Fiduciary Funds - Fiduciary funds are used to account for resources held for the benefit of parties outside the government. The criteria for activities that are not reported in a component unit are: whether a government controls the assets of the activity, and the beneficiaries with whom the fiduciary relationship exists. If the criteria is met, this activity will be reported in both a statement of fiduciary net position and statement of changes in fiduciary net position. There are four types of fiduciary funds; pension trust funds; investment trust funds, private-purpose trust funds, and custodial funds. The City has two fiduciary funds containing custodial funds.

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

Notes to the Basic Financial Statements - The *notes to the basic financial statements* provide additional information that is essential for the statements to fairly represent the City's financial position and its operations. The notes contain important information that is not part of the basic financial statements. However, the notes are an integral part of the statements, not an appendage to them. The *notes to the basic financial statements* begin on page 13 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 50 provides a comparison of the adopted budget of the City's General Fund to the actual operating results for the fiscal year. The comparison of this data allows users to assess management's ability to project and plan for its operations throughout the year. Various information regarding changes in the City's net pension liability and employer contributions to the pension plan are also presented in this section. Various information regarding changes in the City's OPEB liability and employer contributions to the OPEB plan are also presented in this section.

Analysis of the City of Vestavia Hills' Overall Financial Position

As indicated earlier, net assets 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.

	<u>2021</u>	<u>2020</u>
Assets:		
Current and other assets	\$ 46,336	\$ 54,652
Capital assets	195,058	176,358
Total Assets	<u>241,394</u>	<u>231,010</u>
Deferred outflows	11,055	9,445
Liabilities:		
Other liabilities	16,632	12,734
Long-term liabilities	137,424	138,663
Total Liabilities	<u>154,056</u>	<u>151,397</u>
Deferred inflows	334	398
Net position:		
Net invested in capital assets	91,288	81,106
Restricted	5,404	20,085
Unrestricted (deficit)	<u>1,367</u>	<u>(12,531)</u>
Total Net Position	<u>\$ 98,059</u>	<u>\$ 88,660</u>

The City's assets and deferred outflows exceeded liabilities and deferred inflows by \$98.06 million at September 30, 2021.

Net investment in capital assets of \$91.29 million reflects the City's investment in capital assets (e.g., land, infrastructure, buildings, improvements other than buildings, fixtures, furniture, equipment and transportation equipment), less accumulated depreciation and debt related to the acquisition of the assets. Since these capital assets are used in governmental activities, this portion of net assets is not available for future spending or funding of operations.

Restricted net position in the amount of \$5.40 million represents net position restricted for capital projects, \$2.25 million, debt service, \$2.15 million, and road maintenance, \$1.00 million.

Analysis of the City of Vestavia Hills' Operating Results

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

Table 2 below condenses the results of operations for the fiscal year into a format where the reader can easily see the total revenues of the City for the year. It also shows the impact that operations had on changes in net position as of September 30, 2021 and 2020.

Table 2: Summary of Changes in Net Position

	Fiscal Year Ended September 30, (dollars in thousands)	
	2021	2020
Program Revenues:		
Charges for services	\$ 7,971	\$ 7,585
Operating grants/contributions	774	1,812
Capital grants/contributions	507	1,271
General Revenues:		
Taxes	45,065	41,807
State shared revenues	875	-
Utility franchise fees	2,694	2,919
Investment earnings	330	783
Miscellaneous	150	523
Sale of assets	1	89
Donated infrastructure assets	3,960	135
Total Revenues	<u>62,327</u>	<u>56,924</u>
Program Expenses:		
General government	9,957	9,651
Public safety	23,613	21,996
Public works/Public services	12,419	12,395
Library	3,267	3,003
Appropriations to BOE	280	560
Interest on long term debt	3,392	3,200
Total Expenses	<u>52,928</u>	<u>50,805</u>
Change in net position	9,399	6,119
Net Position, beginning of year	<u>88,660</u>	<u>82,541</u>
Net Position, ending	<u>\$ 98,059</u>	<u>\$ 88,660</u>

The City's revenues, excluding donated infrastructure assets, which do not provide spendable funds, increased \$1.58 million or 2.78%. The increase resulted principally from taxes, \$4.13 million or 9.89%. The revenue increase was principally offset by decreases in operating grants/contributions, \$1.04 million or 57.28%.

The City's program expenses increased \$2.12 million or 4.18%. The increase resulted principally from public safety, \$1.62 million or 7.35% and general government, \$0.31 million or 3.17%.

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

Table 3: Net Cost of Government-Wide Activities

	Fiscal Year Ended September 30, 2021 (dollars in thousands)	
	Total Cost of Services	Net Cost of Services
General government administration	\$ 9,957	\$ 4,761
Public safety	23,613	22,263
Public works/Public services	12,419	9,797
Library	3,267	3,183
Appropriations to BOE	280	280
Interest on long term debt	3,392	3,392
Total	<u>\$ 52,928</u>	<u>\$ 43,676</u>

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 \$35.68 million, which includes general fund balances of \$14.43 million committed funds to be used for economic stabilization in the event of an unforeseen emergency and \$6.19 million unassigned funds which is available to address future needs.

Budgetary Highlights of the General Fund

On or before October 1 of each year, the City Manager prepares and submits an annual budget to be adopted by the City Council. The fiscal 2021 budget was adopted September 14, 2020. 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 46. The City's actual results as compared to the City's budget can be briefly summarized as follows:

- ❖ Actual revenues exceeded total budgeted revenues by \$6.62 million or 13.86%. Ad valorem real estate and sales taxes were the largest revenue generators, representing \$40.16 million or 73.89% of total budgeted revenues.
- ❖ Actual expenditures exceeded budget by \$1.32 million or 3.49%. The overage resulted principally due to general government administration exceeding budget by \$0.67 million or 9.76%, public safety exceeding budget by \$0.32 million or 1.58%, and public service exceeding budget by \$0.33 million or 4.19%.

Capital Assets and Debt Administration

Capital Assets - The City's investment in capital assets for governmental activities for fiscal year ended September 30, 2021 was \$91.29 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)	
	2021	2020
Land	\$ 87,480	\$ 82,623
Construction-in-progress	48,196	32,330
Buildings	23,050	23,839
Land improvements	4,921	6,474
Vehicles	5,727	2,678
Recreational facilities	7,222	7,940
Equipment and fixtures	3,655	4,703
Books and artwork	333	549
Infrastructure	14,474	15,222
Total	<u>\$ 195,058</u>	<u>\$ 176,358</u>

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

Land	\$ 3,733
Construction-in-progress	15,934
Buildings	41
Land improvements	14
Vehicles	3,219
Recreational facilities	-
Equipment and fixtures	658
Books and artwork	-
Infrastructure	167
Total	<u>\$ 23,766</u>

Long-Term Debt - At year-end, the City had \$103.52 million in general obligation warrants and capital leases. This represents a decrease of 4.84% in debt over last fiscal year, as shown in *Table 5* below.

Table 5: Outstanding Debt**As of September 30, 2021**

(dollars in thousands)

	<u>Beginning Balance</u>	<u>Net Change</u>	<u>Ending Balance</u>
Government activities:			
Warrant payable	\$ 103,000	\$ (4,235)	\$ 98,765
Capital leases	5,775	(1,025)	4,750
Totals	<u>\$ 108,775</u>	<u>\$ (5,260)</u>	<u>\$ 103,515</u>

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

- ❖ The City reduced its general obligation warrants by \$4.24 million. The ending balance includes \$1.50 million, including interest, held in the debt sinking fund for the "Qualified Energy Conservation Bonds" (QECB) payment.
- ❖ There was a net decrease of \$1.03 million in capital leases resulting from normal principal payments of outstanding capital leases.
- ❖ A favorable bond rating facilitates the City's ability to meet financial obligations. Moody's Investors Service assigned the City of Vestavia Hills ratings of "AAA stable" on its "Series 2021 Warrants."

Economic Factors and Next Year's Budget

Ad Valorem Tax – The City's ad valorem tax is based on annual reassessment of real estate and was the city's second largest revenue generator in fiscal 2021. Over the previous five years, ad valorem taxes have exceeded budget resulting from the annual appreciation of real estate.

Ad Valorem Taxes - Real Estate

Fiscal Year	Budget	Actual	Variance
2017	\$ 13,019,195	\$ 13,386,482	\$ 367,287
2018	13,728,188	14,215,087	486,899
2019	14,175,565	14,611,667	436,102
2020	14,668,306	15,786,903	1,118,597
2021	15,740,785	16,605,261	864,476

Personnel Administration Costs – The City's personnel administration is provided by the Personnel Board of Jefferson County (PBJC). Participating municipalities pay an annual fee based on the number of classified employees employed by the municipality times a percentage of the PBJC's operating budget. The City of Vestavia Hills actual expense for fiscal 2021 was \$311,699.

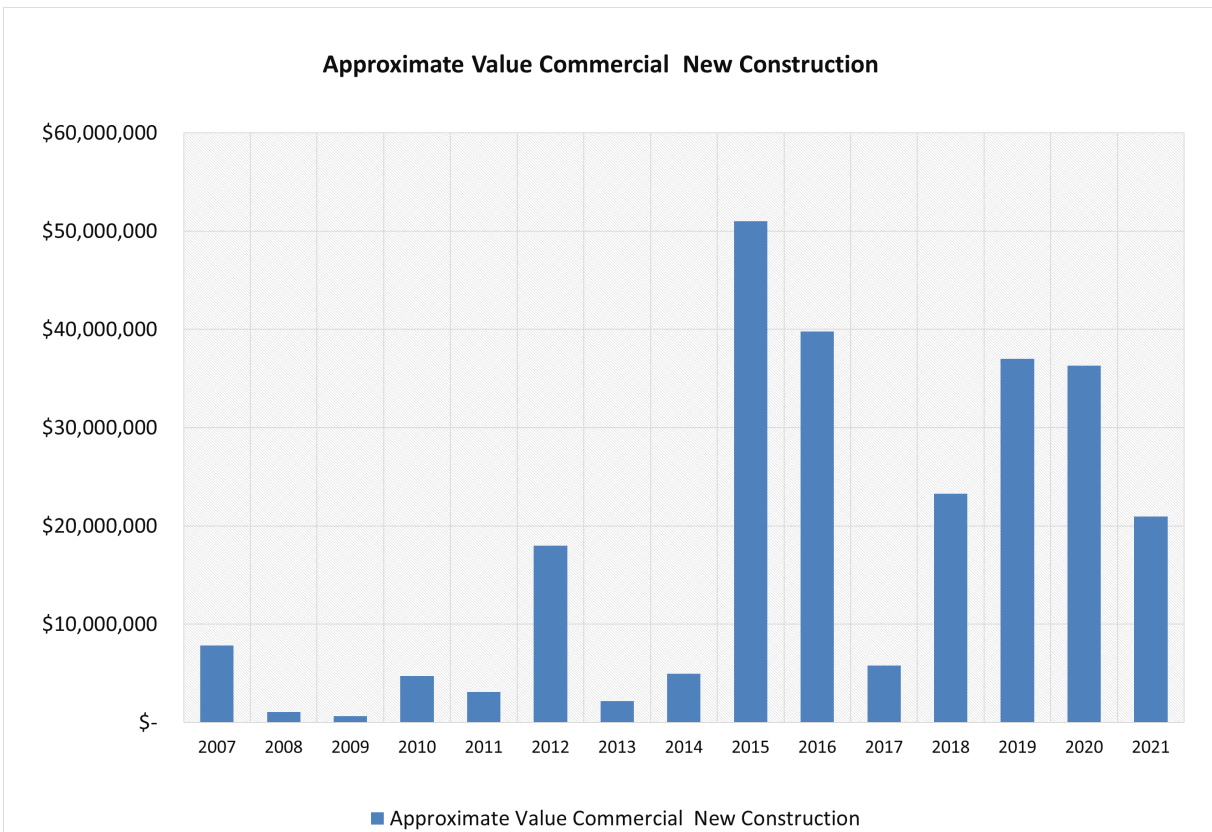
Medical Costs – The City of Vestavia Hills' health insurance is with and administered through the "State of Alabama Local Government Health Insurance Board". In fiscal 2021, Vestavia Hills retained its preferred insurance classification rating resulting from minimal medical claims and 80% or greater employee participation in the State of Alabama's "Wellness Screening Program". There was a budgeted increase of 5.5%, anticipating an increase by the Alabama Local Government Health Insurance Board in calendar year 2021, which resulted in a budgeted contribution of \$2.22 million.

Retirement Costs – The City's retirement program for employees is provided through the Retirement System of Alabama (RSA). The pension plan is currently funded at 66.22%, reflecting an unfunded liability of \$32.27 million as of the latest measurement date – September 30, 2020. Vestavia Hills' contribution factors for fiscal 2021 were 14.18% - Tier 1 and 11.05% - Tier 2, representing budgeted contributions of \$2.70 million.

Cost-of-Living Raise – A 1% cost of living adjustment was included in the 2021 fiscal budget.

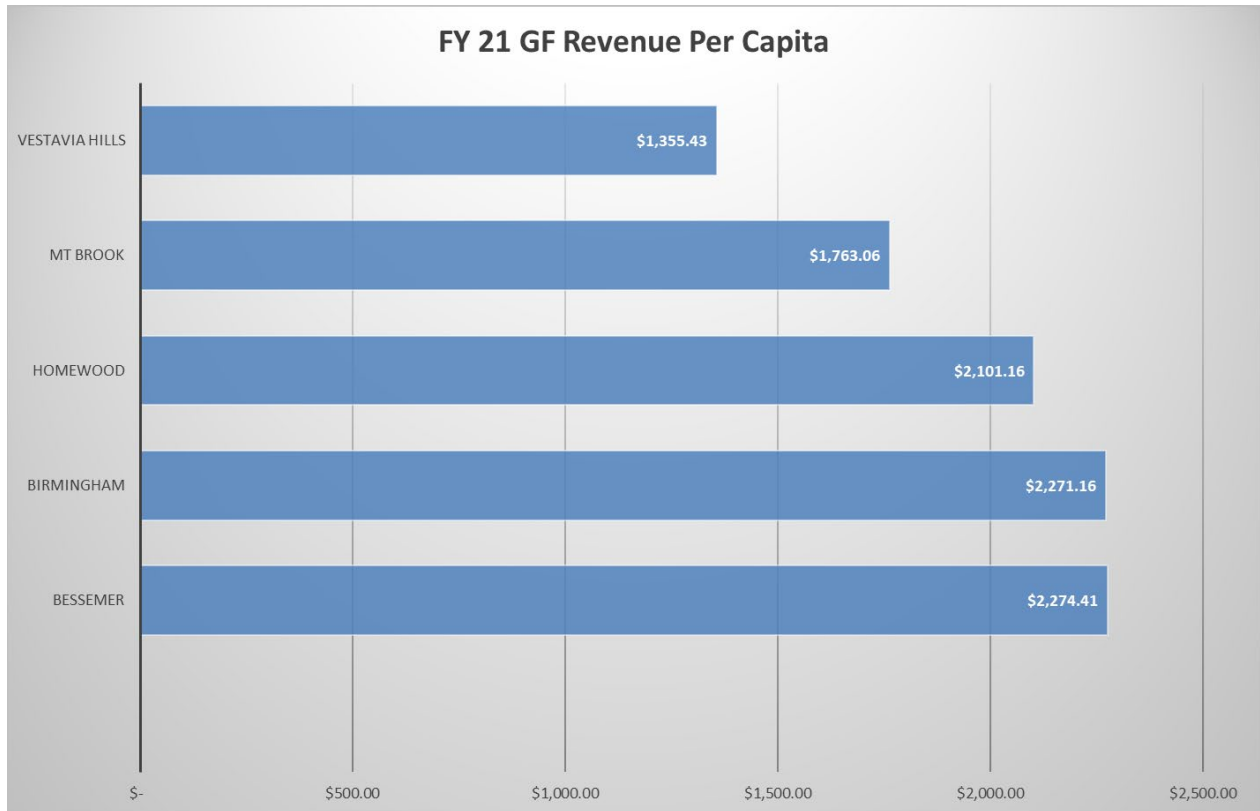
CITY MANAGER'S COMMENTS:**Fiscal Year 2021 Management Report**

Review of the financial and economic activities with the City of Vestavia Hills during FY 2021 reveal a robust economic climate for our community that is in high demand for residential and commercial audiences. Quality and conveniently located housing with access to an excellent school system continues to provide a strong demand for available existing and soon to be constructed residences. In fact, the 2021 Zillow Home Value Index for single family homes in Vestavia Hills indicate a 12% year-over-year growth in home values. This is on top of Vestavia Hills' home values that Zillow report to be 48% higher than the United States average for single family homes. From a commercial standpoint, Vestavia Hills continues to experience record commercial new construction valuation as seen in six out of the last seven years. These impressive real estate metrics buoy the City's continued growth in ad valorem taxes -an important portion of the City's mix of tax revenue.



Additionally, the City of Vestavia Hills continues to experience extraordinary growth in its other large tax revenue- sales tax. Sales tax gives a great indication of the gross economic activity occurring within the City. Locally collected and on-line sales taxes remain at all-time high levels. During 2021, the retail sector in Vestavia Hills welcomed a new tenant mix to its largest shopping center. These new retail offerings are driving shopping behavior due to the unique nature of the retail offerings. New retailers include Crumbl Cookie, Taco Mama, Chopt Salad Company along with large volume restaurants such as the second location of Chick-fil-a and Milo's. Under construction are notable restaurants such as Davenport's Pizza and Cajun Steamer. During FY 2020, the City strategically facilitated the private sector construction of two

additional Publix branded grocery stores that opened in the midst of the pandemic. The addition of those two locations and, with them being operational for an entire year, led to a dramatic increase in sales taxes associated with grocery purchases. The large revenue growth in the City was also accompanied with very conservative budgeting and expense management. A hallmark of City operations, Vestavia Hills per capita expenses are well below neighboring communities.



The resulting financial implication for the City’s General Fund was a record surplus to end FY 2021. This surplus further reinforced existing financial reserves. The results and historical context are illustrated in the table below.

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

Fiscal Year	FY Surplus	EOY Fund Balance	% Change
2021	\$ 2,444,345	\$ 21,164,992	13.06%
2020	2,717,800	18,720,647	16.98%
2019	1,459,976	16,002,847	10.04%
2018	1,184,355	14,542,871	8.87%
2017	(103,003)	13,358,516	-0.77%
2016	443,870	13,461,519	3.41%

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

Conclusion

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

Contacting the City's Financial Management

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

<i>September 30, 2021</i>	Governmental Activities
Assets	
Cash	\$ 22,687,787
Cash - restricted	4,285,742
Investments	13,071,813
Investment - restricted	1,495,384
Receivables, net of allowance for uncollectibles	4,747,039
Prepaid expenses	48,482
Land	87,479,593
Construction in progress	48,196,146
Capital assets, net of accumulated depreciation	59,382,096
Total assets	241,394,082
Deferred Outflows of Resources	
Deferred charges - debt refunding	1,973,835
Employer pension contributions subsequent to measurement date	2,702,938
Differences between expected and actual experience of pension plan	2,335,441
Changes of assumptions - pension	1,300,424
Net difference between projected and actual earnings on pension plan investments	1,925,596
Differences between expected and actual experience of OPEB plan	227,559
Changes of assumptions - OPEB	589,100
Total deferred outflows of resources	11,054,893
Liabilities	
Accounts payable	3,833,369
Retainage payable	719,935
Accrued payroll	23,296
Court and performance bonds payable	1,358,295
Accrued interest payable	299,647
Other liability	261,181
Unearned revenues - grants	4,086,237
Unearned revenues - other	24,655
Noncurrent liabilities	
Due within one year	
Compensated absences	437,238
Warrant obligations, net	4,390,000
Capital lease obligations	1,198,655
Due in more than one year	
Compensated absences	2,477,682
Warrant obligations, net	97,314,479
Capital lease obligations	3,552,101
Net pension liability	32,274,289
OPEB liability	1,804,855
Total liabilities	154,055,914
Deferred Inflows of Resources	
Differences between expected and actual experience of pension plan	297,242
Changes of assumptions - OPEB liability	37,228
Total deferred inflows of resources	334,470
Net Position	
Net investment in capital assets	91,287,511
Restricted for debt service	2,147,425
Restricted for capital projects	2,247,588
Restricted for gas tax funds	1,009,245
Unrestricted	1,366,822
Total net position	\$ 98,058,591

For the year ended September 30, 2021

Program Activities	Expenses	Program Revenues			Net (Expense)
		Fees, Fines and Charges for Services	Operating Grants and Contributions	Capital Grants and Contributions	Revenue and Changes in Net Assets Primary Government Total
Primary government					
Governmental activities					
General government administration	\$ 9,956,827	\$ 4,685,451	\$ 3,672	\$ 506,712	\$ (4,760,992)
Public safety	23,613,472	732,861	617,764	-	(22,262,847)
Public services	12,418,524	2,496,465	125,056	-	(9,797,003)
Library	3,266,575	56,144	27,689	300	(3,182,442)
Appropriations to BOE	280,000	-	-	-	(280,000)
Interest on long-term debt	3,392,484	-	-	-	(3,392,484)
Total primary government	\$ 52,927,882	\$ 7,970,921	\$ 774,181	\$ 507,012	(43,675,768)
		General revenues			
		Taxes			
		Advalorem (real and personal property)			18,433,130
		Sales and use			24,771,713
		Other taxes			1,860,561
		State shared revenues			874,596
		Utility franchise fees			2,694,435
		Investment earnings			329,947
		Donated infrastructure assets			3,959,625
		Miscellaneous			149,265
		Gain on sale of assets			1,396
					<u>53,074,668</u>
		Change in net position			9,398,900
		Net position at beginning of year			<u>88,659,691</u>
		Net position at end of year			<u>\$ 98,058,591</u>

September 30, 2021

	General	Capital Projects	Capital Projects- Community Spaces	Debt Service	Other Governmental Funds	Total Governmental Funds
Assets						
Cash	\$ 6,614,087	\$ 6,042,943	\$ 8,364,082	\$ 592,496	\$ 1,074,179	\$ 22,687,787
Cash - restricted	1,366,870	671,284	2,247,588	-	-	4,285,742
Investments	13,071,813	-	-	-	-	13,071,813
Investments - restricted	-	-	-	1,495,384	-	1,495,384
Accounts receivable, net of allowance for uncollectibles	2,919,542	416,844	300,000	59,545	1,051,108	4,747,039
Prepaid expenses	48,302	180	-	-	-	48,482
Interfund receivables	131,015	89,194	-	-	-	220,209
Total assets	\$ 24,151,629	\$ 7,220,445	\$ 10,911,670	\$ 2,147,425	\$ 2,125,287	\$ 46,556,456
Liabilities						
Accounts payable	\$ 1,491,197	\$ 1,143,203	\$ 1,130,523	\$ -	\$ 68,446	\$ 3,833,369
Retainage payable	-	213	603,433	-	116,289	719,935
Accrued payroll	23,296	-	-	-	-	23,296
Court and performance bonds payable	1,358,295	-	-	-	-	1,358,295
Other liability	-	-	-	-	261,181	261,181
Interfund payables	89,194	-	-	-	131,015	220,209
Unearned revenues - grants	-	4,086,237	-	-	-	4,086,237
Unearned revenues - other	24,655	-	-	-	-	24,655
Total liabilities	2,986,637	5,229,653	1,733,956	-	576,931	10,527,177
Deferred Inflows of Resources						
Unavailable revenues - capital improvement fund	-	350,000	-	-	-	350,000
Total deferred inflows of resources	-	350,000	-	-	-	350,000
Fund Balance						
Nonspendable	48,302	-	-	-	-	48,302
Restricted for:						
Road maintenance	-	-	-	-	1,009,245	1,009,245
Capital projects	-	-	2,247,588	-	-	2,247,588
Debt service	-	-	-	2,147,425	-	2,147,425
Committed to:						
Capital projects	-	1,640,792	6,930,126	-	-	8,570,918
Emergency reserve	14,430,713	-	-	-	-	14,430,713
Assigned	500,000	-	-	-	539,111	1,039,111
Unassigned (deficit)	6,185,977	-	-	-	-	6,185,977
Total fund balance	21,164,992	1,640,792	9,177,714	2,147,425	1,548,356	35,679,279
Total liabilities, deferred inflows of resources, and fund balance	\$ 24,151,629	\$ 7,220,445	\$ 10,911,670	\$ 2,147,425	\$ 2,125,287	\$ 46,556,456

September 30, 2021

Fund balance - total governmental funds \$ 35,679,279

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

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

Governmental capital assets	\$ 259,734,263	
Accumulated depreciation	<u>(64,676,428)</u>	195,057,835

Deferred outflows of resources related to debt refundings, pensions, and OPEB are applicable to future periods and, therefore, are not reported in the governmental funds balance sheet.

11,054,893

Deferred inflows of resources related to pensions and OPEB are applicable to future periods and, therefore, are not reported in the governmental funds balance sheet.

