

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
September 12, 2022
6:00 PM**

1. Call to Order
2. Roll Call
3. Invocation – Huey Davis, Vestavia Hills Chaplain
4. Pledge Of Allegiance
5. Approval Of The Agenda
6. Announcements, Candidates and Guest Recognition
7. Proclamation – Constitution Week – September 17-23, 2022
8. Proclamation – Alopecia Areata Awareness Month – September 2022
9. City Manager’s Report
10. Councilors’ Reports
11. Infrastructure and Community Spaces Project Update – TCU
12. Approval Of Minutes – August 22 2022 (Regular Meeting)

Old Business

13. Public Hearing – Ordinance Number 3117 – An Ordinance Approving And Adopting The Final 10% Of The Fiscal Year 2022 Budgets For The City Of Vestavia Hills
14. Public Hearing – Ordinance Number 3118 – An Ordinance Approving And Adopting The General Fund Budget, A Special Revenue Fund Budget, A Capital Project Fund Budget And An Infrastructure And Community Spaces Project Fund Budget For The City Of Vestavia Hills For The Period Beginning October 1, 2022 Until September 30, 2023
15. Resolution Number 5405 – A Resolution Authorizing An Increase In Salary And Wages And Adoption Of New Pay Plans For Employees
16. Public Hearing – Ordinance Number 3120 – An Ordinance Authorizing The Mayor And City Manager To Accept A Proposal For Redesign And Updated Construction Plans For The Proposed Pedestrian Bridge Over US-31 And To Accept Funding For Said Redesign From ALDOT With An 80/20 Local Match

New Business

17. Resolution Number 5409 – A Resolution Declaring Certain Personal Property As Surplus And Authorizing The City Manager To See/Dispose Of Said Property
18. Public Hearing – Resolution Number 5404 – A Resolution Approving An Alcohol License For CEC Entertainment LLC D/B/A Chuck E. Cheeses; 500 Olde Towne Road; Requesting An 040-Retail Beer (On And Off Premises) And 060-Retail Table Wine (On Or Off Premises); David A. Deck, Rodolfo Rodriguez, Jr., And David McKillips, Executives
19. Public Hearing – Resolution Number 5408 – A Resolution Approving An Alcohol License For Davenports Pizza Palace D/B/A Davenports Pizza Vestavia Inc; 700 Montgomery Highway, Suite 193; Requesting An 040-Retail Beer (On And Off Premises) And 060-Retail Table Wine (On Or Off Premises); Tara Pridgen Davis, Yates Patrick Norris And Amanda Pridgen Thames, Executives
20. Public Hearing – Resolution Number 5410 – A Resolution Approving Alcohol License For Waldos Stations No 5 LLC D/B/A Waldos Chicken And Beer; John Michael Bodnar, Artur John Ulm Ii, Mark Titus Waldo, Et Al, Executives
21. Resolution Number 5411 - A Resolution Approving Financing Terms For City Vehicles And/Or Equipment Through Robertson Banking

New Business Requesting Unanimous Consent

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

22. Public Hearing – Resolution Number 5406 – A Resolution Dedicating The Existing Vestlake Roads (Defined Herein) To The City Of Vestavia Hills, Alabama
23. Public Hearing – Resolution Number 5407 – A Resolution Dedicating Corporate Woods Drive (Defined Herein) To The City Of Vestavia Hills
24. Public Hearing – Ordinance Number 3111 – Annexation – 90 Day Final – 3516 And 3524 Ridgedale Drive; Lots 27 And 33, Rocky Ridge Estates; Patricia Lucas, John And Helen White, Owner(s)
25. Public Hearing – Ordinance Number 3112 – Rezoning – 3524 and 3516 Ridgedale Drive; Lots 27 and 33, Rocky Ridge Estates; Rezone from Jefferson County E-2 to Vestavia Hills R-1; Patricia Lucas and John & Helen White, Owner(s)
26. Public Hearing – Ordinance Number 3113 – Annexation – 90 Day Final – 2632 Rillwood Road; Lot 15, Altadena Park; Jason Womack, Owner(s)
27. Public Hearing – Ordinance Number 3114 – Rezoning – 2632 Rillwood Road; Lot 15, Altadena Park; Rezone From Jefferson County E-1 To Vestavia Hills E-2; Jason Womack, Owner(s)