(334,470)

Deferred inflows of resources related to unavailable revenues

350,000

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

Warrant obligations, net	(101,704,479)	
Net pension liability	(32,274,289)	
OPEB liability	(1,804,855)	
Compensated absences	(2,914,920)	
Accrued interest payable	(299,647)	
Capital lease obligations	<u>(4,750,756)</u>	(143,748,946)

Net position of governmental activities \$ 98,058,591

<i>For the year ended September 30, 2021</i>	General	Capital Projects	Capital Projects - Community Spaces	Debt Service	Other Governmental Funds	Total Governmental Funds
Revenues						
Taxes	\$ 43,358,100	\$ -	\$ -	\$ -	\$ 1,707,303	\$ 45,065,403
Licenses and permits	5,213,938	-	-	-	215,883	5,429,821
Intergovernmental	-	-	-	-	874,596	874,596
Charges for services	664,128	-	-	-	-	664,128
Fines and forfeitures	404,510	-	-	-	542,512	947,022
Fees	2,768,952	-	-	-	-	2,768,952
Grants	870,103	643,278	511,658	-	27,064	2,052,103
Proceeds from sale of assets	160,221	-	-	-	-	160,221
Interest revenues	131,510	10,933	156,297	30,884	326	329,950
Library revenues	-	-	-	-	57,069	57,069
Other revenues	780,257	47,599	359	119,090	1,250	948,555
Total revenues	54,351,719	701,810	668,314	149,974	3,426,003	59,297,820
Expenditures						
Current (operating)						
General government administration	7,490,206	213,439	25	8,250	632,753	8,344,673
Public safety	20,872,268	161,157	-	-	820,033	21,853,458
Public services	8,183,689	210,029	66,767	-	1,599,540	10,060,025
Library	2,234,192	-	-	-	99,369	2,333,561
Debt service	-	1,177,977	124,153	7,613,348	147,640	9,063,118
Capital outlay	259,325	4,378,717	14,877,850	-	290,025	19,805,917
Total expenditures	39,039,680	6,141,319	15,068,795	7,621,598	3,589,360	71,460,752
Excess of revenues over (under) expenditures	15,312,039	(5,439,509)	(14,400,481)	(7,471,624)	(163,357)	(12,162,932)
Other Financing Sources (Uses)						
Operating transfers in	81,336	2,552,265	5,869,862	7,630,026	64,052	16,197,541
Operating transfers out	(12,949,030)	(75,424)	(3,167,175)	-	(5,912)	(16,197,541)
Appropriations to BOE	-	-	(280,000)	-	-	(280,000)
Other financing sources - proceeds of capital lease	-	294,370	-	-	-	294,370
Total other financing sources (uses)	(12,867,694)	2,771,211	2,422,687	7,630,026	58,140	14,370
Excess of revenues and other financing sources over (under) expenditures and other financing uses	2,444,345	(2,668,298)	(11,977,794)	158,402	(105,217)	(12,148,562)
Fund balance at beginning of year	18,720,647	4,309,090	21,155,508	1,989,023	1,653,573	47,827,841
Fund balance at end of year	\$ 21,164,992	\$ 1,640,792	\$ 9,177,714	\$ 2,147,425	\$ 1,548,356	\$ 35,679,279

For the year ended September 30, 2021

Net change in fund balances - total governmental funds		\$ (12,148,562)
<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	\$ 19,805,917	
Less current year depreciation	<u>(4,906,933)</u>	14,898,984
<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>		
The effect of donated infrastructure		3,959,625
<p>Repayment of long-term debt principal (including capital leases) are expenditures in the governmental funds, but reduce long-term liabilities in the statement of net position.</p>		
		5,554,073
<p>Proceeds from capital leases are reported as financing sources in the governmental funds and thus contribute to the change in fund balance. Capital leases increase liabilities in the statement of net position, but does not affect the statement of activities.</p>		
		(294,370)
<p>Some of the City's revenues will be collected after year-end, but are not available soon enough to pay for the current period's expenditures and, therefore, are reported as deferred inflows of resources in the funds. However, amounts are recorded as current year revenues in the statement of activities. The net effect of these transactions is to increase net position.</p>		
		2,984
<p>The net effect of transactions involving the disposal of capital assets is to decrease net position.</p>		
		(158,825)
<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>		
Difference in pension expense related to deferred outflows and inflows of resources and net pension liability	\$ (2,221,527)	
Difference in OPEB expense related to deferred outflows and inflows of resources and net OPEB liability	(136,855)	
Change in long-term compensated absences	(172,302)	
Change in accrued interest payable	47,330	
Amortization of bond premiums/discounts, net	330,198	
Amortization of loss on refunding	<u>(261,853)</u>	<u>(2,415,009)</u>
Change in net position of governmental activities		<u>\$ 9,398,900</u>

<i>September 30, 2021</i>	Custodial Funds			Total
	Board of Education Tax Fund	Vehicle Tag Tax Fund		
Assets				
Cash and cash equivalents	\$ 516,132	\$ 157,877		\$ 674,009
Total assets	\$ 516,132	\$ 157,877		\$ 674,009
Liabilities				
Due to other governments	\$ 516,132	\$ 157,877		\$ 674,009
Total liabilities	516,132	157,877		674,009
Net Position				
Restricted			-	-
Total net position			-	-
Total liabilities and net position	\$ 516,132	\$ 157,877		\$ 674,009

<i>For the year ended September 30, 2021</i>	Custodial Funds			Total
	Board of Education Tax Fund	Vehicle Tag Tax Fund		
Additions				
Advalorem taxes for other governments	\$ 24,429,199	\$ 2,680,531		\$ 27,109,730
Total additions	24,429,199	2,680,531		27,109,730
Deductions				
Advalorem taxes to other governments	24,429,199	2,680,531		27,109,730
Total deductions	24,429,199	2,680,531		27,109,730
Net increase (deficiency) in fiduciary net position	-	-		-
Net position - beginning of year	-	-		-
Net position - end of year	\$ -	\$ -		\$ -

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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 five-year terms. The City Manager is appointed by the City Council. The terms of the current administration are scheduled to expire October 31, 2025.

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

Related Organization

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

The City currently receives real property advalorem taxes from the Jefferson and Shelby County Tax Collectors based on a total millage rate of 49.30 mills. Of the 49.30 mills received from the County, 20.55 mills are kept by the City to fund general government operations and the balance of 28.75 mills is remitted by the City to the Board. The City also remits personal advalorem property taxes to the Board. During the year ended September 30, 2021, the total advalorem taxes remitted to the Board amounted to approximately \$24,429,199 and \$516,132 was due the Board of Education at September 30, 2021. Because of the custodial nature of these transactions that pass through the City from Jefferson and Shelby Counties to the Board, the City accounts for this activity in a fiduciary fund in accordance with GASB Statement No. 84.

The City also appropriates a portion of sales taxes collected within the City to the Board. During the year ended September 30, 2021, the total sales taxes appropriated to the Board was \$440,240 and \$38,226 was due to the Board as of September 30, 2021.

During the year ended September 30, 2020, the City and the Board entered into a funding agreement whereby the City has agreed to use excess Community Spaces funds to cover 25% of the cost of debt service in relation to the Board's debt for various capital improvements. Annual support will be \$280,000 per year for ten years. At September 30, 2021, the City was nine years into the ten year agreement.

Note 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)***Government-wide Financial Statements***

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

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

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

Fund Financial Statements

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

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

The funds of the financial reporting entity are described below:

Governmental Funds

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

Note 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Fund Financial Statements (Continued)

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

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

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

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

The City has two Fiduciary Funds:

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

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

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

Measurement Focus and Basis of Accounting

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

Note 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)***Measurement Focus and Basis of Accounting (Continued)******Measurement Focus***

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

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

Basis of Accounting

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

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

Cash and Cash Equivalents

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

Receivables

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

Note 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)***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 sixty days since they would be considered both measurable and available.

Equity Classifications**Government-wide Financial Statements**

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

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

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

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

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

Fund Financial Statements

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

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

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

Note 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)***Equity Classifications (Continued)*****Fund Financial Statements (Continued)**

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

Assigned Fund Balance – The classification reflects the amounts constrained by the City’s “intent” to be used for specific purposes, but are neither restricted nor committed. The City Council and 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 balance, which includes \$250,000 for the City’s unfunded pension liability and \$250,000 for the City’s insurance reserve.

The City Council has adopted an Emergency Reserve Fund Balance Policy. Under this policy, it is the City’s intent to develop and maintain a General Fund Emergency Reserve fund balance representing at least 25% of prior year actual General Fund expenditures (modified accrual basis) plus operating transfers out. The City Council has currently committed \$14,430,713 of General Fund balance for economic stabilization in case of an emergency. An emergency that would warrant use of their committed fund balance is defined as an unforeseen non-routine event that generally represents an economic impact to the City greater than 5% of the previous 5-year average of sales tax collections by the City and this event cost can’t be absorbed by reducing the current year budgeted expenses, increasing current year budgeted revenue, or the event occurred too late in the year to overcome the impact by adjusting the budget in the normal course of the City’s business.

The City has assigned \$539,111 of the Other Governmental Funds balance for use as follows: \$163,410 for E-911, \$273,272 for the Library, \$19,753 for Court & Corrections, and \$82,676 for Capital Projects – Sidewalks.

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

Note 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)***Budgetary Information******Budgetary Basis of Accounting***

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

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

Long-term Debt

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

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

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.

Note 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)***Fixed Assets***

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

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

Depreciation of all exhaustible fixed assets is recorded as an allocated expense in the Statement of Activities, with accumulated depreciation reflected in the Statement of Net 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.

Investments

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

Restricted Assets

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

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

Bond and Capital Lease Debt Service Accounts – Includes certain proceeds from issuance of revenue bonds, as well as certain resources set aside for the repayment of bonds or capital lease obligations.

Note 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)***Restricted Assets (Continued)***

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

Compensated Absences

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

Pension

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

Other Postemployment Benefits (OPEB)

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

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.

Note 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)***Interfund Transactions (Continued)***

Details of current interfund receivables and payables are as follows:

Payable from	Payable to	Amount
General Fund	Capital Projects Fund	\$ 89,194
Other Governmental Funds	General Fund	<u>131,015</u>
		<u>\$ 220,209</u>

The purpose of the interfund receivable balance to the Capital Projects Fund is for the sales tax capital reserve transfer.

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

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

Transfers for the fiscal year ended September 30, 2021 consisted of the following:

Transfer to	Transfer From				Total
	General Fund	Capital Projects Fund	Capital Projects-Community Spaces Fund	Other Government Funds	
Other Governmental Funds	\$ 64,052	\$ -	\$ -	\$ -	\$ 64,052
Capital Projects Fund	2,552,265	-	-	-	2,552,265
Capital Projects - Community Spaces Fund	5,869,862	-	-	-	5,869,862
Debt Service Fund	4,462,851	-	3,167,175	-	7,630,026
General Fund	-	75,424	-	5,912	81,336
Total	<u>\$ 12,949,030</u>	<u>\$ 75,424</u>	<u>\$ 3,167,175</u>	<u>\$ 5,912</u>	<u>\$ 16,197,541</u>

The purpose of the transfer from the General Fund to the Other Governmental Funds is for the operations of the Municipal Court.

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

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

Note 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)***Interfund Transactions (Continued)***

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

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

Property Taxes

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

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.

Deferred Outflows/Inflows

In addition to assets, the statement of net position will sometimes report a separate section for deferred outflows of resources. This separate financial statement element represents a consumption of net position that applies to a future period(s) and so will not be recognized as an outflow of resources (expense/expenditure) until then. The City currently has several items that qualify for reporting in this category. The first is the deferred charge on refunding reported in the government-wide statement of net position. A deferred charge on refunding results from the difference in the carrying value of refunded debt and its reacquisition price. This amount is deferred and amortized over the shorter of the life of the refunded or refunding debt. The second one is related to pensions resulting from City contributions subsequent to the measurement date that will be recognized as a reduction of net pension liability in 2022. The third, fourth, and fifth items are also associated with the City's pension plan and are related to changes of assumptions, differences between expected and

Note 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)***Deferred Outflows/Inflows (Continued)***

actual experience used to calculate the total pension liability, and difference between projected and actual earnings on plan investments. The sixth and seventh items are associated with the City's OPEB plan and are related to differences between expected and actual experience and changes of assumption used to calculate the total OPEB liability.

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

Economic Dependency

The City receives a significant portion of their revenue from property taxes and sales and use taxes. Property tax revenue was \$18,433,130 or 29.6% of total revenue in fiscal year 2021. Sales and use tax revenue was \$24,771,713 or 39.7% of total revenue in fiscal year 2021.

Subsequent Events

Management has evaluated subsequent events through the date that the financial statements were available to be issued, March 22, 2022. See Note 15 for relevant disclosure. No subsequent events occurring after this date have been evaluated for inclusion in these financial statements.

Note 2: CASH AND INVESTMENTS***Cash***

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

	Carrying Amount	Bank Balance
All funds (excluding fiduciary funds)	\$26,973,529	\$27,404,372
Fiduciary fund - vehicle tag tax fund	157,877	157,877
Fiduciary fund - Board of Education tax fund	516,132	516,132
Total	\$27,647,538	\$28,078,381

Note 2: CASH AND INVESTMENTS (Continued)***Cash (Continued)***

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, 2021, all of the City's cash depositories are participating in the SAFE program.

Custodial credit risk is the risk that, in the event of a bank failure, the City's deposits may not be returned to it. Management believes that there is no significant custodial credit risk because as of September 30, 2021, all of the bank balance of the City's funds was either covered by federal depository insurance or secured by collateral through the Alabama State Treasury's Security for Alabama Funds Enhancement (SAFE) Program. Under the SAFE program, the City's funds are protected through a collateral pool administered by the Alabama State Treasury.

Included in the carrying amount above are restricted assets totaling \$4,285,742, which includes deposits related to the following: \$70,358 court appearance bonds, \$325,085 lease escrow, \$456,211 police confiscations, \$2,137,575 community spaces, and \$1,296,513 contractor's surety. These deposits consist of cash equivalents and are considered restricted as they are payable to various third parties upon completion of a future event. Accordingly, a corresponding liability is recorded for this amount.

Investments**Investments – Interest Rate Risk, Credit Risk, Custodial Risk and Fair Value Reporting**

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

The City has the following recurring fair value measurements as of September 30, 2021 in its investment portfolio:

- Certificates of deposit totaling \$13,071,813 million (Level 2 inputs)
- Guaranteed Investment Contract held in restricted bond sinking fund trust in the amount of \$1,495,384 (Level 3 inputs)

Note 2: CASH AND INVESTMENTS (Continued)**Investments (Continued)**

At September 30, 2021, the City had the following investments and maturities:

	Investment Maturity in Years		
	Fair Value	Less Than 1	From Up To 2
Investments:			
Certificates of deposit	\$ 13,071,813	\$ 13,071,813	\$ 0
Guaranteed Investment Contract (restricted - held in bond sinking fund trust)	1,495,384	1,495,384	0
Total portfolio	\$ 14,567,197	\$ 14,567,197	\$ 0

Interest Rate Risk. As a means of limiting its exposure to fair value losses arising from rising interest rates, the City's investment policy restricts all investments of funds to be used for current operations to those with maturities of one year or less and Capital Projects, Emergency Reserve and Special Revenue Fund(s) investments to those with maturities of two years or less. Cash and investment maturities as of September 30, 2021, were as follows:

Maturity	Portion of Respective Portfolio
Less than one year	100%
1-2 years	0%
	100%

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

Note 2: CASH AND INVESTMENTS (Continued)***Investments (Continued)***

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

The City limits the amounts it may invest in any single security type or with a single financial institution to no more than 50% of the overall portfolio. None of the City's investments exceeded these limits at September 30, 2021. The City's investment in the Guaranteed Investment Contract exceeded 5% of the overall portfolio but was less than 50% of the overall portfolio. The City's certificates of deposits are held in separate financial institutions to ensure fully insured balances under FDIC limits. No certificate of deposit balance exceeded 50% at any one financial institution at September 30, 2021.

Because of FDIC insurance and collateralization, the City believes there is no significant custodial credit risk as of September 30, 2021.

The City's \$13,071,813 in certificates of deposits had no amounts exceeding the FDIC insured limit.

The City's restricted investment held in a bond sinking fund trust of \$1,495,382 was collateralized by a financial institution in an amount exceeding 104% of the value. The City deposits cash funds annually into a bond sinking fund trust which is separately managed by a financial institution. This trust and the related investment management is a required part of the City's Series 2013 general obligation Qualified Energy Conservation Bond indenture. This investment is exempted from the City's normal investment portfolio policy since it is required under a separate debt agreement.

Note 3: CAPITAL ASSETS

Following is a summary of the changes in the City's capital assets for the year ended September 30, 2021:

	Balance at 9/30/2020	Additions	Disposals/ Retirements/ Completed	Reclassifications	Balance at 9/30/2021
Capital Assets Not Being Depreciated					
Land	\$ 82,623,425	\$ 3,733,060	\$ -	\$ 1,123,108	\$ 87,479,593
Construction in progress	32,329,529	15,933,860	-	(67,243)	48,196,146
Total capital assets not being depreciated	114,952,954	19,666,920	-	1,055,865	135,675,739
Capital Assets Being Depreciated					
Land improvements	13,103,719	14,300	-	(1,096,192)	12,021,827
Buildings	30,910,561	41,006	-	75,083	31,026,650
Building equipment and fixtures	449,678	-	-	(1,238)	448,440
Vehicles	8,418,407	3,218,788	(815,899)	952,261	11,773,557
Equipment	9,034,386	382,792	(88,567)	(955,044)	8,373,567
Computer equipment	2,469,880	70,819	(257,765)	(4,653)	2,278,281
Recreational equipment	3,100,065	161,286	-	(18,001)	3,243,350
Office furniture and fixtures	2,408,687	42,506	-	-	2,451,193
Office equipment	133,715	-	-	-	133,715
Recreational facilities	23,078,608	-	-	(1)	23,078,607
Books and artwork	2,360,971	-	-	(1)	2,360,970
Infrastructure	26,709,321	167,125	-	(8,079)	26,868,367
Total capital assets being depreciated	122,177,998	4,098,622	(1,162,231)	(1,055,865)	124,058,524
Less Accumulated Depreciation					
Land improvements	6,629,811	563,586	-	(92,802)	7,100,595
Buildings	7,071,869	883,757	-	20,459	7,976,085
Building equipment and fixtures	264,587	22,925	-	(65,089)	222,423
Vehicles	5,740,514	1,017,555	(662,502)	(48,084)	6,047,483
Equipment	6,171,688	333,323	(88,567)	61,934	6,478,378
Computer equipment	1,985,564	180,129	(252,337)	6,179	1,919,535
Recreational equipment	2,022,606	97,477	-	110	2,120,193
Office furniture and fixtures	2,315,908	53,560	-	29,357	2,398,825
Office equipment	132,759	81	-	850	133,690
Recreational facilities	15,138,197	728,233	-	(9,284)	15,857,146
Books and artwork	1,811,499	216,716	-	(69)	2,028,146
Infrastructure	11,487,899	809,591	-	96,439	12,393,929
Total accumulated depreciation	60,772,901	4,906,933	(1,003,406)	-	64,676,428
Total capital assets being depreciated, net	61,405,097	(808,311)	(158,825)	(1,055,865)	59,382,096
Governmental activities capital assets, net	\$ 176,358,051	\$ 18,858,609	\$ (158,825)	\$ -	\$ 195,057,835

Note 3: CAPITAL ASSETS (Continued)

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

Governmental activities	
General government administration	\$ 1,079,525
Public safety	981,387
Public services	2,060,912
Library	785,109
<hr/>	
Total depreciation expense	<u>\$ 4,906,933</u>

Note 4: CAPITALIZED LEASES

At September 30, 2021, approximately \$4,209,402 in accumulated depreciation has been recorded in the government-wide financial statements related to vehicles, emergency vehicles, and equipment costing \$9,245,985 purchased under capital leases. The current portion of the outstanding liability related to these capital leases at September 30, 2021 reported in the government-wide financial statements totaled \$1,198,655. The remaining long-term portion of these capital lease obligations reported in the government-wide financial statements totaled \$3,552,101 at September 30, 2021.

The following schedule shows the future minimum lease payments at September 30, 2021:

<i>For the years ending September 30,</i>	Interest	Principal	Total Lease Payment
2022	\$ 82,935	\$ 1,198,655	\$ 1,281,590
2023	64,846	1,042,032	1,106,878
2024	49,218	923,104	972,322
2025	31,946	916,762	948,708
2026	14,982	433,897	448,879
2027 and thereafter	4,429	236,306	240,735
<hr/>			
Total	\$ 248,356	\$ 4,750,756	\$ 4,999,112
<hr/>			
Capital leases at September 30, 2020			\$ 5,775,459
Additions			294,370
Principal payments			(1,319,073)
<hr/>			
Capital leases at September 30, 2021			<u>\$ 4,750,756</u>

Note 5: ACCOUNTS RECEIVABLE

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

	General Fund	Capital Projects Fund	Capital Projects - Community Spaces Fund	Debt Service Fund	Other Governmental Funds	Total
Sales taxes	\$ 2,056,847	\$ -	\$ -	\$ -	\$ -	\$ 2,056,847
Property taxes	346,250	-	-	-	-	346,250
Other taxes	132,341	-	-	-	824,138	956,479
Franchise fees	112,666	-	-	-	-	112,666
Transport receivable	219,516	-	-	-	-	219,516
Intergovernmental	-	-	-	-	226,970	226,970
Other receivables	51,922	416,844	300,000	59,545	-	828,311
Total	\$ 2,919,542	\$ 416,844	\$ 300,000	\$ 59,545	\$ 1,051,108	\$ 4,747,039

Note 6: LONG-TERM DEBT

As of September 30, 2021, the City's warrant obligations consisted of the following:

Warrant obligations at September 30, 2020	\$103,000,000
Principal payments	(4,235,000)
Total principal outstanding	98,765,000
Unamortized bond issuance discount	(72,093)
Unamortized bond premium	3,011,572
Total warrant obligations at September 30, 2021	\$101,704,479

Note 6: LONG-TERM DEBT (Continued)

The following is a summary of the changes in long-term debt of the City for the year ended September 30, 2021:

	Balance 9/30/2020	Additions	Reductions	Balance 9/30/2021	Due Within One Year
General Obligation Warrants, Series 2012	\$ 990,000	\$ -	\$ 640,000	\$ 350,000	\$ 350,000
General Obligation Warrants, QECB Series 2013	4,245,000	-	-	4,245,000	-
General Obligation Warrants, Series 2014	1,000,000	-	355,000	645,000	360,000
General Obligation Warrants, Series 2014 (CWSRF-DL)	715,000	-	45,000	670,000	45,000
General Obligation Warrants, Series 2015	7,145,000	-	830,000	6,315,000	845,000
General Obligation Warrants, Series 2016	11,120,000	-	850,000	10,270,000	905,000
General Obligation Warrants, Series 2018	53,725,000	-	1,035,000	52,690,000	1,085,000
General Obligation Warrants, Series 2020A	4,175,000	-	175,000	4,000,000	475,000
General Obligation Warrants, Series 2020B	19,885,000	-	305,000	19,580,000	325,000
Total principal outstanding	103,000,000	-	4,235,000	98,765,000	4,390,000
Unamortized bond premium	3,349,788	-	338,216	3,011,572	-
Unamortized bond issuance discount	(80,111)	-	(8,018)	(72,093)	-
Capital leases - direct borrowing	5,775,459	294,370	1,319,073	4,750,756	1,198,655
Total long-term debt	\$ 112,045,136	\$ 294,370	\$ 5,884,271	\$ 106,455,235	\$ 5,588,655

Note 6: LONG-TERM DEBT (Continued)

Outstanding principal of warrant obligations of the City at September 30, 2021 consist of the following:

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.	\$ 350,000
General Obligation Warrants, Qualified Energy Conservation Bonds (QECCB) Series 2013 were issued in the principal amount of \$4,245,000 in May 2013. The warrants bear interest at an average of 2.20%, payable semiannually on February 1 and August 1. The warrants mature serially with a final maturity in 2033 and are callable at any time without penalty. (Net of \$1,495,384 held in sinking fund for repayment).	2,749,616
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.	645,000
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.	670,000
General Obligation Warrants, Series 2015 were issued in the principal amount of \$9,205,000 in August 2015. 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 2028 and are callable at any time without penalty.	6,315,000
General Obligation Warrants, Series 2016 were issued in the principal amount of \$11,810,000 in June 2016. The warrants bear interest at an average of 3.00%, payable semiannually on February 1 and August 1. The warrants mature serially with a final maturity in 2028 and are callable at any time without penalty.	10,270,000
General Obligation Warrants, Series 2018 was issued in the principal amount of \$55,770,000 in August 2018. The warrants bear interest at an average of 3.75%, payable semiannually on February 1 and August 1. The warrants mature serially with a final maturity in 2048 and are callable at any time without penalty.	52,690,000
General Obligation Warrants, Series 2020A was issued in the principal amount of \$4,175,000 in June 2020. The warrants bear interest at an average of 3.625%, payable semiannually on February 1 and August 1. The warrants mature serially with a final maturity in 2028 and are callable at any time without penalty.	4,000,000
General Obligation Warrants, Series 2020B was issued in the principal amount of \$19,885,000 in June 2020. The warrants bear interest at an average of 1.4%, payable semiannually on February 1 and August 1. The warrants mature serially with a final maturity in 2033 and are callable at any time without penalty.	19,580,000
Total outstanding	97,269,616
Amount held in sinking fund for QECCB payment	1,495,384
Total principal outstanding	\$ 98,765,000

Note 6: LONG-TERM DEBT (Continued)

The following schedule shows the debt service requirements at September 30, 2021:

<i>For the years ending September 30,</i>	Debt Service Related to Principal	Debt Service Related to Interest	Total Debt Service
2022	\$ 4,390,000	\$ 3,209,870	\$ 7,599,870
2023	4,540,000	3,060,665	7,600,665
2024	4,520,000	2,901,261	7,421,261
2025	4,690,000	2,733,719	7,423,719
2026	4,875,000	2,557,557	7,432,557
2027-2031	25,230,000	10,499,424	35,729,424
2032-2036	20,545,000	7,119,101	27,664,101
2037-2041	10,935,000	4,891,900	15,826,900
2042-2046	13,070,000	2,763,500	15,833,500
2047-2048	5,970,000	360,600	6,330,600
Total	\$ 98,765,000	\$ 40,097,597	\$ 138,862,597

The total interest paid by the City during 2021 relative to the above warrants was \$3,378,348.

The City makes annual contributions into an invested sinking fund in the amount of \$171,051 each fiscal year to pay the principal payment on the QECB warrants. This amount is included in the table above as debt service requirements. These amounts are held in the sinking fund and applied to the payment of the principal of the warrants at maturity on February 1, 2033. The balance in the sinking fund is \$1,495,384 as of September 30, 2021.

As a result of the refunding debts in prior years, the City recorded deferred charges in the government-wide statement of net position. These charges represent the difference between the reacquisition price and the net carrying amounts of the refunded warrants. These costs are being amortized over the average remaining life of the refunded warrants. The unamortized portion of these costs as of September 30, 2021 was \$1,973,835.

Note 7: PENSION PLAN***Plan Description***

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

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

The Plan issues a publicly available financial report that can be obtained at www.rsa-al.gov.

The ERS Board of Control consists of 13 trustees as follows:

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

Note 7: PENSION PLAN (Continued)***Benefits Provided***

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

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

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

Act 132 of the Legislature of 2019 allowed employers who participate in the ERS pursuant to *Code of Alabama 1975, Section 36-27-6* to provide Tier I retirement benefits to their Tier 2 members. Tier 2 members of employers adopting Act 2019-132 will contribute 7.5% of earnable compensation for regular employees and 8.5% for firefighters and law enforcement officers. A total of 590 employers adopted Act 2019-132.

The ERS serves approximately 853 local participating employers. The ERS membership includes approximately 101,245 participants. As of September 30, 2020, membership consisted of:

Retirees and beneficiaries currently receiving benefits	28,672
Terminated employees entitled to but not yet receiving benefits	1,974
Terminated employees not entitled to a benefit	14,133
Active members	56,369
Post-DROP participants who are still in active service	97
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Total	101,245

Note 7: PENSION PLAN (Continued)**Contributions**

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

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

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

The ERS establishes rates based upon an actuarially determined rate recommended by an independent actuary. The actuarially determined rate is the estimated amount necessary to finance the costs of benefits earned by employees during the year, with additional amounts to finance any unfunded accrued liability, the pre-retirement death benefit and administrative expenses of the Plan. For the year ended September 30, 2021, the City's active employee contribution rate was 14.00% of covered employee payroll and the City's average contribution rate to fund the normal and accrued liability costs was 13.03% of pensionable payroll.

The City's contractually required contribution rate for the year ended September 30, 2021 was 14.18% of pensionable pay for Tier 1 employees and 11.05% of pensionable pay for Tier 2 employees. These required contribution rates are based upon the actuarial valuation dated September 30, 2018, a percent of annual pensionable payroll, and actuarially determined as an amount that, when combined with member contributions, is expected to finance the costs of benefits earned by members during the year, with an additional amount to finance any unfunded accrued liability. Total employer contributions to the pension plan were \$2,702,938 for the year ended September 30, 2021.

Note 7: PENSION PLAN (Continued)**Net Pension Liability**

The City's net pension liability was measured as of September 30, 2020, and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation as September 30, 2019 rolled forward to September 30, 2020 using standard roll-forward techniques as shown in the following table:

	Expected Valuation Assumptions	Actual Before Act 2019-132 Valuation Assumptions Original	Actual After Act 2019-132 Valuation Assumptions Original
Total Pension Liability			
as of September 30, 2019 (a)	\$ 87,775,514	\$ 89,584,257	\$ 90,467,900
Discount Rate (b)	7.70%	7.70%	7.70%
Entry Age Normal Cost for			
October 1, 2019 – September 30, 2020 (c)	1,603,626	1,603,626	1,746,270
Transfers Among Employers (d)	-	1,109,829	1,109,829
Actual Benefit Payment and Refunds for			
October 1, 2019 – September 30, 2020 (e)	(4,569,754)	(4,569,754)	(4,569,754)
Total Pension Liability			
as of September 30, 2020			
<u>[(a) x (1+(b))] + (c) + (d) + [(e)x(1+0.5*(b))]</u>	<u>\$ 91,392,165</u>	<u>\$ 94,450,010</u>	<u>\$ 95,544,338</u>
Difference between Expected and Actual		\$ 3,057,845	
Less liability transferred for immediate recognition		1,109,829	
Difference between Expected and Actual Experience (Gain)/Loss		\$ 1,948,016	
Difference between Actual TPL Before and After Act 2019-132 - Benefit Change (Gain)/Loss			1,094,328

Actuarial Assumptions

The total pension liability as of September 30, 2020 was determined based on the annual actuarial funding valuation report prepared as of September 30, 2019. The key actuarial assumptions are summarized below:

Inflation	2.75%
Projected salary increases	3.25%-5.00%
Investment rate of return*	7.70%

*Net of pension plan investment expense.

Note 7: PENSION PLAN (Continued)***Actuarial Assumptions (Continued)***

Mortality rates for ERS were based on the sex distinct RP-2000 Blue Collar Mortality Table Projected with Scale BB to 2020 with an adjustment of 125% at all ages for males and 120% for females ages 78 and older. The rates of mortality for the period after disability retirement are according to the sex distinct RP-2000 Disabled Retiree Mortality Table Projected with Scale BB to 2020 with an adjustment of 130% at all ages for females.

The actuarial assumptions used in the September 30, 2019 valuation were based on the results of an investigation of the economic and demographic experience for the ERS based upon participant data as of September 30, 2016. The Board of Control accepted and approved these changes in September 2016, which became effective at the beginning of fiscal year 2017.

The long-term expected rate of return on pension plan investments was determined using a log-normal distribution analysis in which best-estimate ranges of expected future real rates of return (expected returns, net of pension plan investment expense and inflation) are developed for each major asset class.

These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation. The target asset allocation and best estimates of geometric real rates of return for each major asset class are as follows:

	Target Allocation	Long-term Expected Rate of Return*
Fixed Income	17.00%	4.40%
U.S. Large Stocks	32.00%	8.00%
U.S. Mid Stocks	9.00%	10.00%
U.S. Small Stocks	4.00%	11.00%
International Developed Market Stocks	12.00%	9.50%
International Emerging Market Stocks	3.00%	11.00%
Alternatives	10.00%	10.10%
Real Estate	10.00%	7.50%
Cash Equivalents	3.00%	1.50%
Total	100.00%	

*Includes assumed rate of inflation of 2.50%.

Note 7: PENSION PLAN (Continued)***Discount Rate***

The discount rate used to measure the total pension liability was the long-term rate of return, 7.70%. The projection of cash flows used to determine the discount rate assumed that plan member contributions will be made at the current contribution rate and that the employer contributions will be made in accordance with the funding policy adopted by the ERS Board of Control. Based on those assumptions, components of the pension plan's fiduciary net position were projected to be available to make all projected future benefit payments of current plan members. Therefore, the long-term expected rate of return on pension plan investments was applied to all periods of projected benefit payments to determine the total pension liability.

Changes in Net Pension Liability

	Total Pension Liability (a)	Plan Fiduciary Net Position (b)	Net Pension Liability (a)-(b)
Balances at September 30, 2019	\$ 87,775,514	\$ 59,719,155	\$ 28,056,359
Changes for the year			
Service cost	1,603,626	-	1,603,626
Interest	6,582,779	-	6,582,779
Changes in benefit terms	1,094,328		
Changes in assumptions	-	-	-
Difference between expected and actual experience	1,948,016	-	1,948,016
Contributions – employer	-	2,485,425	(2,485,425)
Contributions – employee	-	1,109,027	(1,109,027)
Net investment income	-	3,416,367	(3,416,367)
Benefit payments, including refunds of employee contributions	(4,569,754)	(4,569,754)	-
Transfers among employers	1,109,829	1,109,829	-
Net changes	7,768,824	3,550,894	4,217,930
Balances at September 30, 2020	\$ 95,544,338	\$ 63,270,049	\$ 32,274,289

Note 7: PENSION PLAN (Continued)***Sensitivity of the Net Pension Liability to Changes in the Discount Rate***

The following table presents the City's net pension liability calculated using the discount rate of 7.70%, as well as what the City's proportionate share of the net pension liability would be if it were calculated using a discount rate that is 1-percentage point lower (6.70%) or 1-percentage-point higher (8.70%) than the current rate:

	1% Decrease (6.70)	Current Discount Rate (7.70)	1% Increase (8.70)
Plan's Net Pension Liability	\$ 43,191,402	\$ 32,274,289	\$ 23,041,233

Pension Plan Fiduciary Net Position

Detailed information about the pension plan's fiduciary net position is available in the separately issued RSA Comprehensive Annual Report for the fiscal year ended September 30, 2020. The supporting actuarial information is included in the GASB Statement No. 68 Report for the ERS prepared as of September 30, 2020. The auditors' report dated April 30, 2021 on the Schedule of Changes in Fiduciary Net Position by Employer and accompanying notes are also available. The additional financial and actuarial information is available at <http://www.rsa-al.gov/index.php/employers/financial-reports/gasb-68-reports/>.

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

For the year ended September 30, 2021, the City recognized pension expense of \$2,220,797. At September 30, 2021, the reported deferred outflows of resources and deferred inflows of resources related to pensions of the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences between expected and actual experience	\$ 2,335,441	\$ 297,242
Changes of assumptions	1,300,424	-
Net differences between projected and actual earnings on pension plan investments	1,925,596	-
Employer contributions subsequent to the measurement date	2,702,938	-
Total	\$ 8,264,399	\$ 297,242

Note 7: PENSION PLAN (Continued)***Pension Expense and Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions (Continued)***

The City reported \$2,702,938 as deferred outflows of resources related to pensions resulting from City contributions subsequent to the measurement date, which will be recognized as a reduction of the net pension liability in the year ended September 30, 2022. Other amounts reported as deferred outflows of resources and deferred inflows of resources to pensions will be recognized in pension expense as follows:

For the years ending September 30,

2022	\$ 1,432,069
2023	1,619,036
2024	1,251,017
2025	567,154
2026	245,097
Thereafter	149,846
<hr/>	
Total	<u>\$ 5,264,219</u>

Note 8: ACCUMULATED COMPENSATED ABSENCES

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

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

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

Note 8: ACCUMULATED COMPENSATED ABSENCES (Continued)

A liability for vacation pay is reported in the governmental funds only if the obligation has matured, for example, as a result of an employee's resignation or retirement. All vacation pay is accrued when incurred in the government-wide statements. The estimated current portion of accrued vacation at September 30, 2021 reported in the government-wide financial statements is \$437,238. The remaining long-term incurred portion of the accrued vacation of the governmental activities at September 30, 2021 totaled \$2,447,682.

Note 9: OTHER POST-EMPLOYMENT BENEFITS***Plan Description***

The City provides certain continuing health care and life insurance benefits for its retired employees. The City of Vestavia Hills' OPEB Plan (the OPEB Plan) is a single-employer defined benefit OPEB plan administered by the City. The authority to establish and/or amend the obligation of the employer, employees and retirees rests with the City. No assets are accumulated in a trust that meets the criteria in Governmental Accounting Standards Board (GASB) Codification Section P52 Postemployment Benefits Other Than Pensions—Reporting For Benefits Not Provided Through Trusts That Meet Specified Criteria—Defined Benefit.

Benefits Provided

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

Employees Covered by Benefit Terms

At September 30, 2021 the following employees were covered by the benefit terms:

Inactive employees or beneficiaries currently receiving benefit payments	8
Active employees	264
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Total	272
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Total OPEB Liability

The City's total OPEB liability of \$1,804,855 was measured as of September 30, 2021 and was determined by an actuarial valuation as of that date.

Note 9: OTHER POST-EMPLOYMENT BENEFITS (Continued)***Actuarial Assumptions and Other Inputs***

The total OPEB liability was determined by an actuarial valuation as of October 1, 2020 using the following actuarial assumptions and other inputs, applied to all periods included in the measurement, unless otherwise specified:

Inflation	2.50%
Salary increases	4.00%, including inflation
Discount rate	2.21% annually (Beginning of Year to Determine ADC)
	2.15%, annually (As of End of Year Measurement Date)
Healthcare cost trend rates	Flat 5.5% annually (Old Plan Only)
Mortality	SOA RP-2000 Table

The discount rate was based on the average of the Bond Buyers' 20 Year General Obligation municipal bond index as of September 30, 2021, the end of the applicable measurement period.

The actuarial assumptions used in the October 1, 2020 valuation were based on the results of ongoing evaluations of the assumptions from October 1, 2009 to September 30, 2021.

Changes in the Total OPEB Liability

Balance at September 30, 2020	\$ 1,728,735
<hr/>	
Changes for the year	
Service cost	45,525
Interest	37,333
Differences between expected and actual experience	22,165
Changes of assumptions	50,028
Benefit payments and net transfers	(78,931)
<hr/>	
Net changes	76,120
<hr/>	
Balance at September 30, 2021	\$ 1,804,855

Note 9: OTHER POST-EMPLOYMENT BENEFITS (Continued)***Sensitivity of the Total OPEB Liability to Changes in the Discount Rate***

The following presents the total OPEB liability of the City, as well as what the City's total OPEB liability would be if it were calculated using a discount rate that is 1-percentage-point lower (1.15%) or 1-percentage-point higher (3.15%) than the current discount rate:

	1.00% Decrease (1.15%)	Current Discount Rate (2.15%)	1.00% Increase (3.15%)
Total OPEB liability	\$ 2,181,263	\$ 1,804,855	\$ 1,514,316

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

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

	Decrease (4.5%)	Trend (5.5%)	Increase (6.5%)
Total OPEB liability	\$ 1,550,863	\$ 1,804,855	\$ 2,136,904

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

For the year ended September 30, 2021, the City recognized OPEB expense of \$216,516. At September 30, 2021, the City reported deferred outflows of resources and deferred inflows of resources related to OPEB from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences between expected and actual experience	\$ 227,559	\$ -
Changes of assumptions	589,100	37,228
Total	\$ 816,659	\$ 37,228

Note 9: OTHER POST-EMPLOYMENT BENEFITS (Continued)***OPEB Expense and Deferred Outflows of Resources and Deferred Inflows of Resources Related to OPEB (Continued)***

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

<i>For the years ending September 30,</i>	Cumulative Net Amount to be Recognized
2022	\$ 133,658
2023	133,658
2024	133,658
2025	133,658
2026	133,658
Thereafter	111,141
Total	\$ 779,431

Note 10: DEFERRED COMPENSATION PLAN

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

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

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

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

Note 11: CONTINGENCIES AND COMMITMENTS***Litigation***

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

Project Commitments

As of September 30, 2021, the City had executed contracts for various project commitments in the amount of \$20,718,645. At September 30, 2021, \$16,320,109 had been expended on these construction contracts.

Note 12: TAX ABATEMENTS

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

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

Nature of Incentive	Type of Tax	% of City Taxes Abated	FYE September 30, 2021 Abatement Amount	Expiration of Incentive ¹	Maximum Incentive Amount
Restaurant development	Sales tax ⁴	50%	\$56,166	December 31, 2027	\$575,000
Commercial development ³	Ad Valorem tax ²	100%	\$52,124	August 31, 2034	\$5,150,000
Retail development	Sales tax ⁴	50%	\$22,324	November 30, 2024	\$232,372
Restaurant development	Sales tax ⁴	50%	\$25,409	July 31, 2026	\$325,000
Restaurant development	Sales tax ⁴	50%	\$47,591	October 31, 2028	\$500,000
Commercial development	Sales tax ⁴	75%		March 31, 2022	
	Sales tax ⁴	50%	\$7,632	March 31, 2027	\$575,000
Commercial development	Sales tax ⁴	50%	\$75,400	October 31, 2025	\$475,000
Restaurant development	Sales tax ⁴	50%	\$72,160	August 31, 2029	\$750,000
Restaurant development	Sales tax ⁴	50%	\$19,955	September 30, 2029	\$250,000
Commercial development	Sales tax ⁴	50%	\$312,104	August 1, 2028	\$4,247,808
Total			\$690,865		

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

2 Non-educational portion only.

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

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

Note 13: NEW PRONOUNCEMENTS

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

- Statement No. 87, *Leases* – This statement changes the recognition requirements for certain lease assets and liabilities for leases that are currently classified as operating leases. This statement will become effective for the City in fiscal year 2022.
- Statement No. 91, *Conduit Debt Obligations* – This statement will become effective for the City in fiscal year 2022.
- Statement No. 92, *Omnibus 2020* – This statement will become effective for the City in fiscal year 2022.
- Statement No. 93, *Replacement of Interbank Offered Rates* – This statement will become effective for the City in fiscal year 2022.
- Statement No. 94, *Public-Private and Public-Public Partnerships and Availability Payment Arrangements* – This statement will become effective for the City in fiscal year 2023.

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

The City has implemented GASB Statement No. 84, *Fiduciary Activities*. The implementation of this statement establishes criteria for identifying fiduciary activities of all state and local governments. The focus of the criteria generally is on (1) whether a government is controlling the assets of the fiduciary activity, and (2) the beneficiaries with whom a fiduciary relationship exists. The City has evaluated these criteria and determined that activities related to its collections and payments of personal property ad valorem taxes related to sales of car tags by the City should be reported as a Fiduciary Fund in accordance with GASB Statement No. 84. The implementation of GASB Statement No. 84 had no impact on prior period balance of fiduciary net position in the Fiduciary custodial fund.

Note 14: DEVELOPMENT AGREEMENT

In September 2018, the City entered into a development agreement with two other geographically adjoining governments to provide infrastructure improvements. As part of this development agreement, the City has entered into a funding agreement to provide annual payments of \$75,000 beginning in 2019 through 2025 for infrastructure improvements.

Note 15: SUBSEQUENT EVENTS

The City authorized the issuance and payment of General Obligation Warrants, Series 2021, which refunded the Series 2015 warrants.

The City obtained financing for vehicles and/or equipment through BB&T Bank on October 8, 2021 in the total amount of \$4,762,774.

REQUIRED SUPPLEMENTARY INFORMATION

<i>For the year ended September 30, 2021</i>	Budget - Original and Final	General Fund Actual	Variance
Revenues			
Taxes	\$ 37,518,224	\$ 43,358,100	\$ 5,839,876
Licenses and permits	4,744,257	5,213,938	469,681
Charges for services	462,000	664,128	202,128
Fines and forfeitures	352,084	404,510	52,426
Fees	2,965,967	2,768,952	(197,015)
Grants	889,934	870,103	(19,831)
Proceeds from sale of assets	36,000	160,221	124,221
Interest revenues	130,077	131,510	1,433
Other revenues	635,130	780,257	145,127
Total revenues	47,733,673	54,351,719	6,618,046
Expenditures			
General government administration	6,824,392	7,490,206	(665,814)
Public safety	20,547,886	20,872,268	(324,382)
Public services	7,854,206	8,183,689	(329,483)
Library	2,322,586	2,234,192	88,394
Capital outlay	175,000	259,325	(84,325)
Total expenditures	37,724,070	39,039,680	(1,315,610)
Excess of revenues over expenditures	10,009,603	15,312,039	5,302,436
Other Financing Sources (Uses)			
Operating transfers in	50,000	81,336	31,336
Operating transfers out	(10,007,667)	(12,949,030)	(2,941,363)
Total other financing sources (uses)	(9,957,667)	(12,867,694)	(2,910,027)
Excess of revenues and other financing sources over (under) expenditures	51,936	2,444,345	2,392,409
Fund balances at beginning of year	18,720,647	18,720,647	-
Fund balances at end of year	\$ 18,772,583	\$ 21,164,992	\$ 2,392,409

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

*Employer's covered payroll during the measurement period is the total covered payroll. For FY 2020, the measurement period is October 1, 2019 - September 30, 2020.

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

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

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

**Employer's covered payroll for the year ending 2020 is the total covered payroll for the 12-month period underlying the financial statement.

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

Total OPEB Liability	2021	2020	2019	2018
Service cost	\$ 45,525	\$ 36,221	\$ 19,873	\$ 21,139
Interest	37,333	25,686	31,209	28,260
Differences between expected and actual experience	22,165	149,569	87,670	41,998
Changes of assumptions	50,028	590,285	157,223	(48,684)
Benefit payments	(78,931)	(77,319)	(76,604)	(72,610)
Net change in total OPEB liability	76,120	724,442	219,371	(29,897)
Total OPEB liability - beginning	1,728,735	1,004,293	784,922	814,819
Total OPEB liability - ending	\$ 1,804,855	\$ 1,728,735	\$ 1,004,293	\$ 784,922
Covered - employee payroll	\$ 17,332,334	\$ 16,665,706	\$ 15,820,146	\$ 15,211,679
Net OPEB liability as a percentage of covered - employee payroll	10.41%	10.37%	6.35%	5.16%

Notes to Schedule:

Benefit changes - There were no changes of benefit terms for the year ended September 30, 2021.

Changes of assumptions - The discount rate as of 9/30/2020 was 2.21% and it changed to 2.15% as of 9/30/2021.

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

	2021	2020	2019	2018
Actuarially determined contribution (ADC)	\$ 124,959	\$ 85,233	\$ 66,262	\$ 66,166
Contributions in relation to the actuarially determined contribution:				
Employee contributions to trust	-	-	-	-
Employer paid - retiree premiums	-	-	-	-
Employer paid - expenses	(78,931)	(77,319)	(76,604)	(72,610)
Contribution deficiency (excess)	\$ 46,028	\$ 7,914	\$ (10,342)	\$ (6,444)
Covered annual payroll	17,332,334	16,665,706	\$ 15,820,146	\$ 15,211,679
Contributions as a percentage of covered employee payroll	0.46%	0.46%	0.48%	0.48%

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

Note 1: BUDGETS AND BUDGETARY ACCOUNTING

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

Budget information presented in the financial statements is based on the original budget as adopted by the City Council on September 14, 2020.

Note 2: SCHEDULE OF CHANGES IN NET PENSION LIABILITY

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

Note 3: SCHEDULE OF EMPLOYER PENSION CONTRIBUTIONS

Contributions were made in accordance with actuarially determined contribution requirements. The employer contribution rate expressed as a percent of payroll is determined annually by reviewing a variety of factors including benefits promised, member contributions, investment earnings, mortality, and withdrawal experience. The City's employer contribution rates were 14.18% for Tier 1 employees (hired before January 1, 2013) and 11.05% for Tier 2 employees (hired after January 1, 2013).

Note 4: SCHEDULE OF CHANGES IN NET OPEB LIABILITY

The net OPEB liability presented in these schedules were provided by the City's actuarial consultants, Fontenot Benefits and Actuarial Consulting. The net OPEB liability is measured as the total OPEB liability less the components of the plan net position reserved to fund the total OPEB liability. The related ratios show plan net position as a percentage of the total OPEB liability and the net OPEB liability as a percentage of employee covered payroll.

Note 5: SCHEDULE OF EMPLOYER OPEB CONTRIBUTIONS

There were no contributions to the Plan outside of employer-paid retiree premiums for the year ended September 30, 2021.

<i>Valuation date</i>	10/1/2020 Actuarially determined contributions are calculated as of the last day of the fiscal year in which contributions are reported.
<i>Actuarial cost method</i>	Individual Entry Age Normal
<i>Amortization method</i>	Level dollar, open
<i>Amortization period</i>	30 years
<i>Asset valuation method</i>	Market value
<i>Inflation</i>	2.5% annually
<i>Health care trend</i>	Flat 5.5% annually (Old Plan Only)
<i>Salary increases</i>	4.0% annually
<i>Discount rate</i>	2.21% annually (beginning of year to determine the actuarially determined contributions (ADC) 2.15% annually (as of end of year measurement date)
<i>Retirement age</i>	30 years of service at any age; for department heads, age 60 and 10 years of service; employees hired on and after January 1, 2013 are not eligible to retire until age 62.
<i>Mortality</i>	RP-2000 without projection Age specific table with an average of 5% when applied to the active census
<i>Turnover</i>	
<i>Decline rate</i>	43% of retirees decline medical coverage at retirement and an additional 27% defer retirement until age 65.

SUPPLEMENTARY INFORMATION

<i>For the year ended September 30, 2021</i>	State Shared Gasoline Tax Funds								Capital	Totals
	Four Cent	Five Cent	Eight Cent	Seven Cent	Court & Corrections	E-911	Library	Vehicle Tags	Projects - Sidewalks	
Assets										
Cash and temporary investments	\$ 164,920	\$ 101,114	\$ 165,438	\$ -	\$ 22,478	\$ 112,401	\$ 273,672	\$ 151,480	\$ 82,676	\$ 1,074,179
Accounts receivable, net of allowance for uncollectibles	38,855	19,075	35,945	890,904	-	66,329	-	-	-	1,051,108
Total assets	\$ 203,775	\$ 120,189	\$ 201,383	\$ 890,904	\$ 22,478	\$ 178,730	\$ 273,672	\$ 151,480	\$ 82,676	\$ 2,125,287
Liabilities										
Accounts payable	\$ 414	\$ -	\$ -	\$ 29,122	\$ 2,725	\$ 15,320	\$ 400	\$ 20,465	\$ -	\$ 68,446
Retainage payable	116,289	-	-	-	-	-	-	-	-	116,289
Other liability	-	-	-	261,181	-	-	-	-	-	261,181
Interfund payable	-	-	-	-	-	-	-	131,015	-	131,015
Total liabilities	116,703	-	-	290,303	2,725	15,320	400	151,480	-	576,931
Fund Balance										
Restricted for road maintenance	87,072	120,189	201,383	600,601	-	-	-	-	-	1,009,245
Assigned	-	-	-	-	19,753	163,410	273,272	-	82,676	539,111
Total fund balance	87,072	120,189	201,383	600,601	19,753	163,410	273,272	-	82,676	1,548,356
Total liabilities and fund balance	\$ 203,775	\$ 120,189	\$ 201,383	\$ 890,904	\$ 22,478	\$ 178,730	\$ 273,672	\$ 151,480	\$ 82,676	\$ 2,125,287

<i>For the year ended September 30, 2021</i>	State Shared Gasoline Tax Funds					Court & Corrections	E-911	Library	Vehicle Tags	Capital Projects - Sidewalks	Totals
	Four Cent	Five Cent	Eight Cent	Seven Cent							
Revenues											
Taxes	\$ 2,098	\$ -	\$ -	\$ 870,516	\$ -	\$ 834,689	\$ -	\$ -	\$ -	\$ -	\$ 1,707,303
License and permits	-	-	-	46,491	-	-	-	169,392	-	-	215,883
Intergovernmental	210,740	103,818	219,149	340,889	-	-	-	-	-	-	874,596
Fines and forfeitures	-	-	-	-	542,512	-	-	-	-	-	542,512
Grants	-	-	-	-	-	-	27,064	-	-	-	27,064
Interest revenues	47	26	33	65	-	22	24	76	33	326	
Library revenues	-	-	-	-	-	-	57,069	-	-	-	57,069
Other revenues	-	-	-	-	1,250	-	-	-	-	-	1,250
Total revenues	212,885	103,844	219,182	1,257,961	543,762	834,711	84,157	169,468	33	3,426,003	
Expenditures											
General government administration	-	-	-	-	480,510	-	-	152,243	-	-	632,753
Public safety	-	-	-	-	107,551	712,482	-	-	-	-	820,033
Public services	65,000	32,500	36,202	1,465,838	-	-	-	-	-	-	1,599,540
Library	-	-	-	-	-	-	99,369	-	-	-	99,369
Debt service	-	-	-	-	-	147,640	-	-	-	-	147,640
Capital outlay	258,650	1,275	-	-	-	24,210	5,890	-	-	-	290,025
Total expenditures	323,650	33,775	36,202	1,465,838	588,061	884,332	105,259	152,243	-	3,589,360	
Excess of revenues over (under) expenditures	(110,765)	70,069	182,980	(207,877)	(44,299)	(49,621)	(21,102)	17,225	33	(163,357)	
Other Financing Sources (Uses)											
Operating transfers in	-	-	-	-	64,052	-	-	-	-	-	64,052
Operating transfers out	-	-	-	-	-	-	-	(5,912)	-	-	(5,912)
Total other financing sources (uses)	-	-	-	-	64,052	-	-	(5,912)	-	58,140	
Excess of revenues and other sources over expenditures and other uses	(110,765)	70,069	182,980	(207,877)	19,753	(49,621)	(21,102)	11,313	33	(105,217)	
Fund balance, beginning of year	197,837	50,120	18,403	808,478	-	213,031	294,374	(11,313)	82,643	1,653,573	
Fund balance, end of year	\$ 87,072	\$ 120,189	\$ 201,383	\$ 600,601	\$ 19,753	\$ 163,410	\$ 273,272	\$ -	\$ 82,676	\$ 1,548,356	

REPORT ON COMPLIANCE AND INTERNAL CONTROL

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

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

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards issued by the Comptroller General of the United States, the financial statements of the governmental activities, each major fund, and the aggregate remaining fund information of the City of Vestavia Hills, Alabama (the City), as of and for the year ended September 30, 2021, and the related notes to the financial statements, which collectively comprise the City's basic financial statements and have issued our report thereon dated March 22, 2022.