28. Public Hearing – Ordinance Number 3115 – Annexation – 90 Day Final – 2644 Yorkmont Drive; Lot 16, Chimney Hills; Daniel And Fay Cambron, Owner(s)
29. Public Hearing – Ordinance Number 3116 – Rezoning – 2644 Yorkmont Drive; Lot 16, Chimney Hills; Rezone From Jefferson County R-1 To Vestavia Hills R-2; Daniel And Fay Cambron, Owner(s)
30. Public Hearing – Ordinance Number 3121 – Rezoning – 2245 And 2249 Blue Ridge Blvd; Rezone From Jefferson County R-T, R-4, And R-2 To Vestavia Hills R-9 For Construction Of 25 Townhomes; Taylor Burton And Alicia And Donald Huey (Townes Development Group, LLP), Owner(s)
31. Public Hearing – Ordinance Number 3122 – Annexation – 90 Day Final – 2245 & 2249 Blue Ridge Blvd; Taylor Burton And Donald & Alicia Huey, Owner(s)
32. Public Hearing – Ordinance Number 3123 – Third Amendment To The Patchwork Farms Planned Unit Development For The Purpose Of Increasing The Number Of Attached Dwelling To Maximum Of 37 Units; Christopher, LLC, Owner(s)
33. Citizens Comments
34. 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.

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

WHEREAS, our Founding Fathers, in order to secure the blessings of liberty for themselves and their posterity, did ordain and establish a Constitution for the United States of America; and

WHEREAS, it is of the greatest importance that all citizens fully understand the provisions and principles contained in the Constitution in order to effectively support it, preserve and defend it against all enemies; and

WHEREAS, the 235th anniversary of the signing of the Constitution provides a historic opportunity for all Americans to remember the achievements of the Framers of the Constitution and the rights, privileges, and responsibilities they afforded us in this unique document; and

WHEREAS, the independence guaranteed to American citizens, whether by birth or naturalization, should be celebrated by appropriate ceremonies and activities during Constitution Week, September 17 through 23, as designated by proclamation of the President of the United States of America in accordance with Public Law 915.

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 September 17 - 23, 2022 as

CONSTITUTION WEEK

in the City of Vestavia Hills, Alabama, and urge our citizens to pay special attention to our Federal Constitution and the advantage of American citizenship.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Vestavia Hills to be affixed this the 12th day of September 2022.

Ashley C. Curry
Mayor

WHEREAS, Alopecia areata is an autoimmune skin disease resulting in the loss of hair on the scalp and elsewhere on the body; and

WHEREAS, Alopecia areata affects approximately two percent of the population overall, including more than 6.8 million people in the United States alone; and

WHEREAS, Alopecia areata occurs in males and females of all ages and races with onset most often beginning in childhood; and

WHEREAS, the National Alopecia Areata Foundation (NAAF) is dedicated to providing educational information, creating awareness and raising funds to advance research of treatments; and

WHEREAS, the local chapter of the Alopecia Areata Foundation also is dedicated to educating the community through its campaign *“Don’t Stare! Just Ask? #Alopecia#Let’s Talk#Alabama”*.

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 September 2022 as

ALOPECIA AREATA AWARENESS MONTH

in the City of Vestavia Hills to create awareness and support the initiatives of medical and scientific research to find better treatments and possibly one day a cure.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Vestavia Hills to be affixed this the 12th day of September 2022.