Internal Control over Financial Reporting

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

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

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

Compliance and Other Matters

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

Purpose of this Report

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

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

CARR, RIGGS & INGRAM, LLC

Birmingham, Alabama
March 22, 2022



Required Communications
September 30, 2021



Exhibit A - Resolution No 5384
Carr, Riggs & Ingram, LLC
3700 Colonnade Parkway
Suite 300
Birmingham, AL 35243

(205) 933-7822
(205) 933-7944 (fax)
www.cricpa.com

March 22, 2022

To the City Council
City of Vestavia Hills, Alabama

Dear City of Vestavia Hill's Council Members:

We are pleased to present the results of our audit of the September 30, 2021 financial statements of the City of Vestavia Hill's (the City).

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

Our audit was designed, primarily, to express an opinion on the City's September 30, 2021 financial statements. We considered the City's current and emerging business needs, along with an assessment of risks that could materially affect the financial statements, and aligned our audit procedures accordingly. We conducted the audit with the objectivity and independence that you expect. We received the full support and assistance of the City's personnel.

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

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

We appreciate this opportunity to meet with you.

Very truly yours,

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

CARR, RIGGS & INGRAM, LLC
Birmingham, Alabama



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

- Perform audit services as requested by the City Council, in accordance with auditing standards generally accepted in the United States of America, and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, in order to express an opinion on the City's financial statements for the year ending September 30, 2021;
- Report on internal control over financial reporting and on compliance and other matters based on an audit of financial statements performed in accordance with *Government Auditing Standards*;
- Communicate directly with the City Council and management regarding the results of our procedures;
- Address with the City Council and management any accounting and financial reporting issues;
- Anticipate and respond to concerns of the City Council and management; and
- Other audit-related projects as they arise and upon request.



We have audited the financial statements of the City for the year ended September 30, 2021, and have issued our report thereon dated March 22, 2022. Professional standards require that we provide you with the following information related to our audit:

MATTER TO BE COMMUNICATED	AUDITORS' RESPONSE
<p>Auditors' responsibility under Generally Accepted Auditing Standards and Government Auditing Standards and the Uniform Guidance</p>	<p>As stated in our engagement letter dated December 15, 2021, our responsibility, as described by professional standards, is to express an opinion about whether the financial statements prepared by management with your oversight are fairly presented, in all material respects, in conformity with accounting principles generally accepted in the United States of America (GAAP). Our audit of the financial statements does not relieve you or management of your responsibilities.</p> <p>As part of our audit, we considered the internal control of the City over financial reporting. Such considerations were solely for the purpose of determining our audit procedures and not to provide any assurance concerning such internal control.</p>
<p>Client's responsibility</p>	<p>Management, with oversight from those charged with governance, is responsible for establishing and maintaining internal controls, including monitoring ongoing activities; for the selection and application of accounting principles; and for the fair presentation in the financial statements of financial position, results of operations, and cash flows in conformity with the applicable framework. Management is responsible for the design and implementation of programs and controls to prevent and detect fraud. Management is responsible for overseeing nonaudit services by designating an individual, preferably from senior management, with suitable skill, knowledge, or experience; evaluate the adequacy and results of those services; and accept responsibility for them.</p>
<p>Planned scope and timing of the audit</p>	<p>Our initial audit plan was not significantly altered during our fieldwork.</p>
<p>Significant accounting policies, including critical accounting policies and alternative treatments within generally accepted accounting principles and the auditors' judgment about the quality of accounting principles</p>	<p>The significant accounting policies used by the City are described in Note 1 to the financial statements. New accounting policies were adopted during the fiscal year as a result of the following recently issued accounting pronouncements:</p> <ul style="list-style-type: none"> • Statement No. 84, Fiduciary Activities (GASB 84) • Statement No. 95, Postponement of the Effective Date of Certain Authoritative Guidance (GASB 95)



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



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



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

AREA	ACCOUNTING POLICY	CRITICAL POLICY	JUDGMENTS & SENSITIVE ESTIMATE	COMMENTS ON QUALITY OF ACCOUNTING POLICY & APPLICATION
Investments	The City follows the provisions of Section 150: Investments, of the GASB Codification when reporting investments.	X	The City relies on investment valuation information from the bank or investment manager based upon financial market information to determine current or fair value.	The City's policies are in accordance with all applicable accounting guidelines and GASB.
Depreciation of property and equipment	The City depreciates property and equipment using the straight-line method.	X	The City depreciates property and equipment over their estimated useful lives, which are based on the experience with similar assets and guidance provided by ASC 360.	The City's recognition methods and disclosures appear appropriate.
Accounts receivable	The City estimates the receivable due from the State of Alabama for Capital Improvement monies.	X	The City estimates the receivable due from the State of Alabama for Capital Improvement monies.	We evaluated key factors and assumptions used to develop the balance in determining that it is reasonable in relation the financial statements taken as a whole.
Other postemployment benefit obligation	The City records a liability for its post-employment benefits obligation other than pensions.	X	The OPEB liability is projected using methods and assumptions as provided in the most recent actuarial valuation, in accordance with the provisions of GASB Statement No. 75. Health care cost trend rates were based on market assessments.	We evaluated the assumptions used by the actuary in determining the total OPEB liability and found them to be in accordance with the provisions of GASB 75 and reasonable in relation to the financial statements taken as a whole.



AREA	ACCOUNTING POLICY	CRITICAL POLICY	JUDGMENTS & SENSITIVE ESTIMATE	COMMENTS ON QUALITY OF ACCOUNTING POLICY & APPLICATION
Defined benefit pension plan	<p>The City participates in the Employee Retirement System (ERS), an agent multiple-employer plan administered by RSA. RSA utilizes an independent actuary to provide an actuarial valuation report specific to each participating employer with estimates of the total pension liability, fiduciary net position, related deferred outflows/inflows and actuarially required contributions in accordance with related deferred outflows/inflows and actuarially required contributions in accordance with the provisions of GASB 68.</p>	X	<p>Key assumptions utilized by the actuary in making the estimates in accordance with GASB 68. The total pension liability was determined by an actuarial valuation as of September 30, 2019, with a measurement date of September 30, 2020.</p>	<p>We evaluated the assumptions used by the actuary in estimating the City's total pension liability, the fiduciary net position, and the related deferred outflows/inflows and found them to be in accordance with the provisions of GASB 68 and reasonable in relation to the financial statements taken as a whole.</p>
Compensated absences	<p>Liabilities for compensated absences attributable to services already rendered are accrued as employees earn the rights to those benefits.</p> <p>The City follows the provisions of Section C60: Compensated Absences, of the GASB Codification when reporting these liabilities.</p>	X	<p>The City estimates the accrued liabilities for compensated absences using leave balances accrued at the end of the fiscal year multiplied by the pay rate in effect for each employee as of the end of the fiscal year.</p>	<p>The City's policies are in accordance with all applicable accounting guidelines and GASB.</p>



During the course of our audit, we accumulate differences between amounts recorded by the City and amounts that we believe are required to be recorded under GAAP reporting guidelines. Those adjustments are either recorded (corrected) by the City or passed (uncorrected). Uncorrected misstatements or the matters underlying them could potentially cause future period financial statements to be materially misstated, even if, in the auditors' judgement, such uncorrected misstatements are immaterial to the financial statements under audit. There were no adjustments, either corrected or uncorrected, as a result of our audit procedures.

QUALITATIVE MATERIALITY CONSIDERATIONS

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

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



March 22, 2022

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

This representation letter is provided in connection with your audit of the financial statements of City of Vestavia Hills, which comprise the respective financial position of the governmental activities, each major fund, and the aggregate remaining fund information as of September 30, 2021, and the respective changes in financial position and the disclosures (collectively, the "financial statements"), for the purpose of expressing opinions as to whether the financial statements are presented fairly, in all material respects, in accordance with accounting principles generally accepted in the United States of America (U.S. GAAP).

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

We confirm, to the best of our knowledge and belief, as of March 22, 2022, the following representations made to you during your audit.

Financial Statements

- 1) We have fulfilled our responsibilities, as set out in the terms of the audit engagement letter dated December 15, 2021, including our responsibility for the preparation and fair presentation of the financial statements in accordance with U.S. GAAP and for preparation of the supplementary information in accordance with the applicable criteria.
- 2) The financial statements referred to above are fairly presented in conformity with U.S. GAAP and include all properly classified funds and other financial information of the primary government and all component units required by generally accepted accounting principles to be included in the financial reporting entity.
- 3) We acknowledge our responsibility for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.
- 4) We acknowledge our responsibility for the design, implementation, and maintenance of internal control to prevent and detect fraud.



- 5) Significant assumptions we used in making accounting estimates, including those measured at fair value, are reasonable.
- 6) Related party relationships and transactions, including revenues, expenditures/expenses, loans, transfers, leasing arrangements, and guarantees, and amounts receivable from or payable to related parties have been appropriately accounted for and disclosed in accordance with U.S. GAAP.
- 7) Adjustments or disclosures have been made for all events, including instances of non-compliance, subsequent to the date of the financial statements that would require adjustment to or disclosure in the financial statements.
- 8) The effects of uncorrected misstatements are immaterial, both individually and in the aggregate, to the financial statements as a whole for each opinion unit. A list of the uncorrected misstatements is attached to the representation letter.
- 9) The effects of all known actual or possible litigation, claims, and assessments have been accounted for and disclosed in accordance with U.S. GAAP.
- 10) Guarantees, whether written or oral, under which the City is contingently liable, if any, have been properly recorded or disclosed.

Information Provided

- 11) We have provided you with:
 - a) Access to all information, of which we are aware, that is relevant to the preparation and fair presentation of the financial statements, such as records (including information obtained from outside of the general and subsidiary ledgers), documentation, and other matters.
 - b) Additional information that you have requested from us for the purpose of the audit.
 - c) Unrestricted access to persons within the City from whom you determined it necessary to obtain audit evidence.
 - d) Minutes of the meetings of the City or summaries of actions of recent meetings for which minutes have not yet been prepared.
- 12) All material transactions have been recorded in the accounting records and are reflected in the financial statements.
- 13) We have disclosed to you the results of our assessment of the risk that the financial statements may be materially misstated as a result of fraud.
- 14) We have no knowledge of any fraud or suspected fraud that affects the City and involves—
 - Management,
 - Employees who have significant roles in internal control, or
 - Others where the fraud could have a material effect on the financial statements.
- 15) We have no knowledge of any allegations of fraud or suspected fraud affecting the City's financial statements communicated by employees, former employees, regulators, or others.



- 16) We have no knowledge of instances of noncompliance or suspected noncompliance with provisions of laws, regulations, contracts, or grant agreements, or waste or abuse, whose effects should be considered when preparing financial statements.
- 17) We have disclosed to you all known actual or possible litigation, claims, and assessments whose effects should be considered when preparing the financial statements.
- 18) We have disclosed to you the names of the City's related parties and all the related party relationships and transactions, including any side agreements.

Government-specific

- 19) There have been no communications from regulatory agencies concerning noncompliance with, or deficiencies in, financial reporting practices.
- 20) We have identified to you any previous audits, attestation engagements, and other studies related to the objectives of the audit and whether related recommendations have been implemented.
- 21) We have identified to you any investigations or legal proceedings that have been initiated with respect to the period under audit.
- 22) The City has no plans or intentions that may materially affect the carrying value or classification of assets, deferred outflows of resources, liabilities, deferred inflows of resources, and fund balance or net position.
- 23) We are responsible for compliance with the laws, regulations, and provisions of contracts and grant agreements applicable to us, including tax or debt limits and debt contracts, and legal and contractual provisions for reporting specific activities in separate funds.
- 24) We have appropriately disclosed all information for conduit debt obligations in accordance with [GASBS No. 91](#).
- 25) We have identified and disclosed to you all instances of identified and suspected fraud and noncompliance with provisions of laws, regulations, contracts, and grant agreements that we believe have a material effect on the financial statements.
- 26) There are no violations or possible violations of budget ordinances, laws and regulations (including those pertaining to adopting, approving, and amending budgets), provisions of contracts and grant agreements, tax or debt limits, and any related debt covenants whose effects should be considered for disclosure in the financial statements, or as a basis for recording a loss contingency, or for reporting on noncompliance.
- 27) As part of your audit, you assisted with preparation of the financial statements (including GASB 34 conversion entries), disclosures, and any other non-attest services. We acknowledge our responsibility as it relates to those nonaudit services, including that we assume all management responsibilities; oversee the services by designating an individual, preferably within senior management, who possesses suitable skill, knowledge, or experience; evaluate the adequacy and results of the services performed; and accept responsibility for the results of the services. We have reviewed, approved, and accepted responsibility for those financial statements and disclosures.



- 28) In regards to the nonattest services (including GASB 34 conversion entries) performed by you, we have –
 - a) Assumed all management responsibilities.
 - b) Designated Melvin Turner and George Saway, who have suitable skill, knowledge, or experience to oversee the services.
 - c) Evaluated the adequacy and results of the services performed.
 - d) Accepted responsibility for the results of the services.
- 29) The City has satisfactory title to all owned assets, and there are no liens or encumbrances on such assets nor has any asset been pledged as collateral.
- 30) The City has complied with all aspects of contractual agreements that would have a material effect on the financial statements in the event of noncompliance.
- 31) The financial statements include all fiduciary activities required by [GASBS No. 84](#).
- 32) The financial statements properly classify all funds and activities in accordance with [GASBS No. 34](#), as amended.
- 33) All funds that meet the quantitative criteria in [GASBS Nos. 34](#) and [37](#) for presentation as major are identified and presented as such and all other funds that are presented as major are particularly important to financial statement users.
- 34) Components of net position (net investment in capital assets; restricted; and unrestricted) and classifications of fund balance (nonspendable, restricted, committed, assigned, and unassigned) are properly classified and, if applicable, approved.
- 35) Investments, derivative instruments, and land and other real estate held by endowments are properly valued.
- 36) Provisions for uncollectible receivables have been properly identified and recorded.
- 37) Expenses have been appropriately classified in or allocated to functions and programs in the statement of activities, and allocations have been made on a reasonable basis.
- 38) Revenues are appropriately classified in the statement of activities within program revenues, general revenues, contributions to term or permanent endowments, or contributions to permanent fund principal.
- 39) Interfund, internal, and intra-entity activity and balances have been appropriately classified and reported.
- 40) Deposits and investment securities and derivative instruments are properly classified as to risk and are properly disclosed.
- 41) Capital assets, including infrastructure and intangible assets, are properly capitalized, reported, and, if applicable, depreciated or amortized.
- 42) Tax abatement agreements have been properly disclosed in the notes to the financial statements, including the names of governments including the gross amount and specific taxes abated and additional commitments.



- 43) The government meets the GASB-established requirements for accounting for eligible infrastructure assets using the modified approach.
- 44) We have appropriately disclosed the City’s policy regarding whether to first apply restricted or unrestricted resources when an expense is incurred for purposes for which both restricted and unrestricted net position is available and have determined that net position is properly recognized under the policy.
- 45) We are following our established accounting policy regarding which resources (that is, restricted, committed, assigned, or unassigned) are considered to be spent first for expenditures for which more than one resource classification is available. That policy determines the fund balance classifications for financial reporting purposes.
- 46) We acknowledge our responsibility for the required supplementary information (RSI). The RSI is measured and presented within prescribed guidelines and the methods of measurement and presentation have not changed from those used in the prior period. We have disclosed to you any significant assumptions and interpretations underlying the measurement and presentation of the RSI.
- 47) With respect to the combining balance sheet – other governmental funds and combining statements of revenues, expenditures, and changes in fund balances – other governmental funds:
 - a) We acknowledge our responsibility for presenting the combining balance sheet – other governmental funds and combining statement of revenues, expenditures, and changes in fund balances – other governmental funds in accordance with accounting principles generally accepted in the United States of America, and we believe the combining balance sheet – other governmental funds and combining statement of revenues, expenditures, and changes in fund balances – other governmental funds, including its form and content, is fairly presented in accordance with accounting principles generally accepted in the United States of America. The methods of measurement and presentation of the combining balance sheet – other governmental funds and combining statement of revenues, expenditures, and changes in fund balances – other governmental funds have not changed from those used in the prior period, and we have disclosed to you any significant assumptions or interpretations underlying the measurement and presentation of the supplementary information.
 - b) If the combining balance sheet – other governmental funds and combining statement of revenues, expenditures, and changes in fund balances – other governmental funds is not presented with the audited financial statements, we will make the audited financial statements readily available to the intended users of the supplementary information no later than the date we issue the supplementary information and the auditor’s report thereon.

Signature: _____

Signature: _____

Title: _____

Title: _____

RESOLUTION NUMBER 5385

A RESOLUTION AUTHORIZING THE INSTALLATION OF A NEW SUPPORT STRUCTURE FOR A SMALL CELL FACILITY TO BE LOCATED IN THE RIGHT-OF-WAY ADJACENT TO CERTAIN PROPERTIES IN THE CITY OF VESTAVIA HILLS

WHEREAS, on December 17, 2018, the City Council adopted and approved Ordinance 2814A to adopt regulations for small cell technology facilities (“Nodes”) in the City of Vestavia Hills, Alabama; and

WHEREAS, §2.B.7 recommends that said Nodes shall be collocated when possible, however, when not possible the request shall be recommended by the City Manager and then approved by the City Council following a public hearing; and

WHEREAS, on the 7th day of March, 2022, Acquanetta Love, on behalf of Crown Castle Fiber, LLC, submitted applications for a new support structure to be located in the right-of-way (“ROW”) adjacent to the following properties as detailed in Exhibit A which is attached and incorporated into this Resolution Number 5385 as if written therein; (1) 2345 Columbiana Road; (2) 1624 Belvedere Drive, (3) 2645 Manchester Court, (4) 3256 Wisteria Drive, and (5) 3309 Shallowford Road; and

WHEREAS, a sign was erected on the ROW and the surrounding property owners were notified of a public hearing to be held on April 11, 2022 regarding said new support request; and

WHEREAS, the City Manager and the City Staff have reviewed the application and recommend approval of said request; and

WHEREAS, the Mayor and the City Council feel it is in the best public interest to accept the recommendation and authorize installation of said new support structure.

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

1. The Mayor and City Council hereby accept the recommendation of the City Manager and authorize the installation of a new support structure to be located in the ROW adjacent to (1) 2345 Columbiana Road; (2) 1624 Belvedere Drive, (3) 2645 Manchester Court, (4) 3256 Wisteria Drive, and (5) 3309 Shallowford Road as detailed in the supporting information marked as Exhibit A, attached to and incorporated into this Resolution 5385 as if written fully therein; and

2. This Resolution shall become effective immediately upon adoption and approval.

DONE, ORDERED, ADOPTED and APPROVED this the 11th day of April, 2022.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CITY OF VESTAVIA HILLS
1032 MONTGOMERY HIGHWAY
VESTAVIA HILLS, ALABAMA 35216

OFFICIAL NOTICE OF A PUBLIC HEARING

March 28, 2022

This is an OFFICIAL NOTICE to inform you of the time, date and other details of the public hearing which will be held in the Vestavia Hills City Hall on the subject as follows:

TIME/DATE OF HEARING: 6:00 P.M. April 11, 2022 Monday

PLACE OF HEARING: Vestavia Hills City Hall
1032 Montgomery Highway

BOARD: Vestavia Hills City Council

ACTION REQUESTED: Consideration of Installation of 45' Utility Pole with 6'6" embedment to be placed within the public right-of-way for Node Placement, Small Cell Wireless Facility

LOCATION OF PROPERTY: ROW adjacent to 2345 Columbiana Road; See Enclosed Details for location and visual

NAME OF APPLICANT: Crown Castle Fiber LLC

REPRESENTED BY: Acquanetta Love

Sincerely,

Rebecca Leavings
City Clerk

INDIVIDUALS WITH DISABILITIES NEEDING SPECIAL SERVICES TO PARTICIPATE IN APPLICATIONS, ACTIVITIES, PROGRAMS OR SERVICES ARE REQUESTED TO COORDINATE THEIR NEEDS IN ADVANCE, WHEN TIME PERMITS. IF SPECIAL ACCOMMODATIONS ARE REQUIRED, PLEASE CONTACT THE CITY CLERK, (205) 978-0179.

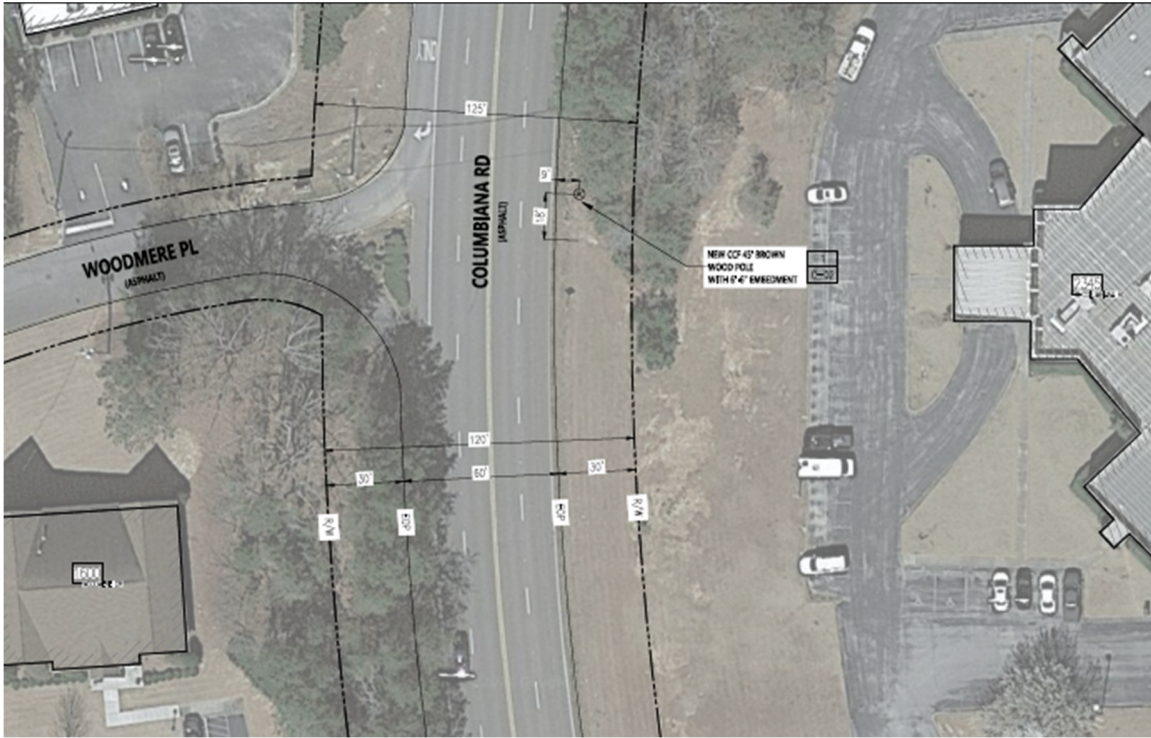
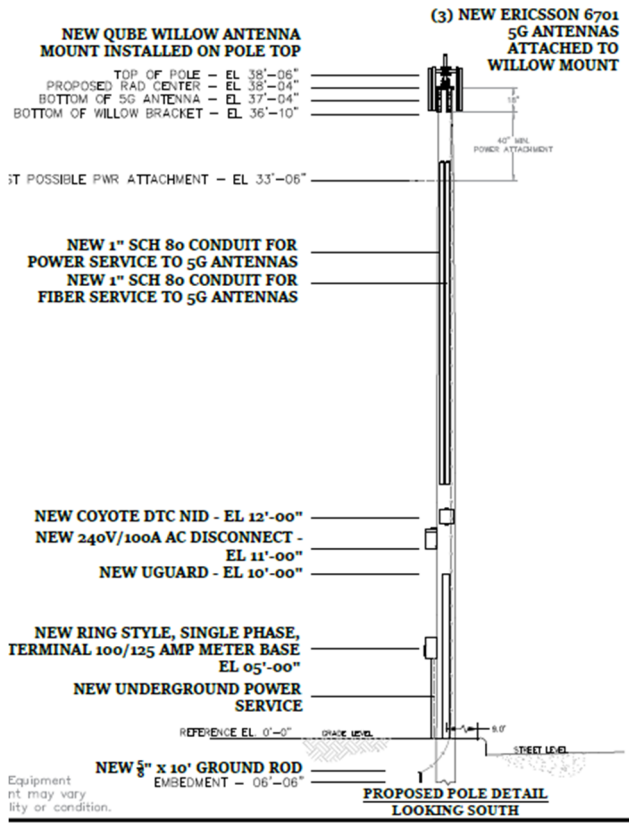


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CITY OF VESTAVIA HILLS
1032 MONTGOMERY HIGHWAY
VESTAVIA HILLS, ALABAMA 35216

OFFICIAL NOTICE OF A PUBLIC HEARING

March 28, 2022

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PLACE OF HEARING: Vestavia Hills City Hall
1032 Montgomery Highway

BOARD: Vestavia Hills City Council

ACTION REQUESTED: Consideration of Installation of 45' Utility Pole with 6'6" embedment to be placed within the public right-of-way for Node Placement, Small Cell Wireless Facility

LOCATION OF PROPERTY: ROW adjacent to 1624 Belvedere Drive; See Enclosed Details for location and visual

NAME OF APPLICANT: Crown Castle Fiber LLC

REPRESENTED BY: Acquanetta Love

Sincerely,

Rebecca Leavings
City Clerk

INDIVIDUALS WITH DISABILITIES NEEDING SPECIAL SERVICES TO PARTICIPATE IN APPLICATIONS, ACTIVITIES, PROGRAMS OR SERVICES ARE REQUESTED TO COORDINATE THEIR NEEDS IN ADVANCE, WHEN TIME PERMITS. IF SPECIAL ACCOMMODATIONS ARE REQUIRED, PLEASE CONTACT THE CITY CLERK, (205) 978-0179.