Ashley C. Curry
Mayor

CITY OF VESTAVIA HILLS

CITY COUNCIL

MINUTES

AUGUST 22, 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 Mayor called the meeting to order. The City Clerk called the roll with the following:

MEMBERS PRESENT:

Mayor Ashley C. Curry
Kimberly Cook, Councilor
Paul Head, Councilor
George Pierce, Councilor

MEMBERS ABSENT:

Rusty Weaver, Mayor Pro-Tem

OTHER OFFICIALS PRESENT:

Jeff Downes, City Manager
Patrick Boone, City Attorney
Rebecca Leavings, City Clerk
Dan Rary, Police Chief
Jason Hardin, Deputy Police Chief
Cinnamon McCulley, Communications Specialist
Melvin Turner, Finance Director
Zach Clifton, Deputy Finance Director
Marvin Green, Fire Chief
Ryan Farrell, Deputy Fire Chief*
Lori Beth Kearley, Asst. City Engineer
Keith Blanton, Building Official*
Umang Patel, Court Director*

**present virtually via Zoom or telephone*

David Phillips, a Vestavia Hills Chaplain, led the invocation, followed by the Pledge of Allegiance.

APPROVAL OF THE AGENDA

The Mayor asked for the approval of the agenda. He opened the floor for a motion.

MOTION Motion to approve the agenda presented was made by Mrs. Cook and seconded by Mr. Pierce. Roll call vote as follows:

Mrs. Cook– yes

Mr. Head– yes

Mr. Pierce– yes

Mayor Curry – yes

motion carried.

ANNOUNCEMENTS, CANDIDATES, GUEST RECOGNITION

- Mr. Pierce recognized Eric Holtz and Rachel Patterson who in attendance representing the Vestavia Hills Chamber of Commerce Board.

CERTIFICATE OF RECOGNITION

Mayor Curry indicated that there are several special guests visiting tonight. He asked them to come forward and introduce themselves. Kathy Paiml, Ms Senior Helena; Gloria Williams, Ms. Senior Centerpoint; Debra White, Ms. Senior Shelby County; Shirley Hamilton, Ms. Senior Talledega; Pauline Murphy, Ms. Senior Magic City; Laura Stephens, Ms. Senior East Jefferson County; Temple Wells, Ms. Senior Trussville; Elizabeth Bell, Ms. “Super” Senior, St. Clair County; Susan Downs, Ms. Senior Alabama and Marilyn Sills, Board of Directors, Ms. Senior Alabama. The Mayor presented a Certificate of Recognition to Susan Downs, Ms. Senior Alabama, 2022.

The Mayor stated that yesterday was National Senior Citizen’s Day and he welcomed the Ms. Seniors who were present. Mr. Downes read the Certificate and the Mayor presented it to Ms. Downes.

Ms. Downs thanked the Mayor and City Council for the recognition indicated that each of these title owners have their own ways of making an impact on their communities. She stated that her platform is “Play Alabama” that they give financial assistance to needy families to allow their kids to participate in local sporting teams and activities.

PROCLAMATION

The Mayor presented a Proclamation designating September 2022, as “Gynecological Cancer Awareness Month.” Mr. Downes read the proclamation aloud. The Mayor presented it to Betsy Fetner, Program Director for the Laura Crandall Brown Foundation.

Ms. Fetner stated that they are here tonight to bring awareness to everyone, but especially to men. She indicated there were many cancers, but that adults need to be aware of certain cancers which can occur throughout life, at any age. Namely, ovarian cancer, which has no screening test. She thanked the Council and Mayor for this recognition and asked that the men in the audience encourage their significant others to be ever vigilant of these cancers.

CITY MANAGER'S REPORT

- Mr. Downes read a prepared statement presenting the City's presentation of the FY23 annual budgets for the City Council:

"August 22, 2022

Dear Mayor and City Council,

I am proud to present the proposed FY 2023 general and special fund budgets to you, the City's elected leadership, for consideration tonight in accordance with our City's governance procedures. This proposed general fund budget is extraordinary in many ways. From a general fund revenue perspective, the FY 2023 budget projects an increase of more than 11% in revenues when compared to last fiscal year. This is the largest increase in recent history. The budgeted expenditures are constrained by this number that totals \$58,129,346 or an increase of \$6,097,222 over last year's budget total. It addresses many of the strategic goals you have adopted and those of our departmental leaders. This growth in revenues represents one of the largest increases in recent years and provides an opportunity to address many stubborn problems such as legacy infrastructure challenges, increased costs of street resurfacing and budgetary items most impacted by inflationary pressures. I want to compliment our City staff, particularly the Finance department staff, for their efforts over the last four months as this budget was drafted and finalized for presentation tonight. They crafted their requests very carefully and prioritized their needs in a professional manner. Furthermore, the budget represents a continuing philosophy of conservatism in revenue projection and expenditure plans that most effectively react to community needs and priorities as established by you, the governing body.