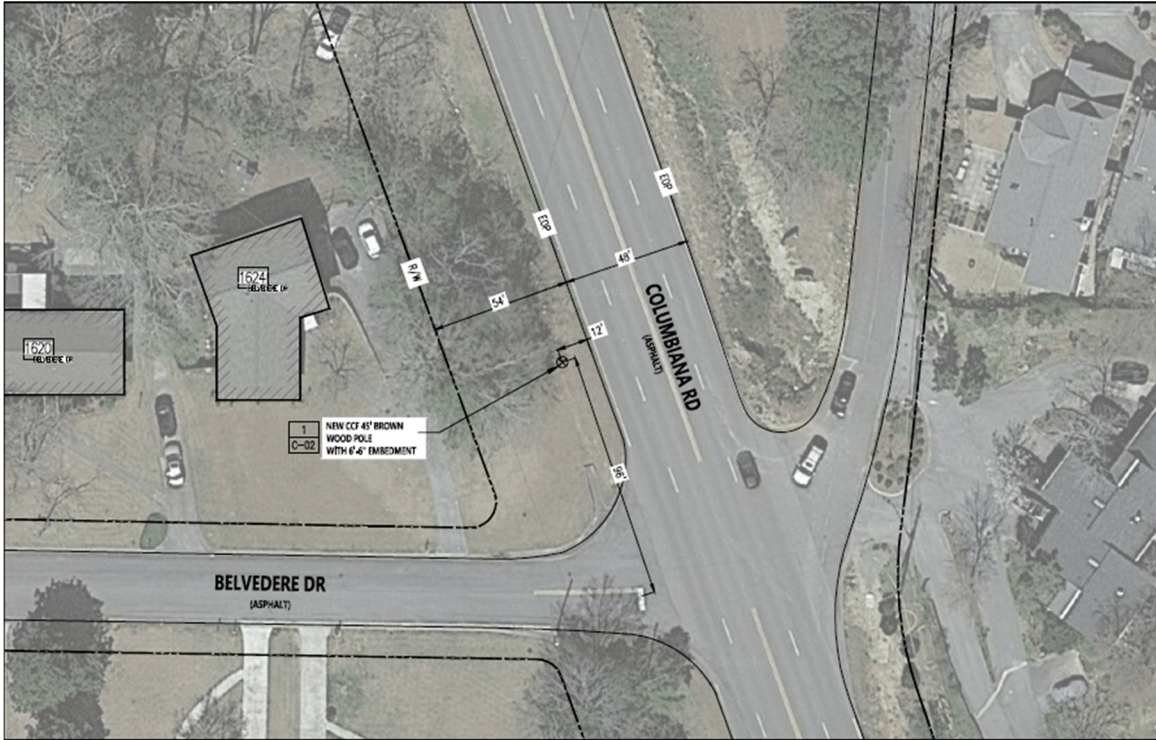
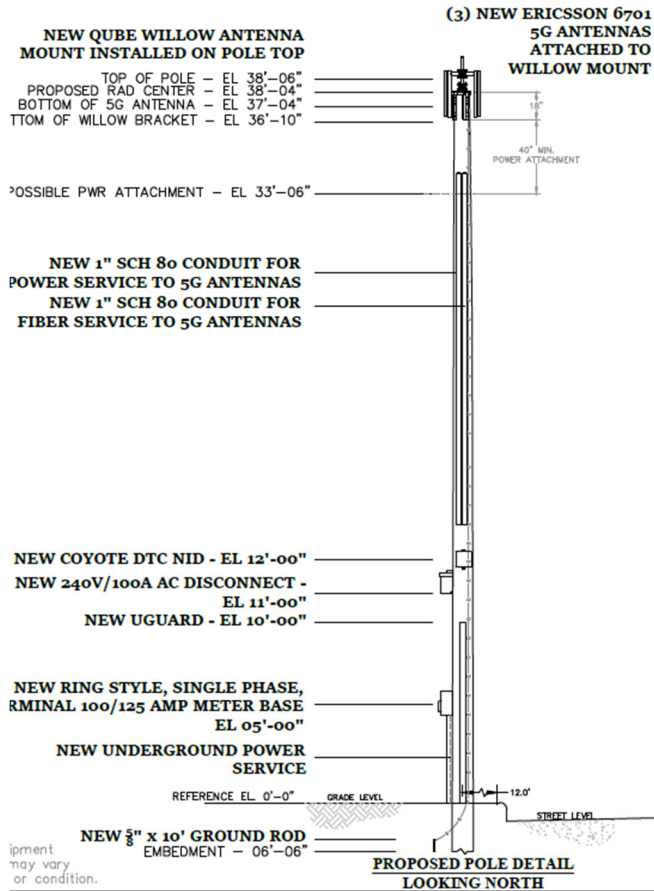


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CITY OF VESTAVIA HILLS
1032 MONTGOMERY HIGHWAY
VESTAVIA HILLS, ALABAMA 35216

OFFICIAL NOTICE OF A PUBLIC HEARING

March 28, 2022

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TIME/DATE OF HEARING: 6:00 P.M. April 11, 2022 Monday

PLACE OF HEARING: Vestavia Hills City Hall
1032 Montgomery Highway

BOARD: Vestavia Hills City Council

ACTION REQUESTED: Consideration of Installation of 45' Utility Pole with 6'6" embedment to be placed within the public right-of-way for Node Placement, Small Cell Wireless Facility

LOCATION OF PROPERTY: ROW adjacent to 2645 Manchester Court; See Enclosed Details for location and visual

NAME OF APPLICANT: Crown Castle Fiber LLC

REPRESENTED BY: Acquanetta Love

Sincerely,

Rebecca Leavings
City Clerk

INDIVIDUALS WITH DISABILITIES NEEDING SPECIAL SERVICES TO PARTICIPATE IN APPLICATIONS, ACTIVITIES, PROGRAMS OR SERVICES ARE REQUESTED TO COORDINATE THEIR NEEDS IN ADVANCE, WHEN TIME PERMITS. IF SPECIAL ACCOMMODATIONS ARE REQUIRED, PLEASE CONTACT THE CITY CLERK, (205) 978-0179.

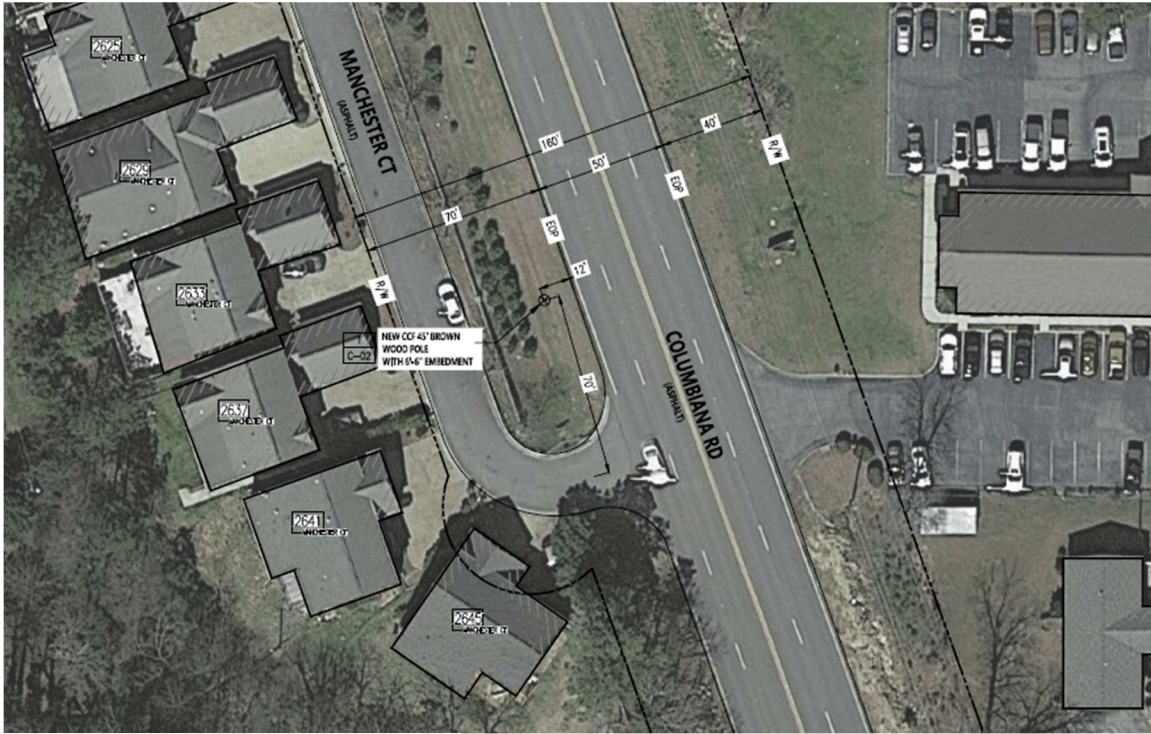
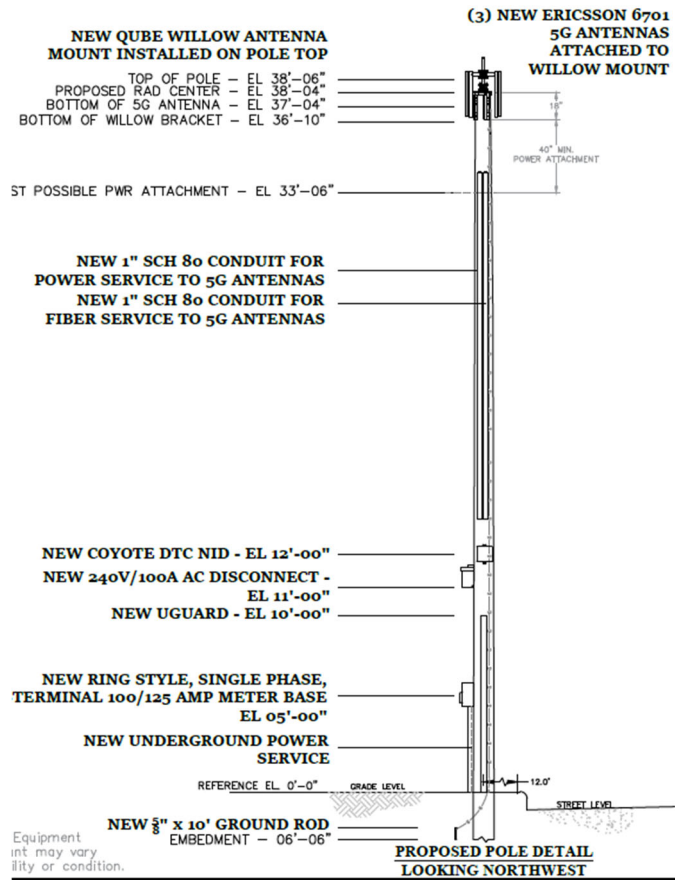


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CITY OF VESTAVIA HILLS
1032 MONTGOMERY HIGHWAY
VESTAVIA HILLS, ALABAMA 35216

OFFICIAL NOTICE OF A PUBLIC HEARING

March 28, 2022

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TIME/DATE OF HEARING: 6:00 P.M. April 11, 2022 Monday

PLACE OF HEARING: Vestavia Hills City Hall
1032 Montgomery Highway

BOARD: Vestavia Hills City Council

ACTION REQUESTED: Consideration of Installation of 45' Utility Pole with 6'6" embedment to be placed within the public right-of-way for Node Placement, Small Cell Wireless Facility

LOCATION OF PROPERTY: ROW adjacent to 3256 Wisteria Drive; See Enclosed Details for location and visual

NAME OF APPLICANT: Crown Castle Fiber LLC

REPRESENTED BY: Acquanetta Love

Sincerely,

Rebecca Leavings
City Clerk

INDIVIDUALS WITH DISABILITIES NEEDING SPECIAL SERVICES TO PARTICIPATE IN APPLICATIONS, ACTIVITIES, PROGRAMS OR SERVICES ARE REQUESTED TO COORDINATE THEIR NEEDS IN ADVANCE, WHEN TIME PERMITS. IF SPECIAL ACCOMMODATIONS ARE REQUIRED, PLEASE CONTACT THE CITY CLERK, (205) 978-0179.

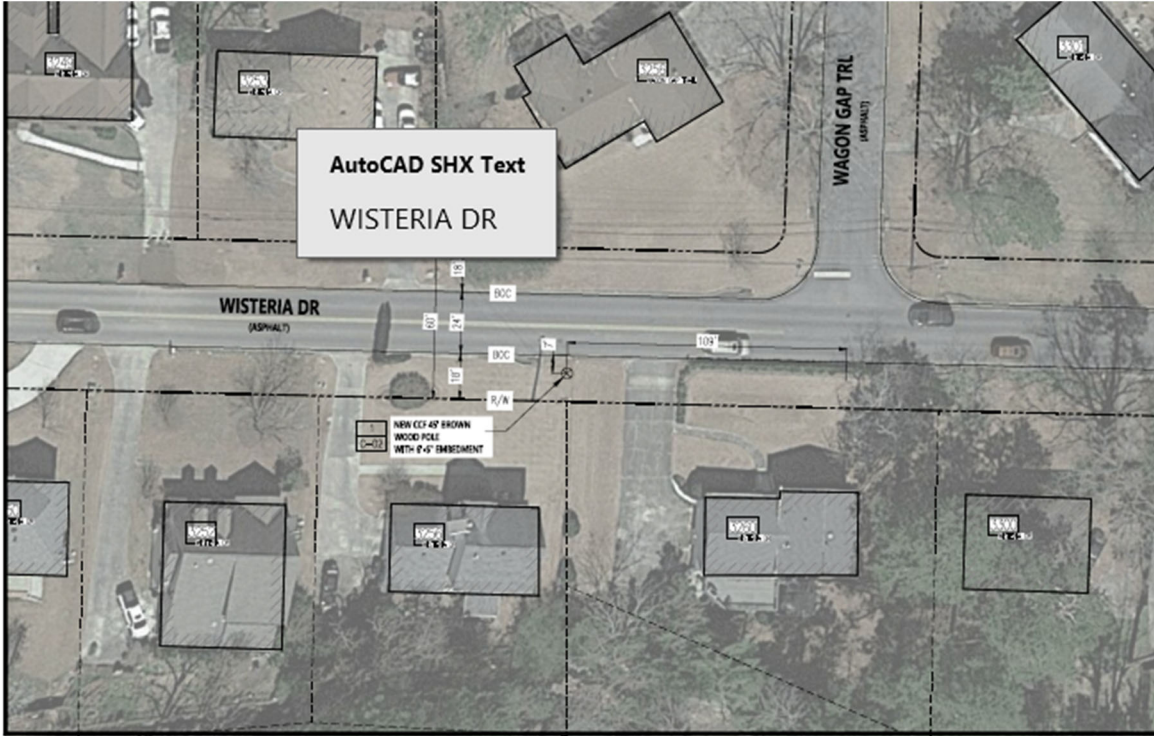
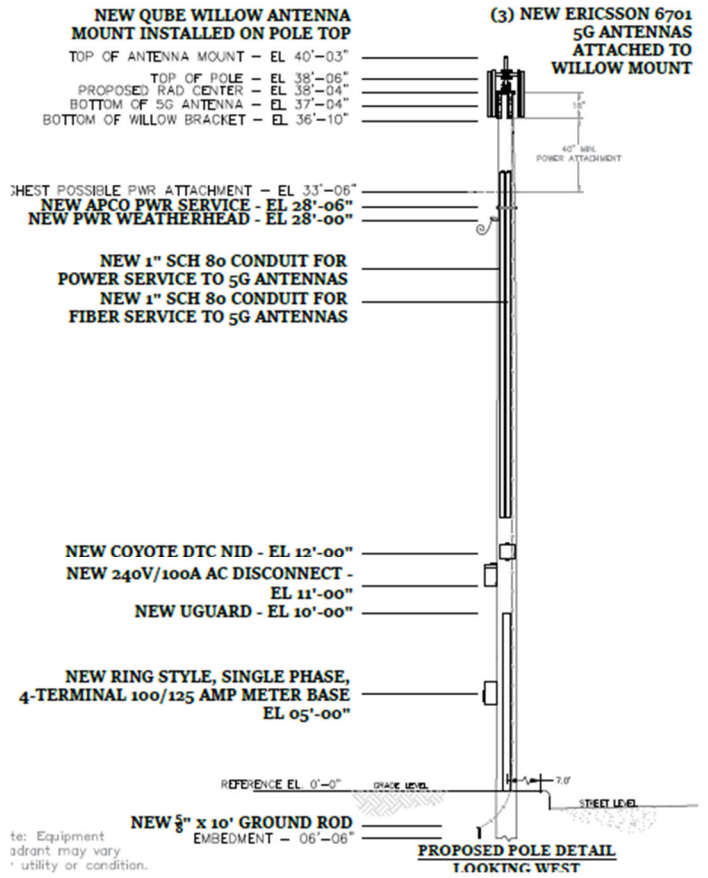


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ORDINANCE NUMBER 3089

**AN ORDINANCE GRANTING A CONDITIONAL USE APPROVAL
FOR A VETERINARY HOSPITAL**

WHEREAS, on December 13, 2010, the City Council of the City of Vestavia Hills, Alabama approved and adopted Ordinance Number 2331 re-establishing a Zoning Code for the City of Vestavia Hills, Alabama; and

WHEREAS, Wade Cornelius, Vestridge Commons Shopping Center LLC, has submitted application for conditional use approval for veterinary hospital including grooming, bathing services and veterinarian care operated from tenant space in the Vestridge Commons Shopping Center, more specifically in 1360 Montgomery Highway, Vestavia Hills, Alabama; and

WHEREAS, Mr. Cornelius has indicated in his application for conditional use approval to allow the operation of a veterinarian clinic with services such as medical, grooming and bathing services; and

WHEREAS, a copy of said application dated January 11, 2022 is attached and hereby incorporated into this Ordinance Number 3089.

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

1. Conditional Use Approval is hereby approved for Vestridge Commons Shopping Center, LLC for a veterinarian clinic with services such as medical, grooming and bathing services located in the tenant space described as 1360 Montgomery Highway;
 - (1) Conditional use is hereby granted for operation of a veterinarian clinic with services such as medical, grooming and bathing services; and
 - (2) Services shall be conducted by appointment, emergency and/or walk-in only; and
 - (3) There shall be no overnight boarding of animals at any time except when medically necessary; and
 - (4) A City of Vestavia Hills Business License shall be issued upon application and payment by the proposed veterinary tenant working to the rules and regulations outlined in the Vestavia Hills Business License

Code and shall be renewed each year that the veterinarian business is operated from the location at 1360 Montgomery Highway, Vestavia Hills, Alabama; and

- (5) At any time should the tenant vacate the premises, discontinue or relocate the business and the use is removed from the property for 12-months, this conditional use approval shall be nullified and said Ordinance Number 3089 shall be automatically repealed

ADOPTED and APPROVED this the 25th day of April, 2022.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CERTIFICATION:

I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance # 3089 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 25th day of April, 2022 as same appears in the official records of said City.

Posted at Vestavia Hills Municipal, Vestavia Hills Library in the Forest, Vestavia Hills New Merkle House and Vestavia Hills Recreational Center this the _____ day of _____, 2022.

Rebecca Leavings
City Clerk

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

Date: MARCH 10, 2022

- **CASE:** P-0322-04
- **REQUESTED ACTION:** Conditional Use Approval for a Veterinary Clinic
- **ADDRESS/LOCATION:** 1360 Montgomery Hwy.
- **APPLICANT/OWNER:** Vestridge Commons Shopping Center, LLC
- **GENERAL DISCUSSION:** The applicant is seeking to establish a veterinary practice and pet grooming facility in the Vestridge Commons shopping center (Sol Azteca, Monograms Plus, Kool Korner, etc.). All services would be by appointment only M-Sa and no overnight boarding offered unless pets are required 24 hour/overnight care. As per and agreement with the property owner, the greenspace behind the building would be fenced and utilized. A description of the applicant's business is attached.
- **VESTAVIA HILLS COMPREHENSIVE PLAN:** This request is consistent with plan for commercial core.
- **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: Conditioned on no overnight boarding other than what is required for medical care.
 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.

With the Commission finding that the application met all nine criteria as defined in Section 13.3.4 of the Vestavia Hills Zoning Ordinance

MOTION Mr. Weaver made a motion to recommend Conditional Use Approval for a veterinary clinic for 1360 Montgomery Hwy. with the following conditions:

1. Overnight boarding of animals is prohibited unless medically necessary.

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

Mr. Honeycutt – yes

Mr. Farrell – yes

Mr. Weaver – yes

Mr. Larson – yes

Mr. Sykes – yes

Mr. Vercher– yes

Motion carried.

CITY OF VESTAVIA HILLS
PLANNING AND ZONING COMMISSION
Conditional Use Application

I. INSTRUCTIONS AND INFORMATION:

- (1) The Vestavia Hills Planning and Zoning Commission meets regularly on the second Thursday of each month at 6:00 PM in Council Chambers at the Municipal Center.
- (2) All materials and information relating to a conditional use approval before the Planning and Zoning Commission must be submitted to the Office of the City Clerk no later than **25 working days prior to the scheduled meeting at which it shall be considered.** Applications must be completed in its entirety and must contain all pertinent information in order to be considered. Acceptance by the Clerk does not constitute acceptance of complete and proper filing. All applicants are encouraged to present their request to the Zoning Staff on any Tuesday at 9 AM in the Executive Conference Room, City Hall, prior to submitting for a Conditional use.
- (3) This application must be filled out in its entirety completely, including zip codes.
- (4) All applicable fees shall accompany this application prior to its being considered complete. Fees include an application fee of \$100.00 along with applicable postage per property owner to be notified for Commission meeting. Postage Fees for notification for Planning and Zoning and for City Council meetings along with applicable publication fees will be billed to applicant at a later date. The applicant is responsible for all notification fees. ***No permits will be issued until all fees have been paid.***
- (5) Appropriate plats and maps with proper legal description shall accompany this application. **Please refer to attached checklist.**

II. APPLICANT INFORMATION: (owner of property)

NAME: VESTRIDGE COMMONS SHOPPING CENTER, L.L.C.

ADDRESS: 728 Shades Creek Parkway, Suite 210
Birmingham, AL 35209

PHONE: 205-802-7202 EMAIL: tmiller@fairwaymg.com

NAME OF REPRESENTING ATTORNEY OR OTHER AGENT: _____
Wade Cornelius

PHONE: 205-414-1234 EMAIL: wade@donovanfingar.com

P0322-04//28-00-31-2-010-019.000
1360 Montgomery Hwy.
Cond. Use for Vet Hospital
Vestridge Commons Shopping
Center B2

II. BILLING/RESPONSIBLE PARTY: (FOR PAYMENT OF FEES)

NAME: VESTRIDGE COMMONS SHOPPING CENTER, L.L.C.
ADDRESS: 728 Shades Creek Parkway, Suite 210
Birmingham, AL 35209
PHONE: 205-802-7202 EMAIL: tmiller@fairwaymg.com

III. ACTION REQUESTED

Request that the above described property be approved conditional use approval pursuant to Section 13.3 of the Vestavia Hills Zoning Code.

Current Zoning of Property: B-2

Requested Conditional use For the intended purpose of: Veterinary Hospital (§7.6)

if additional information is needed, please attached full description of request

IV. PROPERTY DESCRIPTION: (address, legal, etc.)

1360 Montgomery Highway
Vestavia Hills, Alabama 35216 (legal attached as Exhibit B)

Property size: _____ feet X _____ feet. Acres: 4.98

All applications must contain a full legal description of subject property.

V. INFORMATION ATTACHED:

Attached Checklist complete with all required information.

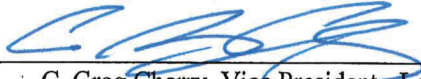
Application fees submitted.

P0322-04//28-00-31-2-010-019.000
1360 Montgomery Hwy.
Cond. Use for Vet Hospital
Vestridge Commons Shopping
Center B2

VI. I do hereby declare the above statements are true and that I, the owner, and/or my duly appointed representative will be at the scheduled hearing. **Application must be signed by the owner of the property before a Notary and original submitted to the Office of the Clerk; no copies will be accepted**

VESTRIDGE COMMONS SHOPPING CENTER, L.L.C., an Alabama limited liability company

By: The Thompson Development Company, Inc., an Alabama corporation, its Manager

By: 
C. Greg Cherry, Vice President - Leasing

Given under my hand and seal
this 11th day of January, 2022.


Notary Public

VICKI MORGAN MCCLUNG
Notary Public
Alabama State at Large
My Commission Expires Dec. 2, 2024

My commission expires 2nd
day of December, 2024.

P0322-04//28-00-31-2-010-019.000
1360 Montgomery Hwy.
Cond. Use for Vet Hospital
Vestridge Commons Shopping
Center B2

EXPLANATION/RATIONALE FOR REQUEST

The proposed Heartland Veterinary hospital (the “Project”) will operate a veterinary clinic (the “Proposed Use”) solely from the 4,600 square feet lease space located within the Vestridge Commons Shopping Center (the “Shopping Center”) located at 1360 Montgomery Highway in Vestavia Hills, Alabama, as legally described on the attached Exhibit A and as depicted on the vicinity sketch attached as Exhibit A. All tenant improvements for the Project will occur within the existing building but shall include the addition of an outdoor pet relief area (as shown on the attached Exhibit C).

GENERAL PLAN CONFORMANCE

The Proposed Use is in conformance with the Comprehensive Plan of the City of Vestavia Hills (the “Plan”) and advances “Goal Four” of Chapter II which provides that the City shall strive to “encourage greater economic development with the City to serve residents and expand the City’s tax base;” “encourage an appropriate mix of uses in commercial areas and throughout the City;” and “recruit desirable retail businesses into appropriate locations throughout the City.”

The Project and Proposed Use will serve the needs of pets and residents of the City; contribute to economic sustainability by way of job creation and an addition of a commercial tenant to a currently vacant commercial building space; and enhance the mix of uses in the City.

SPECIFIC JUSTIFICATIONS FOR APPROVAL

1. The Proposed Use is consistent with the City’s zoning code (the “Code”) designation for the property, which is B-2 (Neighborhood Mix Use District). The Proposed Use is currently conditionally permitted in B-2. The Proposed Use is an appropriate use for B-2 since it is consistent with other uses found in the B-2 districts and provides a complementary balance of land uses throughout the community meeting the needs of existing residents and businesses.

a. The Project will be staffed by receptionists, veterinary assistants, veterinary technicians and one (1) or two (2) veterinarians at any one time. The Project will have approximately 6 to 8 employees working Monday through Friday from 8:00 a.m. to 6:00 p.m., and Saturday from 8:00 a.m. to 12:00 p.m. The Project anticipates the business to receive two office calls an hour and three walk-in customers per hour on average. With the proposed operational characteristics of the Project in connection with the Proposed Use (including reasonable hours of operation and all proposed activities conducted indoors with the exception of supervised time in the outdoor pet area), the Shopping Center would provide adequate on-site parking and therefore the Project would not substantially impact on-street parking or the parking or uses on other adjacent properties.

b. The Proposed Use would not generate adverse noise, traffic, or parking impacts that are unusual for commercially-zoned properties. Residential uses would be protected from any noise or nuisance associated with the Project because they are buffered from the subject property by sufficient distance and public streets. With the exception of the outdoor relief area, all animal hospital activities shall occur inside the building. The Project would solely offer overnight boarding of animals in the event of a sick animal or surgery requiring overnight stay.