Prior to providing a narrative of the major investments provided for in this budget, I want to reinforce the aforementioned conservatism in the budgeted general fund revenue projection. The FY 2023 total general fund budgeted revenues are equal to actual FY 2022 projected receipt totals. Expressed in another way, FY 2023 total projected revenues are budgeted in a flat manner while, in fact, previous year growth in our top revenue producing tax, the sales tax, actually produced a projected 14% increase. Remaining conservative, our plan does not rely upon betting on this continued growth pattern. The chart on page two reflects these statements in an illustrative manner. A close look at the projections does express some notable growth in the "other" category. This is the result of known increases to revenue categories such as interest income, projected permit activity and program fees, including our popular Aquatic Complex, to name a few.

As for our proposed FY 2023 spending plan, the priorities can be identified first as taking care of our most valuable resource, our employees. During the previous 12 months, the consumer price index has grown at a rate of 8.5% and there are many circumstances where the demand for good, quality employees have nearly resulted in the City losing some of its greatest talent. Furthermore, it is becoming more and more difficult to hire at the entry level for many of our job classifications. Several months ago, the City Council took a first step in addressing this for the public works and park

maintenance non-classified pay grades by adjusting their salary schedule. This budget proposes the same strategy at all levels of City employment.

Salary Investments for City of Vestavia Hills Employees are proposed to include the following:

- *Continuation of longevity pay and merit increases for eligible employees;*
- *Absorption of a projected 5% increase to the cost of health insurance so that employees will not see an increase in their cost share for this important benefit;*
- *An across-the-board COLA for all employees totaling 5%;*
- *The adoption of a public safety pay plan that will ensure the City remains ahead of the curve when compared to other agencies in our region. This plan proposes an additional 2.5% increase above the across-the-board increase of 5%. Public safety employees risk their lives every day for our residents and deserve to be compensated accordingly. This also will result in our public safety starting pay remaining in the top echelon of Jefferson County area agencies;*
- *The budget also provides for the City to participate in the master police officer program, offering incentive pay for officers that go the extra mile in their education and training to be credentialed as a master police officer;*
- *Since most of our department heads and their assistants have reached a ceiling in their pay grade advancement and are incapable of salary growth, they have not received a merit increase in many years. We value their leadership and experience and, in recognition of this fact and the desire to keep from becoming the training ground for other jurisdictions, this budget provides for the creation of an executive pay plan that allows for a one-step merit increase in these pay grades.*

In addition to these noteworthy compensation adjustments, the budget addresses many infrastructure challenges and operational cost increases due to inflation and, more specifically, the cost of fuel. While not exhaustive, the following list highlights many important and significant budget investments

- *The proposed budget increases design and construction investments to improve our public stormwater infrastructure from the FY 2022 investment of \$150,000 to a FY 2023 investment of \$740,000;*
- *Due to the increased cost of resurfacing our roads, the comprehensive (all funds) road resurfacing budget has increased to nearly \$1,000,000;*
- *Investments for public space improvements include the Altadena Valley Park, the public areas of Highway 31 and Liberty Park athletic fields. The budget for third party right-of-way maintenance now includes weed control and more frequent services;*
- *Our public works and park maintenance staff have relocated their operations multiple times over the last several years. This budget includes funding for leasing of a new warehouse and maintenance facility that will serve as a permanent home for these employees;*

- *In addition to increasing our sanitation budget based upon a projected fuel surcharge, we have budgeted additional dollars to account for utilization of extra debris collection staff and equipment to sustain our expected service level following storm events or during high demand periods, such as the spring season*

As we address our employees and service levels, we also have to keep our equipment top notch and available to expeditiously get the job done. This budget fully funds the Police Department's third year of fleet enhancement allowing a one-to-one assignment of vehicles. The Fire Department has been challenged with unacceptable manufacturer-related fleet maintenance concerns and seeks Council approval to issue purchase orders for significant fleet upgrades with the addition of two new engines allowing the surplus of existing problematic units. The period for manufacturing of these vehicles would not require a financial commitment until FY 2024, but the budget accounts for this operational need. Outside of the public safety equipment need, the remaining equipment purchases are being coordinated through our relationship with Enterprise Fleet Management. The goal of this program is to keep vehicles during their warranty period and dispose of them in a timely manner to ensure the highest re-sale value.

Finally, the type of personnel assignments within our City workforce evolves as opportunities change. With the addition of many new structures and a desire to keep all our structures in tip-top shape, this budget proposes the creation of a Chief of Building Maintenance position that will be responsible for coordinating property maintenance strategies and efforts with all of our physical assets. Also, a new Assistant City Manager position is being proposed to further strengthen our communication, economic development and other strategic focus areas in the City. Again, this list is not intended to be all encompassing but just to give a flavor of the areas where our noteworthy financial growth has been able to allow an action-oriented plan of attack. The City staff and I stand ready to meet as you see fit in the evaluation of this plan through hearings or individual questions. The proposed budget will be placed on the City's website and will be transmitted to you in a bound booklet tonight and a forthcoming digital version tomorrow. Thanks for your thoughtful consideration of these requests.

Respectfully, Jeffrey Downes, City Manager"

- Mr. Downes stated that the proposed budget would be placed on the transparency portal and there'll be a budget work session forthcoming. He suggested September 6 or 7 in the afternoon for a possible work session and indicated he'd check back with the Councilors and determine a date/time.
- Ms. Cook stated that she appreciates the message from the City Manager and stated that she explains to residents that the budget process is pretty much a year-long process. The annual strategic sessions in the beginning of the year helps to set the goals and also hear the needs of the departments or the general public. These helps to prepare the City Manager for what's needed and understanding the goals.
- Mr. Pierce stated he's happy to see that they can bring forward a budget that helps to help the employee, especially public safety and also City equipment.

- The Mayor stated when he gives the State of City in October this budget message will come forward.

COUNCILOR REPORTS

- Mrs. Cook announced that this past week she met with the Board and some school counselors. She stated that they are beginning to participate in a program that the schools neighborhoodbridges.org. This is a non-profit that allows the counselors to hear about needs of students that might need assistance to pay certain fees, purchase a band instrument, etc. She stated that while this community is blessed, there are students that might have needs. She encouraged participation from anyone interested in helping a student.
- Mr. Pierce stated that he attended the first Board meeting that was chaired by the new President, Michelle Hawkins. He stated that the Board is getting excited about a new program to assist small businesses in the City. He mentioned that Viva Vestavia was one such event to celebrate area businesses and that the next one would held be in the new Civics Center this year. They are going to put major efforts into contacting small businesses to provide support.
- The Mayor announced that tomorrow the City has organized a financial scams seminar spotlighting financial scams along with a growing problem of elder abuse. He stated that the seminar will be at the Vestavia Hills Methodist Church at 1:30 PM tomorrow.
- Mr. Head announced that the Parks and Recreation Board will meet in work session on Thursday beginning at 11 AM in the Executive Conference Room of City Hall.

FINANCIAL REPORTS

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

Discussion ensued concerning the increase in certain revenues, especially sales taxes despite inflation including full-service and limited service restaurants.

APPROVAL OF MINUTES

The Mayor stated that the approval of the minutes from the August 8, 2022 (Work Session), and August 8, 2022 (Regular Meeting) was needed and opened the floor for a motion.

MOTION Motion to approve the minutes of the August 8, 2022 (Work Session), and August 8, 2022 (Regular Meeting) was made by Mr. Pierce and second was by Mr. Head.

Roll call vote as follows:

Mrs. Cook– abstained

Mr. Head– yes

Mr. Pierce– yes

Mayor Curry – yes

motion carried.