2. The Proposed Use is compatible with the uses in the surrounding area. The Proposed Use would be compatible and harmonious with developments in the same general area and would not be materially detrimental to other properties within the area. The Project would operate with minimal impact on surrounding properties and uses. Pursuant to Section 7.6.2 of the Code, the outdoor pet relief area shall

be located to the rear of the building and all such areas visible from a public right-of-way shall be enclosed with a six (6) foot wooden privacy fence.

3. The Proposed Use will not be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood. Pursuant to Section 7.6.3 of the Code, all waste material at the Project be stored in closed containers and screened as required in Section 9.4; and pursuant to Section 7.6.4 there will be no emission of any offensive odors, beyond the Project's lot line.

CONCLUSION

Approval of the Project and Proposed Use will allow a veterinary hospital (Heartland Veterinary) with veterinary services, emergency or medically-necessitated pet boarding, and ancillary outdoor use in the B-2 zone. The Project and Proposed Use are consistent with the Plan, Code and with developments in the general neighborhood. Therefore, we respectfully request the approval of this Conditional Use Application.

EXHIBIT A

(Legal Description)

Tract I:

A parcel of land situated in the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 31, Township 18 South, Range 2 West of the Huntsville Principal Meridian, being a portion of Lots 9, 10, and 11, Block 6, lying Northwesterly of State Highway No. 31, of the First Addition to Shades Park, as recorded in Plat Book 8, Page 22, in the Jefferson County Judge of Probate Office, the bearings of which are based on assumed datum, and being more particularly described as follows: Begin at a Jimmy Gay capped iron rod marking the Northwest corner of said Lot 11, and run South 85 degrees 52 minutes 47 seconds East 320.36 feet along the North line thereof to the common corner of said Lots 10 and 11; said point being marked by a Jimmy Gay capped iron rod; thence South 85 degrees 51 minutes 58 seconds East 356.59 feet along the North lines of said Lots 10 & 9 to intersection with the Northwesterly right-of-way line of said State Highway No. 31; said point being marked by a Jimmy Gay capped iron rod; thence run along said right-of-way line for the following four (4) courses; 1) South 48 degrees 56 minutes 51 seconds West 229.22 feet to a concrete right-of-way monument; 2) Southwesterly 238.35 feet along the arc of a curve, concave to the Southeast, having a central angle of 01 degrees 10 minutes 09 seconds a radius of 11679.16 feet, and a chord bearing and distance of South 48 degrees 21 minutes 47 seconds West and 238.34 feet to an iron set; 3) South 00 degrees 45 minutes 45 seconds East 26.78 feet to a concrete right-of-way monument; 4) Southwesterly 293.08 feet along the arc of a curve, concave to the Southeast, having a central angle of 01 degrees 27 minutes 10 seconds, a radius of 11559.16 feet, and a chord bearing and distance of South 47 degrees 02 minutes 42 seconds West and 293.07; thence North 31 degrees 48 minutes 01 seconds West 208.57 feet to intersection with the West line of said Lot 11; thence North 00 degrees 01 minutes 22 seconds West 406.84 feet along said West line to the Point of Beginning.

Tract II: 20 foot permanent utility easement

A 20.00 foot easement for the purpose of utilities, situated in the Northwest $\frac{1}{4}$ and the Southwest $\frac{1}{4}$ of Section 31, Township 18 South, Range 2 West, of the Huntsville Principal Meridian, running across the portions of Lots 11, 13 and 14, Block 6, of the First Addition to Shades Park, as recorded in Plat Book 8, Page 22, in the Judge of Probate Office of Jefferson County, Alabama, said easement being 10.00 feet each side of the following described centerline, the sidelines of which are to be extended or shortened to coincide with a line that bears North 31 degrees 48 minutes 01 seconds West and the West line of said Lot 13, the bearings of which are based on assumed datum and being more particularly described as follows: Commence at a Jimmy Gay capped iron rod marking the Northwest corner of said Lot 11, and run South 85 degrees 52 minutes 47 seconds East 320.36 feet along the North line thereof to the common corner of said Lots 10 and 11; said point being marked by a Jimmy Gay capped iron rod; thence South 85 degrees 51 minutes 58 seconds East 356.59 feet along the North lines of said Lots 10 & 9 to intersection with the Northwesterly right-of-way line of said State Highway No. 31; said point being marked by a Jimmy Gay capped iron rod; thence run along said right-of-way line for the following four (4) courses; 1) South 48 degrees 56 minutes 51 seconds West 229.22 feet to a concrete right-of-way monument; 2) Southwesterly 238.35 feet along the arc of a curve, concave to the Southeast, having a central angle of 01 degrees 10 minutes 09 seconds a radius of 11679.16 feet, and a chord bearing and distance of South 48 degrees 21 minutes 47 seconds West and 238.34 feet to an iron set 3) South 00 degrees 45 minutes 45 seconds East 26.78 feet to a concrete right-of-way monument; 4) Southwesterly 293.08 feet along the arc of a curve, concave to the Southeast, having a central angle of 01 degrees 27 minutes 10 seconds a radius of 11559.16 feet, and a chord bearing and distance of South 47 degrees 02 minutes 42 seconds West and 293.07 feet; thence North 31 degrees 48 minutes 01 seconds West 10.22 feet to the Point of Beginning of the easement herein described; thence running parallel and 10.00 feet Northwesterly measuring at right angles of said right of way line for the following two (2) courses: 1) Southwesterly 543.99 feet along the arc of a curve, concave to the Southeast, having a central angle of 02 degrees 41 minutes 39 seconds, a radius of 11569.16 feet, and a chord bearing and distance of South 44 degrees 58 minutes 56 seconds West and 543.94 feet; 2) South 43 degrees 38 minutes 06 seconds West 11.48 feet to a point that is on the projected North line of Lot 1, of Corrected Map of East Sector Vestavia Forest, as

recorded in Plat Book 47, Page 26, in the Judge of Probate Office, Jefferson County, Alabama; thence North 90 degrees 00 minutes 00 seconds West 33.88 feet to intersection with the West line of said Lot 13 and the Point of Termination of said easement.

Tract III: Easement for Encroachments

An easement for encroachments and construction related activities, situated in the Northwest $\frac{1}{4}$ and the Southwest $\frac{1}{4}$ of Section 31, Township 18 South, Range 2 West of the Huntsville Principal Meridian, running across portions of Lots 11, 12, 13, and 14, Block 6, of the First Addition to Shades Park, as recorded in Plat Book 8, Page 22, in the Judge of Probate Office of Jefferson County, Alabama; the bearings of which are based on assumed datum and being more particularly described as follows: Commence at a Jimmy Gay capped iron rod marking the Northwest corner of said Lot 11 and run South 85 degrees 52 minutes 47 seconds East 320.36 feet along the North line thereof to the common corner of said Lots 10 and 11; said point being marked by a Jimmy Gay capped iron rod; thence South 85 degrees 51 minutes 58 seconds East 356.59 feet along the North lines of said Lots 10 & 9 to intersection with the Northwesterly right-of-way line of State Highway No. 31; said point being marked by a Jimmy Gay capped iron rod; thence run along said right-of-way line for the following four (4) courses; 1) South 48 degrees 56 minutes 51 seconds West 229.22 feet to a concrete right-of-way monument; 2) Southwesterly 238.35 feet along the arc of a curve, concave to the Southeast, having a central angle of 01 degrees 10 minutes 09 seconds a radius of 11679.16 feet, and a chord bearing and distance of South 48 degrees 21 minutes 47 seconds West and 238.34 feet to an iron set; 3) South 00 degrees 45 minutes 45 seconds East 26.78 feet to a concrete right-of-way monument; 4) Southwesterly 293.08 feet along the arc of a curve, concave to the Southeast, having a central angle of 01 degrees 27 minutes 10 seconds, a radius of 11559.16 feet, and a chord bearing and distance of South 47 degrees 02 minutes 42 seconds West and 293.07 feet to the Point of Beginning of the easement herein described; thence continue along said right-of-way line Southwesterly 180.82 feet along the arc of a curve, concave to the Southeast, having a central angle of 00 degrees 53 minutes 47 seconds, a radius of 11559.16 feet, and a chord bearing and distance of South 45 degrees 52 minutes 14 seconds West and 180.82 to a point that is 20.00 feet West of the prolongation of the West line of said Lot 11; thence leaving said right-of-way line and running 20.00 feet West and parallel with the West line of said Lot 11, North 00 degrees 01 minute 22 seconds West 441.48 feet; thence North 89 degrees 58 minutes 38 seconds East 20.00 feet to intersection with the West line of said Lot 11; thence South 00 degrees 01 minutes 22 seconds East along said West line 138.33 feet; thence South 31 degrees 48 minutes 01 seconds East 208.57 feet to the Point of Beginning.

Tract IV:

Together with rights acquired under that certain grant of easement for constructing, reconstructing, maintaining, and repairing a sanitary sewer line as granted in Volume 6593, Page 361 over the following described property:

The North five (5) feet of Lot 1, according to the corrected map of Vestavia Forest, East Sector, as the same is recorded in the Office of the Judge of Probate of Jefferson County, Alabama, in Map Book 47, Page 26.

Tract V:

A parcel of land situated in the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 31, Township 18 South, Range 2 West of the Huntsville Principal Meridian being a portion of Lots 11 and 12, Block 6, lying Northwest of U.S. Highway No. 31 of the First Addition to Shades Park, as recorded in Plat Book 8, Page 22, in the Jefferson County Judge of Probate Office, being more particularly described as follows: Commence at a Jimmy Gay capped iron rod marking the Northwest corner of said Lot 11, run in a Southerly direction along the West line of said Lot 11 for a distance of 348.94 feet to an existing iron rebar set by Weygand being the point of beginning; thence turn an angle to the right of 46°59'04" and

run in a Southwesterly direction for a distance of 32.68 feet to an existing iron rebar set by Weygand being the point of beginning of a curve, said curve being concave in an Easterly direction, having a central angle of 74°55'22" and a radius of 60.50 feet; thence turn an angle to the left (52°32'02" to the chord of said curve) and run in a Southwesterly, Southerly and Southeasterly direction along the arc of said curve for a distance of 79.11 feet to an existing iron rebar set by Weygand being the point of ending of said curve; thence run in a Southeasterly direction along a line tangent to the end of said curve for a distance of 96.33 feet to an existing iron rebar set by Weygand; thence turn an angle to the left of 90° and run in a Northeasterly direction for a distance of 15.55 feet to an existing iron rebar set by Weygand; thence turn an angle to the left of 78°42'53" and run in a Northwesterly direction for a distance of 114.67 feet to an existing iron rebar set by Arrington; thence turn an angle to the right of 31°43'32" and run in a Northerly direction along the West line of said Lot 11 for a distance of 57.84 feet, more or less, to the point of beginning.

Tract VI:

Together with a non-exclusive reciprocal easement for access as set forth in the Declaration of Easements, Covenants, Conditions and Restrictions by and between Vestridge Commons Shopping Center, L.L.C., CK Enterprises, LLC and L. Lance Kitchens recorded as Instrument No. 200602/3288.

Surveyors Description as to Tracts I and V:

A parcel of land as described in Instrument Number 200205-5682 and Instrument Number 201413-16656 as recorded in the Office of the Judge of Probate of Jefferson County, Alabama, lying in the NW1/4 of Section 31, Township 18 South, Range 2 West, Jefferson County, Alabama, and being more particularly described as follows:

BEGIN AT A 5/8" capped rebar (SAIIA) found marking the Southeast corner of Lot 2A as shown on a plat of "Resurvey of Lots 1 & 2 of Cobble Hill" as recorded in Map Book 228, Page 47 in said Office of Judge of Probate; thence run S 87°05'29" E for a distance of 457.66 feet to 5/8" capped rebar (SAIIA) found marking the Southwest corner of Lot 25 as shown on a plat of "Cobble Hill Survey" as recorded in Map Book 221, Page 45 in said Office of Judge of Probate; thence run S 87°14'05" E for a distance of 181.62 feet to a 5/8" capped rebar (Jim Gay 8759) found marking the Northeast corner of said parcel of land as described in Instrument Number 200205-5682, and along the Northwesterly right-of-way line of U.S. Highway 31/Montgomery Highway (a variable width public right-of-way); thence run S 47°41'16" W along said right-of-way for a distance of 229.22 feet to a 5/8" rebar found (Weygand) on a curve having a radius of 11676.16 feet, a chord bearing of S 46°51'19" W, a chord length of 238.11 feet; thence along said right-of-way and along said arc for a distance of 238.34 feet to a 5/8" rebar (Weygand); thence along said right-of-way, run S 01°54'51" E for a distance of 26.86 feet to a found pk nail on a curve having a radius of 11559.16 feet, a chord bearing of S 45°37'59" W, a chord length of 293.11 feet; thence along said right-of-way and along said arc for a distance of 293.08 feet to a 5/8" rebar found (Weygand); thence leaving said right-of-way, run N32°38'07" W for a distance of 94.57 feet to a set 1. pipe found; thence run S 46°06'40" W for a distance of 16.03 feet to a found 5/8" capped rebar (Weygand); thence run N 48°59'45" W for a distance of 96.33 feet to a set 5/8" rebar on a curve having a radius of 60.50 feet, a chord bearing of N 02°53'13" W, a chord length of 78.06 feet, thence along said arc for a distance of 84.84 feet to a found 5/8" capped rebar (Weygand); thence run N 43°57'42" E for a distance of 33.78 feet to a set 5/8" rebar; thence run N 01°23'40" W for a distance of 348.94 feet to a set 5/8" rebar on the South line of said Lot 2A; thence run S 87°05'29" E along said South line for a distance of 37.67 feet to the POINT OF BEGINNING.

Said described parcel of land contains 4.98 acres, more or less.

EXHIBIT "B"
Vicinity Sketch

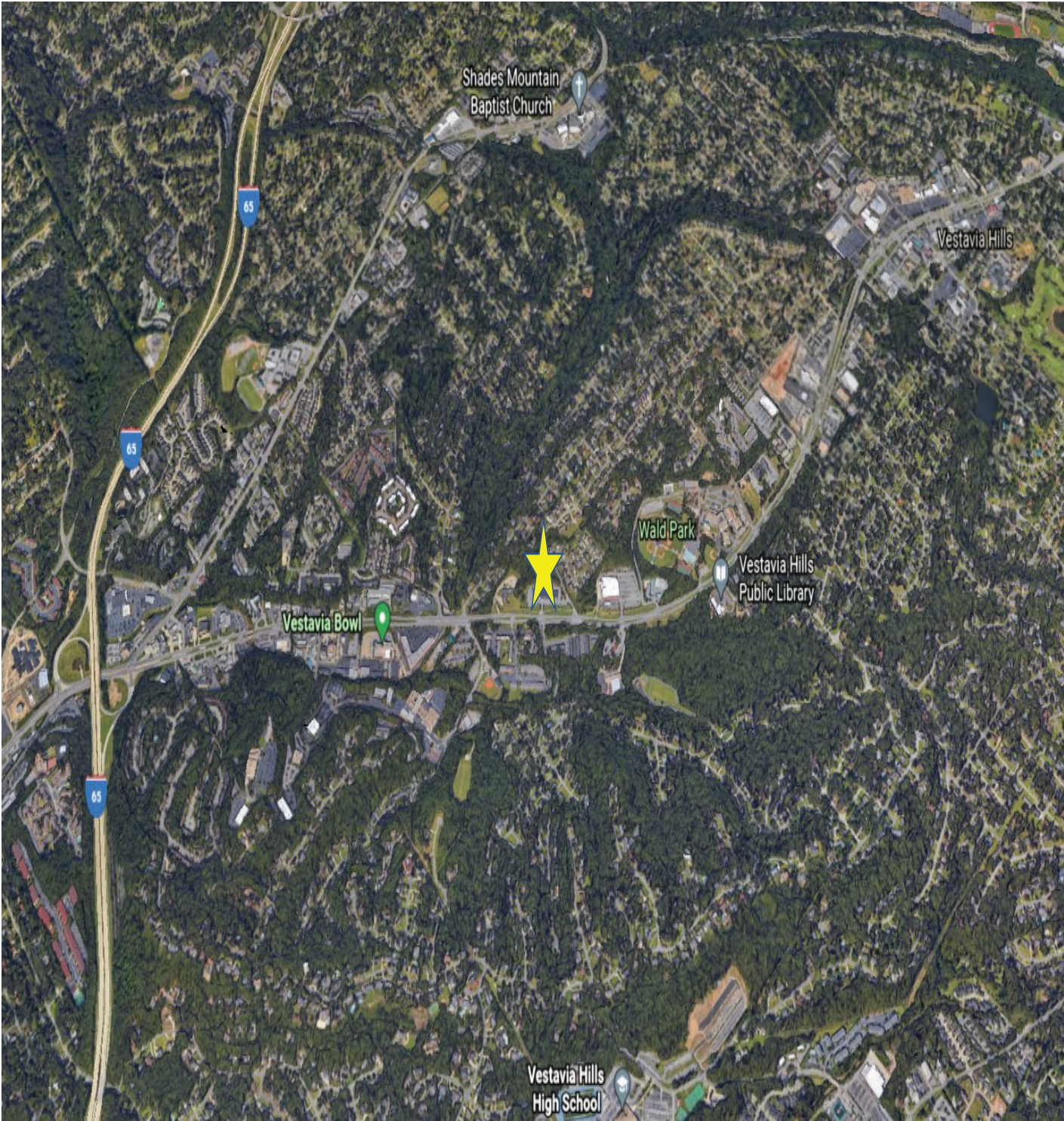
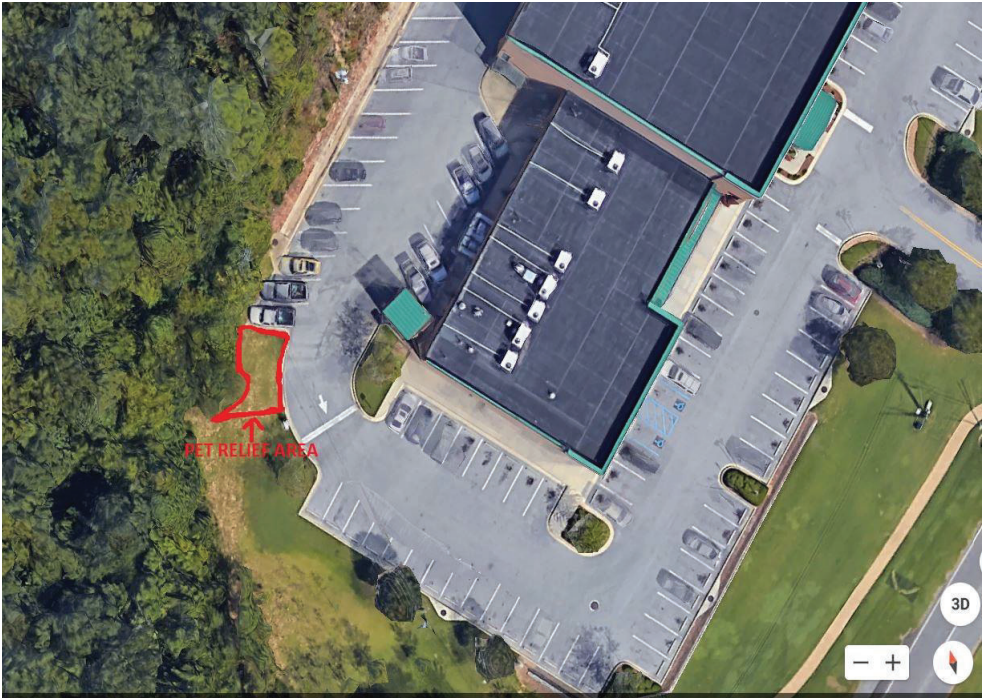


EXHIBIT "C"
OUTDOOR PET RELIEF AREA



ORDINANCE NUMBER 3090

**AN ORDINANCE GRANTING A CONDITIONAL USE APPROVAL
FOR A DOG GROOMING BUSINESS**

WHEREAS, on December 13, 2010, the City Council of the City of Vestavia Hills, Alabama approved and adopted Ordinance Number 2331 re-establishing a Zoning Code for the City of Vestavia Hills, Alabama; and

WHEREAS, David Ashford, Old Towne Center 33rd Street Holdings LLC and Old Towne Center on behalf of Felicia Weston, has submitted application for conditional use approval for the grooming and bathing services of dogs operated from tenant space in the Old Towne Center, more specifically in 220 Old Towne Road, Vestavia Hills, Alabama; and

WHEREAS, Ms. Weston has indicated in the application for conditional use approval to allow the operation of a grooming and bathing service for dogs; and

WHEREAS, a copy of said application dated January 31, 2022 is attached and hereby incorporated into this Ordinance Number 3090.

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

1. Conditional Use Approval is hereby approved for Old Towne Center for a grooming and bathing dog service to be located in the tenant space described as 220 Old Towne Road;
 - (1) Conditional use is hereby granted for operation of a dog grooming and bathing service; and
 - (2) Services shall be conducted by appointment and/or walk-in only; and
 - (3) There shall be no overnight boarding of animals at any time; and
 - (4) A City of Vestavia Hills Business License shall be issued upon application and payment by the proposed veterinary tenant working to the rules and regulations outlined in the Vestavia Hills Business License Code and shall be renewed each year that the veterinarian business is operated from the location at 220 Old Towne Road, Vestavia Hills, Alabama; and

- (5) At any time should the tenant vacate the premises, discontinue or relocate the business and the use is removed from the property for 12-months, this conditional use approval shall be nullified and said Ordinance Number 3090 shall be automatically repealed

ADOPTED and APPROVED this the 25th day of April, 2022.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CERTIFICATION:

I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance # 3090 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 25th day of April, 2022 as same appears in the official records of said City.

Posted at Vestavia Hills Municipal, Vestavia Hills Library in the Forest, Vestavia Hills New Merkle House and Vestavia Hills Recreational Center this the _____ day of _____, 2022.

Rebecca Leavings
City Clerk

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

Date: MARCH 10, 2022

- **CASE:** P-0322-07
- **REQUESTED ACTION:** Conditional Use Approval for dog grooming
- **ADDRESS/LOCATION:** 220 Old Towne Rd.
- **APPLICANT/OWNER:** Old Town Center 33rd Street Holdings, LLC & Old Town Center 131 West 33rd Street Holdings, LLC
- **GENERAL DISCUSSION:** The applicant is seeking to establish a pet grooming facility in the Olde Towne hopping center. All services would be by appointment only and no overnight boarding offered. Typical appointments usually last less than 2 hours. As per and agreement with the property owner, the greenspace behind the building would be utilized. A description of the applicant's business is attached.
- **VESTAVIA HILLS COMPREHENSIVE PLAN:** This request is consistent with plan for commercial core.
- **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: Conditioned on no overnight boarding other than what is required for medical care.
 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.

With the Commission finding that the application met all nine criteria as defined in Section 13.3.4 of the Vestavia Hills Zoning Ordinance

MOTION Mr. Weaver made a motion to recommend Conditional Use Approval for a pet grooming at 220 Old Towne Rd. Second was by Mr. Larson. Motion was carried on a roll call; vote as follows:

Mr. Honeycutt – yes

Mr. Weaver – yes

Mr. Sykes – yes

Motion carried.

Mr. Farrell – yes

Mr. Larson – yes

Mr. Vercher– yes

CITY OF VESTAVIA HILLS
PLANNING AND ZONING COMMISSION
Conditional Use Application

I. INSTRUCTIONS AND INFORMATION:

- (1) The Vestavia Hills Planning and Zoning Commission meets regularly on the second Thursday of each month at 6:00 PM in Council Chambers at the Municipal Center.
- (2) All materials and information relating to a conditional use approval before the Planning and Zoning Commission must be submitted to the Office of the City Clerk no later than **25 working days prior to the scheduled meeting at which it shall be considered**. Applications must be completed in its entirety and must contain all pertinent information in order to be considered. Acceptance by the Clerk does not constitute acceptance of complete and proper filing. All applicants are encouraged to present their request to the Zoning Staff on any Tuesday at 9 AM in the Executive Conference Room, City Hall, prior to submitting for a Conditional use.
- (3) This application must be filled out in its entirety completely, including zip codes.
- (4) All applicable fees shall accompany this application prior to its being considered complete. Fees include an application fee of \$100.00 along with applicable postage per property owner to be notified for Commission meeting. Postage Fees for notification for Planning and Zoning and for City Council meetings along with applicable publication fees will be billed to applicant at a later date. The applicant is responsible for all notification fees. ***No permits will be issued until all fees have been paid.***
- (5) Appropriate plats and maps with proper legal description shall accompany this application. **Please refer to attached checklist.**

II. APPLICANT INFORMATION: (owner of property)

NAME: Old Town Center 33rd Street Holdings LLC and Old Town Center
131 West 33rd Street Holdings LLC

ADDRESS: 55 5th Avenue 15th Floor
New York, NY 10003

PHONE: 212-206-6194 EMAIL: jkim@timeequities.com

NAME OF REPRESENTING ATTORNEY OR OTHER AGENT: _____
David Ashford (LL's Real Estate Representative) - The Shopping Center Group

PHONE: 205-776-6705 EMAIL: David.Ashford@tscg.com

P0322-07//29-00-36-4-007-003.006
220 Old Towne Rd.
Cond. Use for Dog Grooming
Old Town Center/Felicia Weston

II. BILLING/RESPONSIBLE PARTY: (FOR PAYMENT OF FEES)

NAME: Felicia Weston
ADDRESS: 1445 Shades Crest Road
Hoover, AL 35226
PHONE: 205-441-6698 EMAIL: westonfcw@gmail.com

III. ACTION REQUESTED

Request that the above described property be approved conditional use approval pursuant to Section 13.3 of the Vestavia Hills Zoning Code.

Current Zoning of Property: B-3

Requested Conditional use For the intended purpose of: Dog Grooming Services
by appointment only. Dog's will not be held overnight or for extended period.

if additional information is needed, please attached full description of request

IV. PROPERTY DESCRIPTION: (address, legal, etc.)

220 Olde Towne, Vestavia, Hills, AL 35216

Legal description is attached.

Property size: 356 feet X 225 feet. Acres: 1.84

****All applications must contain a full legal description of subject property. ****

V. INFORMATION ATTACHED:

Attached Checklist complete with all required information.

Application fees submitted.