OLD BUSINESS

ORDINANCE NUMBER 3110

Ordinance Number 3110 – Rezoning – 3912 Wooten Drive; Rezone From Vestavia Hills R-2 (Medium Density Residential) To Vestavia Hills B-2 (General Business District) With Conditions; Mountain Heights Lawn Care, LLC, Owner

MOTION Motion to approve Ordinance Number 3110 was made by Mr. Pierce and seconded by Mrs. Cook.

The Mayor reported that the Planning and Zoning Commission heard this request last month and recommended approval subject to several. He read the conditions aloud and stated that they are written in the proposed Ordinance:

1. That buffering be installed on either side of the property pursuant to the zoning code; and
2. That gravel be removed from the front of the property and a minimum of 10' of grassy area be installed followed by tree installation along the edge of the front of the property to mitigate any visual view of buildings, equipment, vehicles on property; and
3. That the existing buildings be relocated further back on the property and located behind the visual screening of the newly installed trees; and
4. That said buffering and landscaping be approved prior to installation by the Design Review Board; and
5. That the City Planner inspect and approve the property improvements as required herein; and
6. That all required improvements be installed and approved by the City Planner prior to 11:59 PM, December 31, 2022; and
7. That private restrictive covenants be recorded in the Office of the Judge of Probate reflecting these conditions; and
8. That a copy of said recorded covenants be submitted to the Office of the City Clerk and filed with the ordinance of rezoning prior to effective date of rezoning.
9. That this zoning shall revert back to the R-4 residential zoning should the Mountain Heights Landscaping LLC business cease to exist or the business and/or the property is sold to another owner.

Rocky Donahoo, owner, stated that he agrees with the conditions recommended by the Commission and written into the ordinance. He stated that the property around him was family owned for decades and that they've been there so long, they get along with the neighbors.

The Mayor opened the floor for a public hearing. There being no one further to address the Council, the Mayor closed the public hearing and called for the question. Roll call vote was as follows:

Mrs. Cook– yes	Mr. Head– yes
Mr. Pierce– yes	Mayor Curry – yes

motion carried.

NEW BUSINESS

RESOLUTION NUMBER 5404

Resolution Number 5404 – A Resolution Approving An Alcohol License For CEC Entertainment LLC D/B/A Chuck E. Cheeses; 500 Olde Towne Road; Requesting An 040-Retail Beer (On And Off Premises) And 060-Retail Table Wine (On Or Off Premises); David A. Deck, Rodolfo Rodriguez, Jr., And David McKillips, Executives

MOTION Motion to approve Resolution Number 5404 was by Mrs. Cook and seconded by Mr. Pierce.

There was no one present to represent the case. Discussion ensued as to the incidents and/or experience with the previous license.

Chief Rary indicated they’ve had issues over the years at this location but they were not alcohol related.

MOTION Motion to postpone Resolution Number 5404 until September 12, 2022 regular meeting so that someone can be present to answer questions regarding the request was by Mr. Pierce seconded by Mrs. Cook. Roll call vote as follows:

Mrs. Cook– yes	Mr. Head– yes
Mr. Pierce– yes	Mayor Curry – yes

motion carried.

ORDINANCE NUMBER 3119

Ordinance Number 3119 - An Ordinance Authorizing The Mayor And City Manager To Execute And Deliver An Intergovernmental Infrastructure Economic Development Agreement With Jefferson County

MOTION Motion to approve Ordinance Number 3119 was made by Mrs. Cook and seconded by Mr. Pierce.

Mr. Downes explained that this is the Jefferson County previous approval of a \$3 million investment in Liberty Park to go along with the Bray development and stretches over 2 fiscal years.

There being no one further to address the Council, the Mayor called for the question. Roll call vote was as follows:

Mrs. Cook– yes
Mr. Pierce– yes

Mr. Head– yes
Mayor Curry – yes
motion carried.

NEW BUSINESS (UNANIMOUS CONSENT REQUESTED)

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

- Public Hearing – Ordinance Number 3117 – An Ordinance approving and adopting the final 10% of the fiscal year 2022 budgets for the City of Vestavia Hills
- Public Hearing – Ordinance Number 3118 – An Ordinance Approving And Adopting The General Fund Budget, A Special Revenue Fund Budget, A Capital Project Fund Budget And An Infrastructure And Community Spaces Project Fund Budget For The City Of Vestavia Hills For The Period Beginning October 1, 2022 Until September 30, 2023
- Resolution Number 5405 – A Resolution Authorizing An Increase In Salary And Wages And Adoption Of New Pay Plans For Employees
- Ordinance Number 3120 – An Ordinance Authorizing The Mayor And City Manager To Accept A Proposal For Redesign And Updated Construction Plans For The Proposed Pedestrian Bridge Over Us-31 And To Accept Funding For Said Redesign From ALDOT With An 80/20 Local Match

CITIZEN COMMENTS

- David Harwell, 1803 Catala Road, thanked the Mayor for announcing the activities tomorrow at the Methodist Church. He stated that his mother-in-law was a victim of a scam. He stated that they came to the police department to report it and met with Officer Miller. He stated that she's an exceptional officer in assisting them with the incident. He commended her professionalism and indicated that he's thankful that the City's public safety employees aren't under the kind of stress as many do in other cities.
- Lisa Ripp with FeedBham.com explained they are attempting to rescue food from various sources and use it to feed people who need it throughout the County. She stated that by installing the app, they can rescue food and feed the hungry. She wanted to encourage people to take a part in this app. She described that they rescued over 30,000 meals during

the World Games which were recently held in Birmingham and managed to fee that many hungry people. She asked for support from everyone.

At 6:59 PM, Mrs. Cook made a motion to adjourn. The meeting adjourned at 7:00 PM.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

ORDINANCE NUMBER 3117

AN ORDINANCE FOR APPROVAL OF THE FINAL 10% OF THE BUDGET FOR THE CITY OF VESTAVIA HILLS, ALABAMA FOR THE FISCAL YEAR 2021-2022 AND TO AUTHORIZE THE CITY MANAGER TO EXPEND UP TO \$166,139 FOR CERTAIN CAPITAL EXPENDITURES TO BE EXPENSED TO FY 2022

WHEREAS, the City Council of the City of Vestavia Hills, Alabama, at its regular meeting of September 13, 2021, adopted and approved Ordinance Number 3034 to adopt 90% of a General Fund budget, 90% of a Special Revenue Fund budget, 90% of a Capital Projects Fund budget and 90% of a Infrastructure and Community Spaces Fund budget for the fiscal year 2021-2022; and

WHEREAS, the City Council of the City of Vestavia Hills, Alabama, wishes to adopt the final portion (10%) of aforesaid budgets for the fiscal year 2021-2022.

Total Budget Recap

	General Funds	Special Funds	Capital Projects Funds	Infrastructure & Community Spaces
Total Budget Approved	\$ 52,032,124.00	\$ 4,290,942.00	\$ 5,290,446.00	\$ 5,780,675.00
Less 90% approved in Ord. 2945	\$ 46,828,912.00	\$ 3,861,848.00	\$ 4,761,402.00	\$ 5,202,608.00
Final 10% to be approved	\$ 5,203,212.00	\$ 429,094.00	\$ 529,044.00	\$ 578,067.00

BE IT ORDAINED, by the City Council of the City of Vestavia Hills, Alabama, that the final portion of the annual budget amounting to \$5,203,212.00 (general funds), \$429,094.00 (special funds), \$529,044 (capital projects funds) and \$578,067.00 (Infrastructure and Community Spaces Fund) for the fiscal year 2021-2022 is hereby adopted.

BE IT FURTHER ORDAINED, that the City Manager is hereby authorized to split the FY22 surplus funds with one-half being added to the City’s Emergency Reserve Fund and the other half being added to the City’s Capital Projects Fund; and

This Ordinance Number 3117 shall become effective upon adoption and approval and publishing/posting pursuant to Alabama law.

APPROVED and ADOPTED this the 12th day of September, 2022.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

ORDINANCE NUMBER 3118

AN ORDINANCE APPROVING AND ADOPTING THE GENERAL FUND BUDGET, A SPECIAL REVENUE FUND BUDGET, A CAPITAL PROJECT FUND BUDGET, AND AN INFRASTRUCTURE AND COMMUNITY SPACES PROJECT FUND BUDGET FOR THE CITY OF VESTAVIA HILLS FOR THE PERIOD BEGINNING OCTOBER 1, 2022 UNTIL SEPTEMBER 30, 2023.

WHEREAS, the City Manager has prepared and presented a “general fund budget” which has been reviewed and amended by the City Council for said period reflecting anticipated expenditures in the amount of \$58,129,346 including transfers out, to be effective for the period beginning October 1, 2022, through September 30, 2023; and

WHEREAS, the City Manager has prepared a “special fund budget” for said period reflecting anticipated expenditures in the amount of \$4,238,824 including transfers from the General Fund, to be effective for the period beginning October 1, 2022, through September 30, 2023; and

WHEREAS, the City Manager has prepared a “capital projects fund budget” for said period reflecting expenditures in the amount of \$6,917,234 to be effective for the period beginning October 1, 2022, through September 30, 2023.

WHEREAS, the City Manager has prepared an “infrastructure and community spaces fund budget” for said period reflecting expenditures in the amount of \$4,146,779 to be effective for the period beginning October 1, 2022, through September 30, 2023.

WHEREAS, Title 11-43-57, Code of Alabama, 1975, provides as follows:

Annual appropriation of funds for expenditures of all departments and interest on indebtedness: In all cities, the Council shall appropriate the sums necessary for the expenditures of the several City departments and for the interest on its bonded and other indebtedness, not exceeding in the aggregate within ten (10) percent of its estimated expenses, and such City Council shall not appropriate in the aggregate an amount in excess of its annual legally authorized revenue. But, nothing in this section shall prevent such cities from anticipating their revenues for the year for which such appropriation was made, or from contracting for temporary loans as provided in the applicable provision of this title, or from bonding or refunding their outstanding indebtedness or from appropriating anticipated revenue at any time for the current expenses of the City and interest on the bonded and other indebtedness of the City; and

WHEREAS, the City Council agrees to approve and adopt ninety (90) percent, or \$52,316,411, of the municipal “general fund budget” for the City of Vestavia Hills for fiscal year 2022-2023 upon the terms, conditions, and provisions set forth below; and

WHEREAS, the City Council agrees to approve and adopt ninety (90) percent, or \$3,814,942, of the municipal “special revenue fund budget” for the City of Vestavia Hills for fiscal year 2022-2023 upon the terms, conditions and provisions set forth below; and

WHEREAS, the City Council agrees to approve and adopt ninety (90) percent, or \$6,225,511, of the “capital project fund budget” for the City of Vestavia Hills for fiscal year 2022-2023 upon the terms, conditions and provisions set forth below; and

WHEREAS, the City Council agrees to approve and adopt ninety (90) percent, or \$3,732,101, of the “infrastructure and community spaces project fund budget” for the City of Vestavia Hills for fiscal year 2022-2023 upon the terms, conditions and provisions set forth below; and

WHEREAS, in an effort to establish a cash reserve for unanticipated self-insurance liability losses within the City of Vestavia Hills, a \$500,000 fund balance shall be established in the Insurance Reserve Fund 42. This shall be accomplished utilizing interfund transfers made at the discretion of the Vestavia Hills Finance Department.

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

1. The municipal “general fund budget” for the City of Vestavia Hills, Alabama, prepared by the City Manager and submitted to the City Council is hereby approved and adopted to the extent of expenditures of \$52,316,411, which said amount is not exceeding the aggregate within ten (10) percent of the estimated expenses:

\$58,129,346 multiplied by 90% equals
\$52,316,411; and

2. The municipal “special revenue fund budget” for the City of Vestavia Hills, Alabama, prepared by the City Manager and submitted to the City Council is hereby approved and adopted to the extent of expenditures of \$3,814,942 which said amount is not exceeding the aggregate within ten (10) percent of the estimated expenses:

\$4,238,824 multiplied by 90% equals
\$3,814,942; and