P0322-07//29-00-36-4-007-003.006
220 Old Towne Rd.
Cond. Use for Dog Grooming
Old Town Center/Felicia Weston

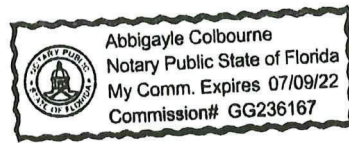
VI. I do hereby declare the above statements are true and that I, the owner, and/or my duly appointed representative will be at the scheduled hearing. **Application must be signed by the owner of the property before a Notary and original submitted to the Office of the Clerk; no copies will be accepted**

[Signature] 1/6/2022
Owner Signature/Date

[Signature] 1/6/2022
Representing Agent (if any)/date

Given under my hand and seal
this 6 day of January, 2021.

[Signature]
Notary Public
My commission expires 07/09/2022
day of July, 2022.



P0322-07//29-00-36-4-007-003.006
220 Old Towne Rd.
Cond. Use for Dog Grooming
Old Town Center/Felicia Weston

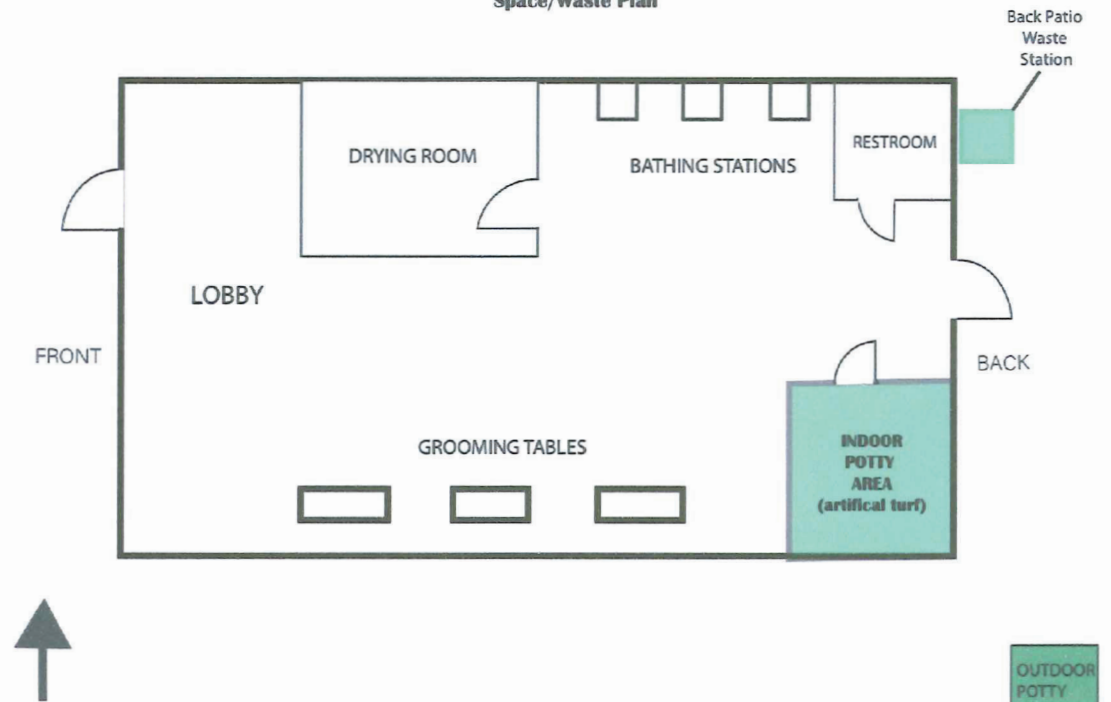
To whom it may concern,

I own an appointment only, cage-free grooming salon. This means we have hands on the dogs from start to finish. Having an appointment only and cage-free environment cuts down on barking tremendously. Each grooming appointment does not last over two hours which means the dog shouldn't use the bathroom if the owner has walked them before their appointment. In the case that a client is running late for pickup, I do have a high quality, easy to clean turf area where dogs will wait for pickup. I also have designated a grassy area outside where dogs can be walked if they need to use the bathroom. We will have a waste station behind the building that will be emptied daily. The space I am looking to lease is perfect and requires zero buildout as it was a hair salon. Thank you for considering my business in the city of Vestavia.

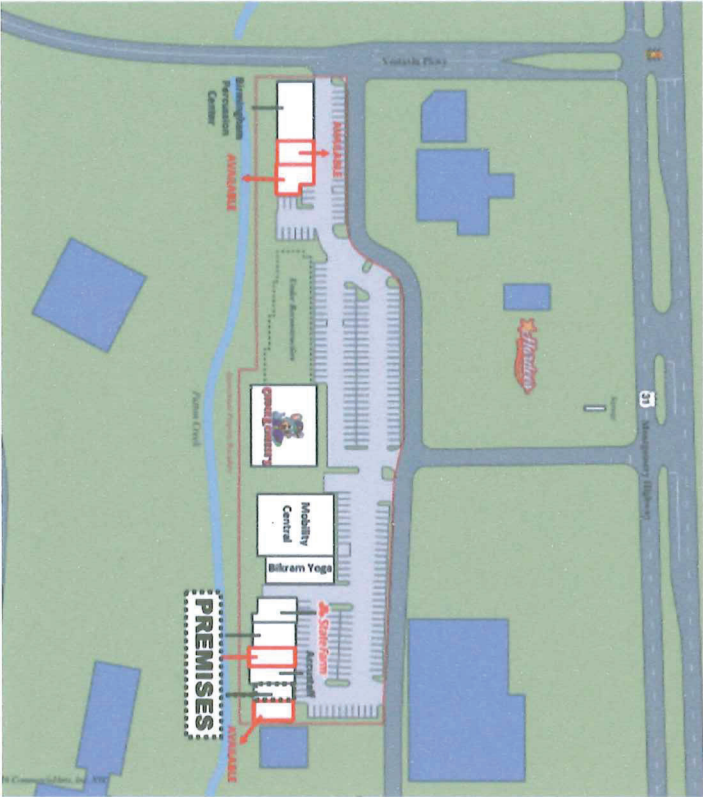
Thank you, Felicia Weston

P0322-07//29-00-36-4-007-003.006
220 Old Towne Rd.
Cond. Use for Dog Grooming
Old Town Center/Felicia Weston

Old Town Center
The Dog Nanny
Space/Waste Plan



P0322-07//29-00-36-4-007-003.006
220 Old Towne Rd.
Cond. Use for Dog Grooming
Old Town Center/Felicia Weston



P0322-07//29-00-36-4-007-003.006
220 Old Towne Rd.
 Cond. Use for Dog Grooming
 Old Town Center/Felicja Weston

ORDINANCE NUMBER 3091

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

WHEREAS, on the 20th day of December, 2021, 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:

2433 Dolly Ridge Road
Lot 35, Rocky Ridge Estates
Megan Rudolph, 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 with the Probate Judge of Jefferson County, Alabama.

ADOPTING and APPROVED this the 25th day of April, 2022.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CERTIFICATION:

I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance # 3091 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 25th day of April, 2022, as same appears in the official records of said City.

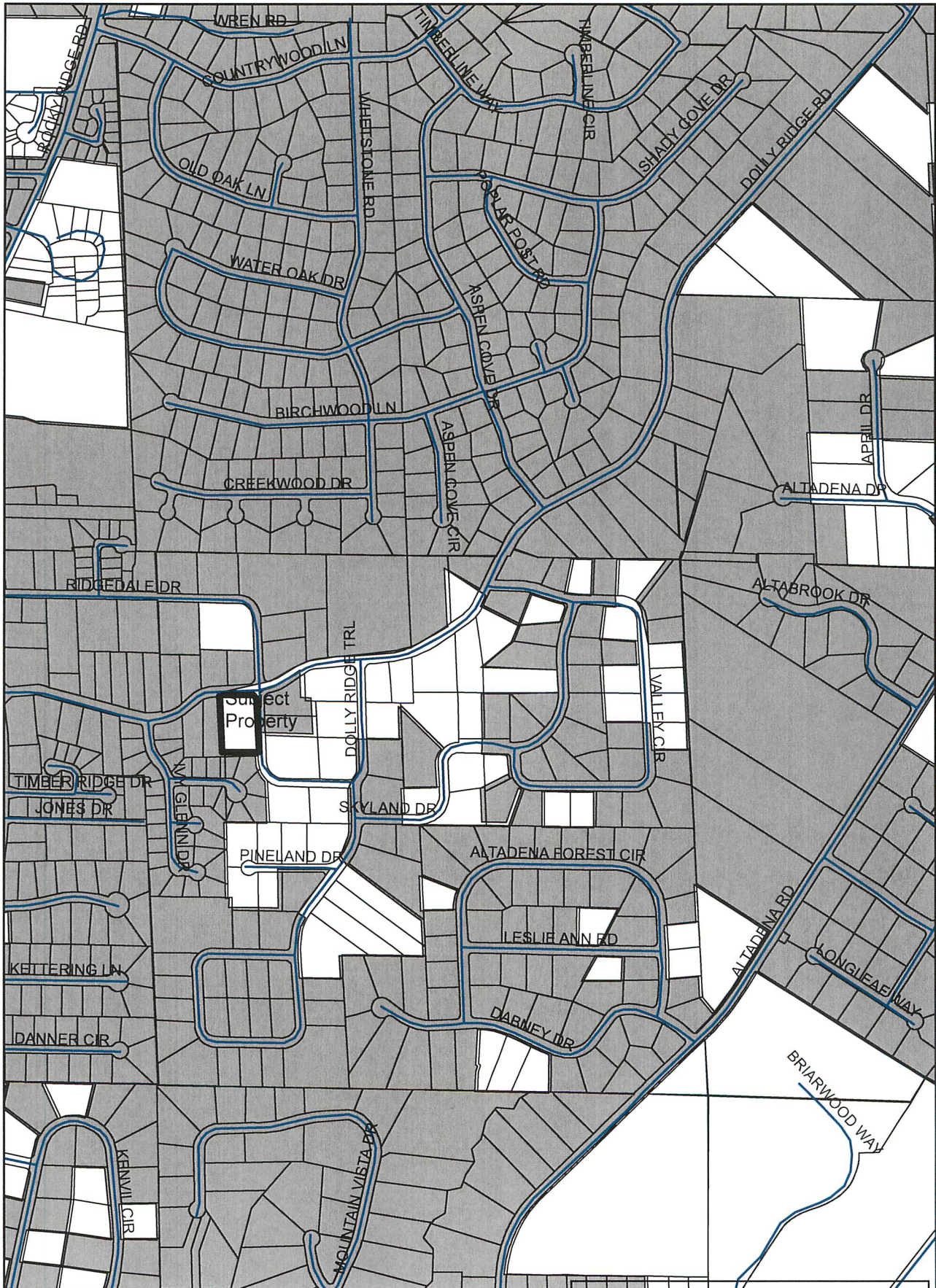
Posted at Vestavia Hills Municipal Center, Vestavia Hills Library in the Forest, Vestavia Hills New Merkle House and Vestavia Hills Recreational Center this the _____ day of _____, 2022.

Rebecca Leavings
City Clerk


2433 Dolly Ridge Road

Exhibit - Ordinance No. 3091

N



Legend

 Vestavia_Hills_City_Limits

Annexation Committee Petition Review

Property: 2433 Dolly Ridge Road

Owners: Megan Rudolph

Date: 11-19-21

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 owner HAS A DRILLING project + it may require city Land Disturbance permit reviews.

5. Individual household has a Jefferson or Shelby County Tax Assessor minimum market value of \$198,100. 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 205 Number in city 18+

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: 2433 Dolly Ridge Road

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: _____

pre-existing drainage concerns pertaining to a 24" pipe. Issue is being addressed

11. Information on children: Number in family 4; Plan to enroll in VH schools Yes No _____ Comments: _____

Other Comments: _____



George Pierce
Chairman

CITY OF VESTAVIA HILLS
Department Review of Proposed Annexation
(To be completed by Official City Reviewers)

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: 2433 Dolly Ridge Road

Engineering; Public Services

Date: 10/29/2021 Initials: EB

2433 Dolly Ridge Road -- Dolly Ridge Road is a Jefferson County through road; Ridgedale Drive is in fair condition; **engineering has reviewed pre-existing drainage concerns pertaining to an existing 24" pipe that drains under Ridgedale and discharges to this backyard area**; owner currently has ongoing projects that may require City Land Disturbance permit reviews.

Police Department:

Date: 10/14/2021 Initials: J Gaston

Comments: No Problem

Fire Department:

Date: 10/14/2021 Initials: RF

Comments: N/P

Board of Education:

Date: 11/08/2021 Initials: SB

Comments: N/P

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

Exhibit - Ordinance No. 3091

AD VALOREM TAX MILLAGE

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

ASSESSED VALUE

		Citizen Access Portal Descriptor	Notes
====>	2433 Dolly Ridge Road	Property Address	
====>	\$ 798,100	Appraised Value of Property	TOTAL MARKET VALUE
	10%	Assessment Homestead Rate	
	\$79,810.00	Assessed Value	ASSD. VALUE

AD VALOREM REVENUE

		Citizen Access Portal Descriptor	Notes
\$1,640.10	City portion of ad valorem	(Subset of CITY)	(20.55 mills rate)
\$2,294.54	BOE portion of ad valorem	(Subset of CITY)	(28.75 mills rate)
\$3,934.63	Total County remits to City for split with BOE	CITY	
\$1,205.13	SPC DIST1 BOE local rev (County gives directly to BOE)	SPC SCHOOL1	(15.1 mills rate)
\$654.44	Countywide School Tax to VH	SCHOOL	(8.2 mills rate)

TOTAL AD VALOREM REVENUE

\$1,640.10	Annexation Revenue to CITY	CITY (General Fund portion)	(20.55 mills)
\$4,154.11	Annexation Revenue to BOE	SCHOOL + SPC SCHOOL1 + CITY (BOE portion)	(8.2 mills + 15.1 mills + 28.75 mills)
\$5,794.21	TOTAL ANNEXATION REVENUE BENEFIT		

Legend	
City Revenue	
BOE Revenue	

PARCEL #: 28 00 32 4 001 051.000 OWNER: RUDOLPH MEGAN WICKS ADDRESS: 2433 DOLLY RIDGE RD VESTAVIA AL 35243-4637 LOCATION: 2433 DOLLY RIDGE RD BHAM AL 35243	Exhibit - Ordinance No. 3091		
	[111-A0]	Baths: 5.5	H/C Sqft: 4,841
	18-034.0	Bed Rooms: 6	Land Sch: G1
	Land: 154,000	Imp: 644,100	Total: 798,100
	Acres: 0.000	Sales Info: 11/01/2010	\$544,000

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

Tax Year : 2021 ▼

SUMMARY LAND BUILDINGS SALES PHOTOGRAPHS MAPS

SUMMARY

ASSESSMENT		VALUE	
PROPERTY CLASS: 3	OVER 65 CODE:	LAND VALUE 10%	\$154,000
EXEMPT CODE: 2-2	DISABILITY CODE:	LAND VALUE 20%	\$0
MUN CODE: 02 COUNTY	HS YEAR: 0	CURRENT USE VALUE	[DEACTIVATED] \$0
SCHOOL DIST:	EXM OVERRIDE AMT: \$0.00	<u>CLASS 2</u>	
OVR ASD VALUE: \$0.00	TOTAL MILLAGE: 50.1	<u>CLASS 3</u>	
CLASS USE:		BLDG 001	111 \$644,100
FOREST ACRES: 0	TAX SALE:	TOTAL MARKET VALUE [APPR. VALUE: \$798,100]: \$798,100	
PREV YEAR VALUE: \$700,200.00	BOE VALUE: 0	Assesment Override: _____	
		MARKET VALUE:	
		CU VALUE:	
		PENALTY:	
		ASSESSED VALUE:	

TAX INFO							
	CLASS	MUNCODE	ASSD. VALUE	TAX	EXEMPTION	TAX EXEMPTION	TOTAL TAX
STATE	3	2	\$79,820	\$518.83	\$4,000	\$26.00	\$492.83
COUNTY	3	2	\$79,820	\$1,077.57	\$2,000	\$27.00	\$1,050.57
SCHOOL	3	2	\$79,820	\$654.52	\$0	\$0.00	\$654.52
DIST SCHOOL	3	2	\$79,820	\$0.00	\$0	\$0.00	\$0.00
CITY	3	2	\$79,820	\$0.00	\$0	\$0.00	\$0.00
FOREST	3	2	\$0	\$0.00	\$0	\$0.00	\$0.00
SPC SCHOOL1	3	2	\$79,820	\$407.08	\$0	\$0.00	\$407.08
SPC SCHOOL2	3	2	\$79,820	\$1,340.98	\$0	\$0.00	\$1,340.98
TOTAL FEE & INTEREST: (Detail)							\$5.00
ASSD. VALUE: \$79,820.00			\$3,998.98		GRAND TOTAL: \$3,950.98		
<input type="button" value="Payoff Quote"/>							

DEEDS		PAYMENT INFO			
INSTRUMENT NUMBER	DATE	PAY DATE	TAX YEAR	PAID BY	AMOUNT
201064-11671	11/30/2010		2021		\$0.00
200911-2535	11/05/2009	2/23/2021	2020	-	\$3,460.00
200763-16422	06/27/2007	1/7/2020	2019	RUDOLPH MEGAN WICKS	\$3,305.69
575-404	11/10/1969	1/7/2019	2018	BRIAN RUDOLPH	\$3,230.54
		1/9/2018	2017	BRIAN A RUDOLPH	\$3,089.26
		1/11/2017	2016	RUDOLPH BRIAN A	\$2,805.70
		1/4/2016	2015	BRIAN A RUDOLPH	\$2,805.70
		12/23/2014	2014	BRIAN A RUDOLPH	\$2,761.61
		12/23/2013	2013	BRIAN A RUDOLPH	\$2,761.61

STATE OF ALABAMA

Jefferson COUNTY

**PETITION FOR ANNEXATION TO THE
CITY OF VESTAVIA HILLS, ALABAMA**

Date of Petition: 8/13/21

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

We, the undersigned owners of the properties set out in red outline in Exhibit "A" attached hereto, which properties are contiguous to the City limits of the City of Vestavia Hills, Alabama, under the authority of Act No. 32 of the Special Session of the Alabama Legislature of 1964, do hereby petition the City of Vestavia Hills, Alabama, that the properties set out in red outline in Exhibit "A" attached, situated in Jefferson County, Alabama, be annexed to the City of Vestavia Hills, Alabama. The metes and bounds description of the boundary of the property of the undersigned proposed to be annexed is also set out on said Exhibit "A" and a map showing in red the property proposed for annexation by this petition is also attached and made a part hereof.

The undersigned petitioners do further petition that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, set a date for the hearing of this petition and any objections in writing to the petition or protest, on a date certain and that no less than ninety (90) days before said date certain for said hearing on this petition, that a notice of said hearing along with this petition be published in a newspaper of general circulation in Jefferson County, Alabama.

We, the undersigned petitioners do also ask that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, do all things necessary and requisite to comply with the terms of Act No. 32 of the Special Session of the Alabama Legislature of 1964.

Phone (205) 276-4361

rudolphmw@gmail.com

EXHIBIT "A"

LOT: 35

BLOCK: Rocky Bidge Estates

SURVEY: _____

RECORDED IN MAP BOOK 28, PAGE 78 IN THE
PROBATE OFFICE OF Jefferson COUNTY, ALABAMA.

COUNTY ZONING: _____

COMPATIBLE CITY ZONING: _____

LEGAL DESCRIPTION (METES AND BOUNDS):

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals, or caused these presents to be executed by their duly authorized representatives, with full authority.

<u>SIGNATURE(S)</u>	<u>DESCRIPTION OF PROPERTY</u>
<u>Megan W. Rudolph</u>	Lot <u>35</u> Block <u>Rocky Ridge Estates</u> Survey _____
_____	Lot _____ Block _____ Survey _____
_____	Lot _____ Block _____ Survey _____

(Use reverse side hereof for additional signatures and property descriptions, if needed).

STATE OF ALABAMA

Jefferson COUNTY

Megan W. Rudolph being duly sworn says: I am one of the persons who signed the above petition, and I certify that said petition contains the signatures of all the owners of the described property.

Megan W. Rudolph
Signature of Certifier

Subscribed and sworn before me this the 13 day of August, 2021.

[Signature]
Notary Public

My commission expires: 10/30/23

My Commission Expires
October 30, 2023

EXHIBIT "B"

VESTAVIA HILLS BOARD OF EDUCATION

**1204 Montgomery Highway
 Vestavia Hills AL 35216**

(To be completed by the City)

Date of Annexation Petition _____ Action Taken: Grant _____
 Deny _____
 Resolution: Date: _____ Number: _____
 Overnight Ordinance: Date: _____ Number: _____
 90 Day Final Ordinance: Date: _____ Number: _____

(To be completed by Homeowner)

Name(s) of Homeowner(s): Megan Rudolph
 Address: 2433 Dolly Ridge Rd.
 City: Vestavia Hills State: AL Zip: 35243

Information on Children:

**Plan to Enroll In
 Vestavia Hills School?**

	Name(s)	Age	School Grade	Yes	No
1.	Alexis Rudolph	13	8 th	✓	
2.	Austin Rudolph	11	6 th	✓	
3.	Zachary Rudolph	9	3 rd	✓	
4.	Maxwell Rudolph	6	1 st	✓	
5.					
6.					

Approximate date for enrolling students in Vestavia Hills City Schools if above response is "yes". _____

* Children already enrolled.

ORDINANCE NUMBER 3092

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 E-1 TO VESTAVIA HILLS R-1

BE IT ORDAINED by the City Council of the City of Vestavia Hills, Alabama, as follows: That the Zoning Ordinance and Zoning Map of the City of Vestavia Hills, Alabama, adopted September 16, 1985, and as last amended so as to change the class of district zoning of the following described property from Jefferson County E-2 (low density residential) to Vestavia Hills R-1 (low density residential district):

2433 Dolly Ridge Road
Lot 35 Rocky Ridge Estates
Megan Rudolph, Owner

APPROVED and ADOPTED this the 25th day of April, 2022.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CERTIFICATION:

I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance # 3092 is a true and correct copy of such 25th day of April, 2022, as same appears in the official records of said City.

Posted at Vestavia Hills City Hall, Vestavia Hills Library in the Forest, New Merkle House and Vestavia Hills Recreational Center this the _____ day of _____, 2022.

Rebecca Leavings
City Clerk

2433 Dolly Ridge Road



Legend

 Vestavia_Hills_City_Limits

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

Date: **MARCH 10, 2022**

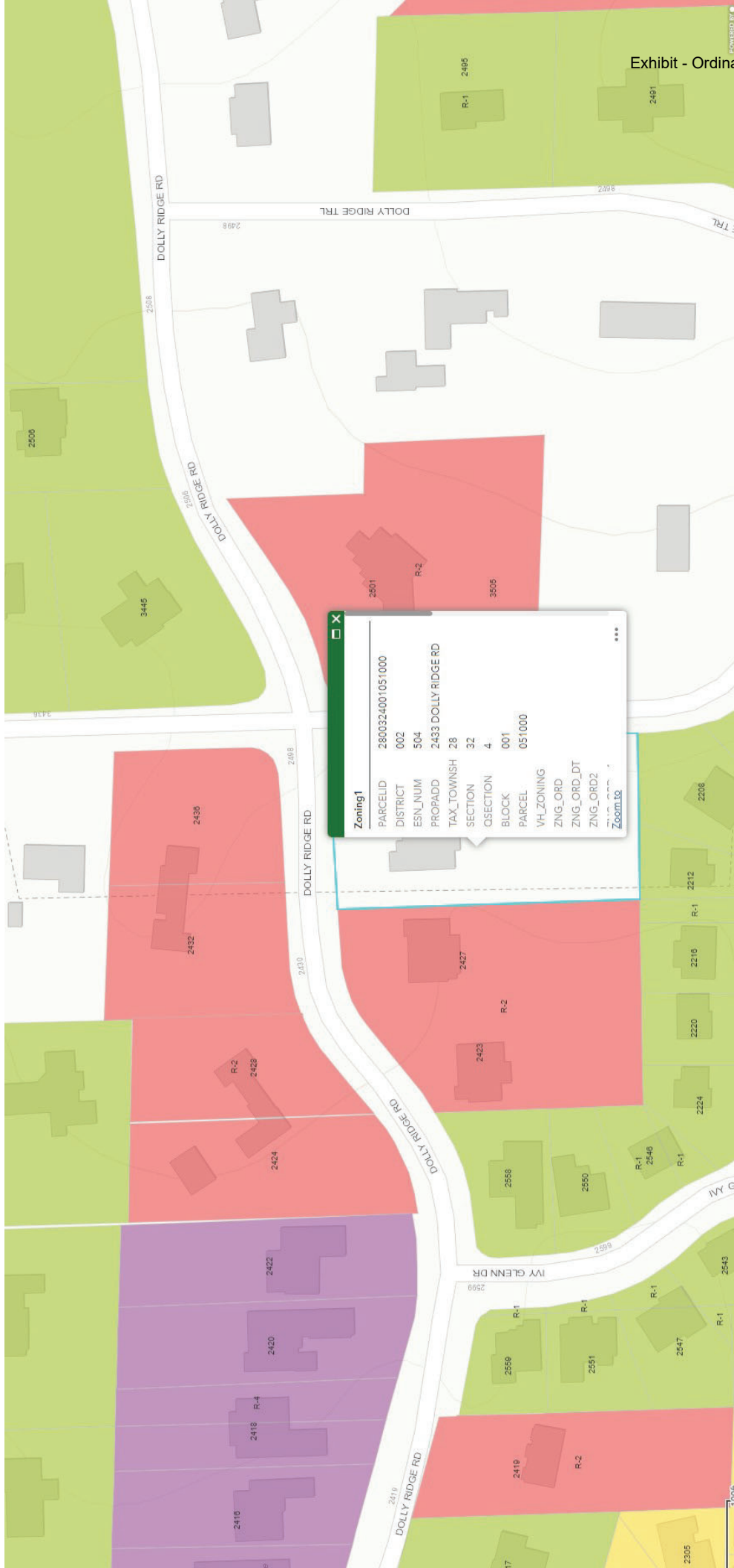
- **CASE:** P-0322-05
- **REQUESTED ACTION:** Rezoning JC E-2 to Vestavia Hills R-1
- **ADDRESS/LOCATION:** 2433 Dolly Ridge Rd.
- **APPLICANT/OWNER:** Megan W. Rudolph
- **GENERAL DISCUSSION:** This is a compatible rezoning of annexed property on Dolly Ridge Rd. from JC E-2 to VH R-1. Property was annexed overnight by Ordinance 3047 on 12/20/21.
- **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. Weaver made a motion to recommend Rezoning from JC E-1 to Vestavia Hills R-1 for the property located at 2433 Dolly Ridge Rd. Second was by Mr. Sykes. Motion was carried on a roll call; vote as follows:

Mr. Honeycutt – yes
Mr. Weaver – yes
Mr. Sykes – yes
Motion carried.

Mr. Farrell – yes
Mr. Larson – yes
Mr. Vercher – yes



POWERED BY

ORDINANCE NUMBER 3093

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

WHEREAS, on the 10th day of January, 2022, 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:

1718 Vestaview Lane
John G. Moss III, Owner(s)

More Particularly Described as Follows:

Part of the SE 1/4 of the NW 1/4 of Section 25, Township 18 South, Range 3 West, Jefferson County, Alabama, more particularly described as follows:

Commence at the southeast corner of said 1/4 1/4 section; thence west along the south line thereof a distance of 642.02 feet to the point of beginning of tract herein described, said point begin in the center of Rogers Road; thence continue west along said south line a distance of 100.01 feet; thence at an angle to the right of 88 degrees 53 minutes 30 seconds and run north a distance of 178.91 feet; thence at an angle to the right of 90 degrees 55 minutes and run a distance of 100.0 feet; thence at an angle to the right of 89 degrees 05 minutes and run south a distance of 179.24 feet to the point of beginning. Less and except right of way over the south 15 feet.

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 with the Probate Judge of Jefferson County, Alabama.

ADOPTING and APPROVED this the 25th day of April, 2022.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CERTIFICATION:

I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance # 3093 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 25th day of April, 2022, 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 _____, 2022.


Rebecca Leavings
City Clerk

1718 Vestaview Lane

Exhibit - Ordinance No. 3093



Legend

 Vestavia_Hills_City_Limits

Annexation Committee Petition Review

Property: 1718 Vestaview Lane

Owners: John Moss III

Date: 11-19-21

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 \$283,200. Meets city criteria: Yes No
 Comment: _____
6. This street has fewer than 100% of the individual properties within the limits of the city
 Yes No
 Number of total homes 8 Number in city 6
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: 1718 Vestaview 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 N/A; Plan to enroll in VH schools Yes _____ No _____ Comments: _____

Other Comments: _____


George Pierce
Chairman

CITY OF VESTAVIA HILLS
Department Review of Proposed Annexation
(To be completed by Official City Reviewers)

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: 1718 Vestaview Lane

Engineering; Public Services

Date: 10/29/2021 Initials: CB

Comments:

1718 Vestaview Lane -- no significant concerns noted; roadway in fair condition; the City currently maintains this section of roadway.

Police Department:

Date: 10/14/2021 Initials: J Gaston

Comments:

No Problem

Fire Department:

Date: 10/14/2021 Initials: RF

Comments:

N/P

Board of Education:

Date: 11/08/2021 Initials: SB

Comments:

N/P

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

Exhibit - Ordinance No. 3093

AD VALOREM TAX MILLAGE

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

ASSESSED VALUE

		Citizen Access Portal Descriptor	Notes
====>	1718 Vestaview Lane	Property Address	
====>	\$ 283,200	Appraised Value of Property	TOTAL MARKET VALUE
	10%	Assessment Homestead Rate	
	\$28,320.00	Assessed Value	ASSD. VALUE

AD VALOREM REVENUE

		Citizen Access Portal Descriptor	Notes
\$581.98	City portion of ad valorem	(Subset of CITY)	(20.55 mills rate)
\$814.20	BOE portion of ad valorem	(Subset of CITY)	(28.75 mills rate)
\$1,396.18	Total County remits to City for split with BOE	CITY	
\$427.63	SPC DIST1 BOE local rev (County gives directly to BOE)	SPC SCHOOL1	(15.1 mills rate)
\$232.22	Countywide School Tax to VH	SCHOOL	(8.2 mills rate)

TOTAL AD VALOREM REVENUE

\$581.98	Annexation Revenue to CITY	CITY (General Fund portion)	(20.55 mills)
\$1,474.06	Annexation Revenue to BOE	SCHOOL + SPC SCHOOL1 + CITY (BOE portion)	(8.2 mills + 15.1 mills + 28.75 mills)
\$2,056.03	TOTAL ANNEXATION REVENUE BENEFIT		

Legend	
City Revenue	
BOE Revenue	

PARCEL #: 29 00 25 2 009 029.000 OWNER: MOSS JOHN GLEN III ADDRESS: 1718 VESTAVIEW LN VESTAVIA HILLS AL 35216 LOCATION: 1718 VESTAVIEW LN AL 35216	Exhibit - Ordinance No. 3093		
	[111-C-]	Baths: 2.0	H/C Sqft: 1,245
	18-020.0	Bed Rooms: 3	Land Sch: G1
	Land: 199,000	Imp: 84,200	Total: 283,200
	Acres: 0.000	Sales Info: 04/17/2020	\$230,000

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

Tax Year : 2021 ▼

SUMMARY LAND BUILDINGS SALES PHOTOGRAPHS MAPS

SUMMARY

ASSESSMENT				VALUE			
PROPERTY CLASS:	3	OVER 65 CODE:		LAND VALUE 10%			\$199,000
EXEMPT CODE:	2-2	DISABILITY CODE:		LAND VALUE 20%			\$0
MUN CODE:	02 COUNTY	HS YEAR:	2021	CURRENT USE VALUE	[DEACTIVATED]		\$0
SCHOOL DIST:		EXM OVERRIDE AMT:	\$0.00	<u>CLASS 2</u>			
OVR ASD VALUE:	\$0.00	TOTAL MILLAGE:	50.1	<u>CLASS 3</u>			
CLASS USE:		TAX SALE:		BLDG 001	111		\$84,200
FOREST ACRES:	0			TOTAL MARKET VALUE [MARKET. OVR. VALUE: \$265,000] : \$283,200			
PREV YEAR VALUE:	\$282,800.00	BOE VALUE:	0	Assesment Override:			
				MARKET VALUE:			
				CU VALUE:			
				PENALTY:			
				ASSESSED VALUE:			

TAX INFO							
	CLASS	MUNCODE	ASSD. VALUE	TAX	EXEMPTION	TAX EXEMPTION	TOTAL TAX
STATE	3	2	\$26,500	\$172.25	\$4,000	\$26.00	\$146.25
COUNTY	3	2	\$26,500	\$357.75	\$2,000	\$27.00	\$330.75
SCHOOL	3	2	\$26,500	\$217.30	\$0	\$0.00	\$217.30
DIST SCHOOL	3	2	\$26,500	\$0.00	\$0	\$0.00	\$0.00
CITY	3	2	\$26,500	\$0.00	\$0	\$0.00	\$0.00
FOREST	3	2	\$0	\$0.00	\$0	\$0.00	\$0.00
SPC SCHOOL1	3	2	\$26,500	\$135.15	\$0	\$0.00	\$135.15
SPC SCHOOL2	3	2	\$26,500	\$445.20	\$0	\$0.00	\$445.20
TOTAL FEE & INTEREST: (Detail)							\$5.00
ASSD. VALUE: \$26,500.00			\$1,327.65		GRAND TOTAL: \$1,279.65		
<input type="button" value="Payoff Quote"/>							

DEEDS		PAYMENT INFO			
INSTRUMENT NUMBER	DATE	PAY DATE	TAX YEAR	PAID BY	AMOUNT
2020037666	4/17/2020		2021		\$0.00
408-310	03/08/1968	12/22/2020	2020	CORELOGIC	\$2,833.66
		11/27/2019	2019	LLOYD L TURNER	\$2,764.52
		12/3/2018	2018	TURNER LLOYD	\$2,217.43
		11/3/2017	2017	ANNE D TURNER	\$2,083.16
		10/31/2016	2016	-	\$2,026.04
		10/15/2015	2015	-	\$1,916.83
		5/20/2015	2014	FNA NP LLC	\$22,148.66
		11/13/2013	2013	-	\$1,939.84
		11/28/2013	2013	TURNER ANNE D	\$1,020.04

STATE OF ALABAMA

JEFFERSON COUNTY

Email: Trippmoss27@gmail.com
Phone #: (205) 616-6240
Car Tag #: WFG870

**PETITION FOR ANNEXATION TO THE
CITY OF VESTAVIA HILLS, ALABAMA**

Date of Petition: 10/07/2021

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

We, the undersigned owners of the properties set out in red outline in Exhibit "A" attached hereto, which properties are contiguous to the City limits of the City of Vestavia Hills, Alabama, under the authority of Act No. 32 of the Special Session of the Alabama Legislature of 1964, do hereby petition the City of Vestavia Hills, Alabama, that the properties set out in red outline in Exhibit "A" attached, situated in JEFFERSON County, Alabama, be annexed to the City of Vestavia Hills, Alabama. The metes and bounds description of the boundary of the property of the undersigned proposed to be annexed is also set out on said Exhibit "A" and a map showing in red the property proposed for annexation by this petition is also attached and made a part hereof.

The undersigned petitioners do further petition that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, set a date for the hearing of this petition and any objections in writing to the petition or protest, on a date certain and that no less than ninety (90) days before said date certain for said hearing on this petition, that a notice of said hearing along with this petition be published in a newspaper of general circulation in Jefferson County, Alabama.

We, the undersigned petitioners do also ask that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, do all things necessary and requisite to comply with the terms of Act No. 32 of the Special Session of the Alabama Legislature of 1964.

EXHIBIT "A"

LOT: 29

BLOCK: 009

SURVEY: _____

RECORDED IN MAP BOOK _____, PAGE _____ IN THE
PROBATE OFFICE OF _____ COUNTY, ALABAMA.

COUNTY ZONING: R1

COMPATIBLE CITY ZONING: _____

LEGAL DESCRIPTION (METES AND BOUNDS):

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals, or caused these presents to be executed by their duly authorized representatives, with full authority.

SIGNATURE(S)

DESCRIPTION OF PROPERTY

[Signature] Lot 29 Block 009 Survey _____
 _____ Lot _____ Block _____ Survey _____
 _____ Lot _____ Block _____ Survey _____

(Use reverse side hereof for additional signatures and property descriptions, if needed).

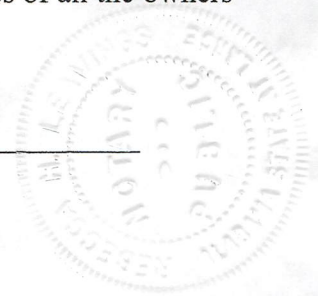
STATE OF ALABAMA

Jefferson COUNTY

_____ being duly sworn says: I am one of the persons who signed the above petition, and I certify that said petition contains the signatures of all the owners of the described property.

[Signature]

Signature of Certifier



Subscribed and sworn before me this the 24 day of Oct, 2021.

[Signature]

Notary Public

My commission expires: 7/03/2023

EXHIBIT "B"

VESTAVIA HILLS BOARD OF EDUCATION

**1204 Montgomery Highway
Vestavia Hills AL 35216**

(To be completed by the City)

Date of Annexation Petition _____ Action Taken: Grant _____
Deny _____

Resolution: Date: _____ Number: _____
Overnight Ordinance: Date: _____ Number: _____
90 Day Final Ordinance: Date: _____ Number: _____

(To be completed by Homeowner)

Name(s) of Homeowner(s): John Glenn Moss

Address: 1718 Vestaview Ln

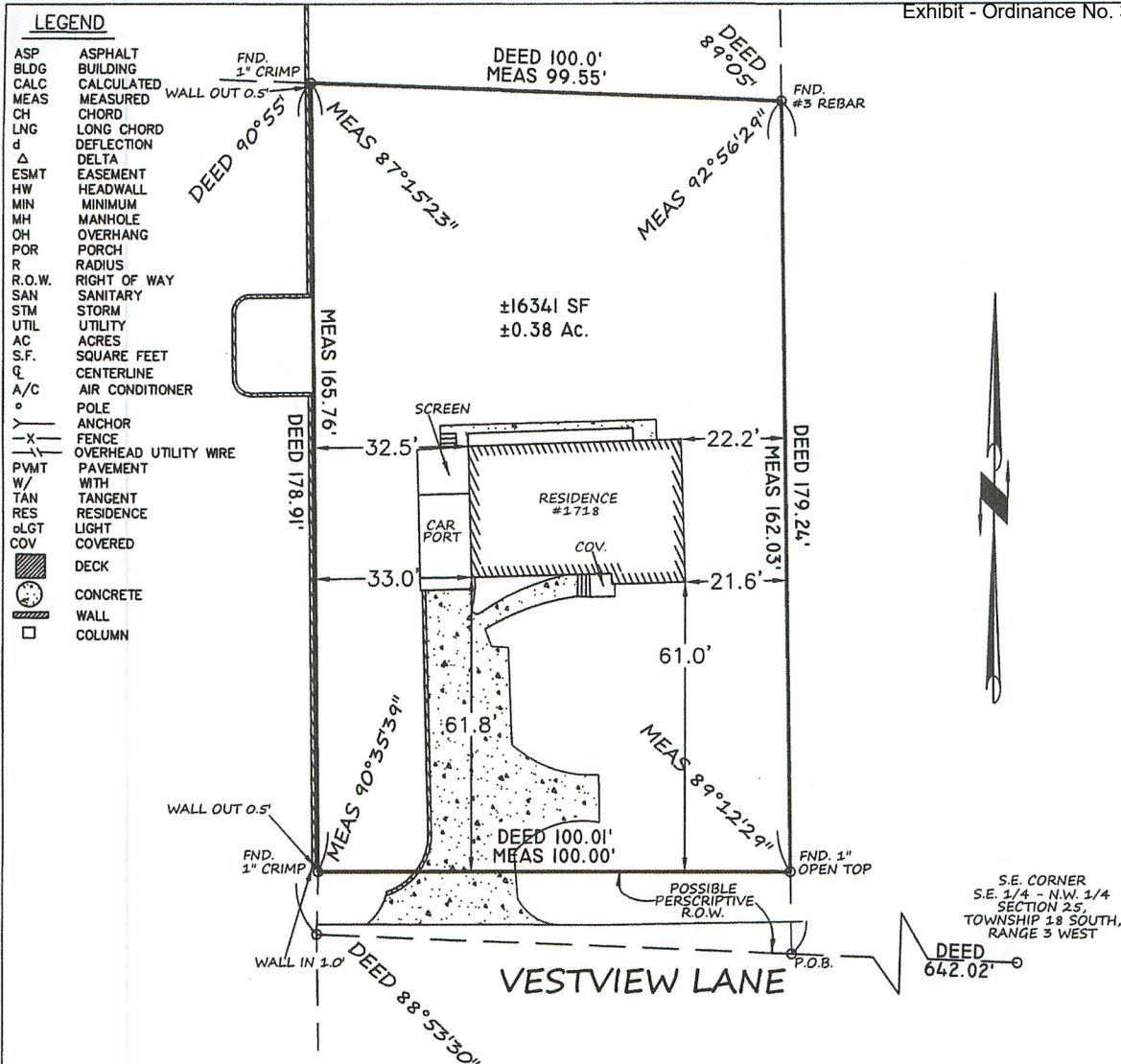
City: Birmingham State: AL Zip: 35216

Information on Children:

**Plan to Enroll In
Vestavia Hills School?**

	Name(s)	Age	School Grade	Yes	No
1.	N/A				
2.					
3.					
4.					
5.					
6.					

Approximate date for enrolling students in Vestavia Hills City Schools if above response is "yes": _____



LEGEND

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



SCALE: 1"=30'
Legal Description:

Part of the SE ¼ of the NW ¼ of Section 25, Township 18 South, Range 3 West more particularly described as follows: Commence at the SE corner of said ¼- ¼ section, thence West along the South line thereof a distance of 642.02 ft. to the point of beginning of tract here described said point being in the center of Rogers Road, thence continue West along said South line a distance of 100.01 ft. thence at an angle to the right of 88° 53' 30" run North a distance of 178.91 ft. thence at an angle to the right of 90° 55' run East a distance of 100.0 ft. thence at an angle to the right of 89° 05' run North a distance of 179.24 ft. to the point of beginning. Minerals and mining rights excepted. Subject to right of way for Rogers Road over the South 15 feet of said property.
STATE OF ALABAMA)
JEFFERSON COUNTY) "Property Boundary Survey"

I, Ray Weygand, a Registered Land Surveyor, hereby certify to the purchaser of this property at this time, that I have surveyed the real property as shown hereon in Jefferson County, Alabama. I hereby state that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information and belief; according to my survey of MARCH 16, 2020. Survey invalid if not sealed in red.

Order No.: 20200412
Purchaser:
Address: 1718 VESTVIEW LANE

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



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

ORDINANCE NUMBER 3094

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 (medium density residential) to Vestavia Hills R-2 (medium density residential district):

1718 Vestaview Lane
John Moss III, Owner

More Particularly Described as Follows:

Part of the SE 1/4 of the NW 1/4 of Section 25, Township 18 South, Range 3 West, Jefferson County, Alabama, more particularly described as follows:

Commence at the southeast corner of said 1/4 1/4 section; thence west along the south line thereof a distance of 642.02 feet to the point of beginning of tract herein described, said point begin in the center of Rogers Road; thence continue west along said south line a distance of 100.01 feet; thence at an angle to the right of 88 degrees 53 minutes 30 seconds and run north a distance of 178.91 feet; thence at an angle to the right of 90 degrees 55 minutes and run a distance of 100.0 feet; thence at an angle to the right of 89 degrees 05 minutes and run south a distance of 179.24 feet to the point of beginning. Less and except right of way over the south 15 feet.

APPROVED and ADOPTED this the 25th day of April, 2022.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

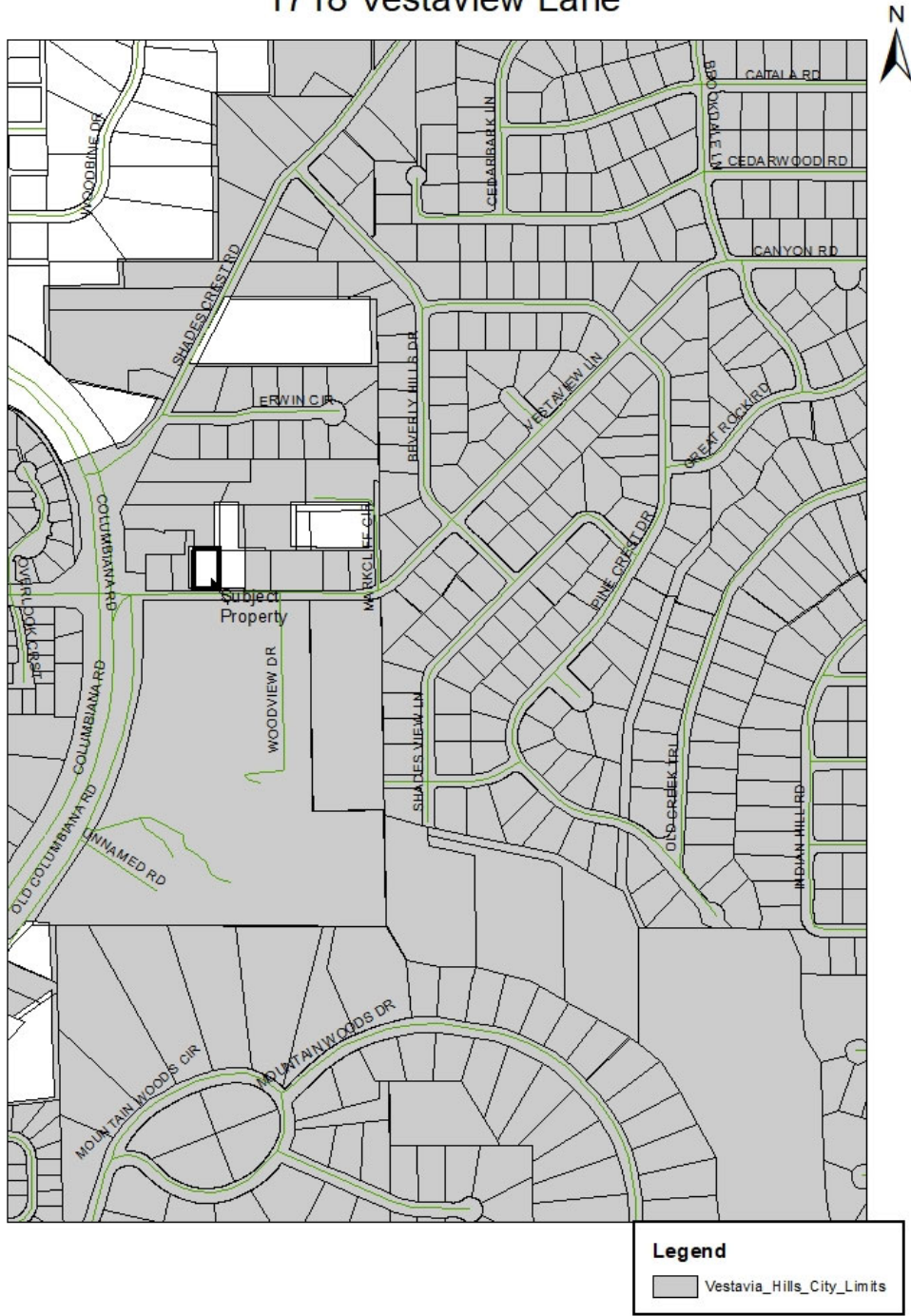
CERTIFICATION:

I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance # 3094 is a true and correct copy of such 25th day of April, 2022, as same appears in the official records of said City.

Posted at Vestavia Hills City Hall, Vestavia Hills Library in the Forest, New Merkle House and Vestavia Hills Recreational Center this the _____ day of _____, 2022.

Rebecca Leavings
City Clerk

1718 Vestaview Lane



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

Date: MARCH 10, 2022

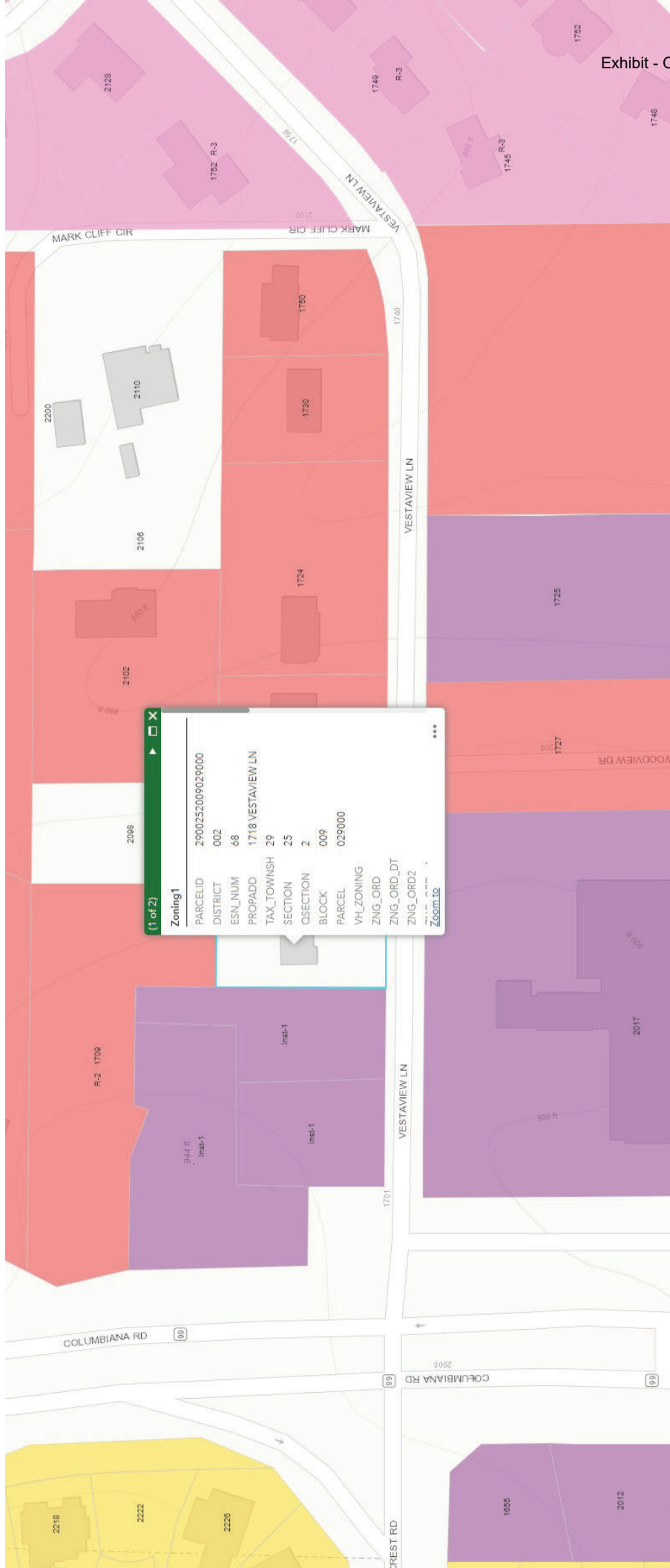
- **CASE:** P-0322-06
- **REQUESTED ACTION:** Rezoning JC R-1 to Vestavia Hills R-2
- **ADDRESS/LOCATION:** 1718 Vestaview Ln.
- **APPLICANT/OWNER:** John Glenn Moss, III
- **GENERAL DISCUSSION:** This is a compatible rezoning of annexed property on Vestaview Ln. from JC R-1 to VH R-2. Property was annexed overnight by Ordinance 3050 on 12/20/21.
- **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. Weaver made a motion to recommend Rezoning from JC R-1 to Vestavia Hills R-2 for the property located at 1718 Vestaview Ln. Second was by Mr. Sykes. Motion was carried on a roll call; vote as follows:

Mr. Honeycutt – yes
Mr. Weaver – yes
Mr. Sykes – yes
Motion carried.

Mr. Farrell – yes
Mr. Larson – yes
Mr. Vercher – yes



(1 of 2)

Zoning1

PARCELID	2900252009029000
DISTRICT	002
ESN_NUM	68
PROPADD	1718 VESTAVIEW LN
TAX_TOWNSH	29
SECTION	25
OSECTION	2
BLOCK	009
PARCEL	029000
VH_ZONING	
ZNG_ORD	
ZNG_ORD_DT	
ZNG_ORD2	
ZNG_ORD2_DT	

Zoom In

RESOLUTION NUMBER 5386

A RESOLUTION AUTHORIZING THE CITY MANAGER TO OFFER A RELOCATION REIMBURSEMENT FOR THE RECRUITMENT OF A NEW DEPARTMENT HEAD

WHEREAS, the City of Vestavia Hills is in the process of recruiting a new department head in a key area of the City; and

WHEREAS, the City Manager has negotiated a relocation reimbursement package that he feels is needed for said recruitment in an amount not to exceed \$7,500; and

WHEREAS, the Mayor and City Council feel it is in the best interest to accept the City Manager's recommendation.

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 offer a relocation reimbursement in an amount not to exceed \$7,500 for recruitment of said department head; and
2. This Resolution Number 5386 shall be effective upon adoption and approval.

ADOPTED and APPROVED this the 25th day of April, 2022.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk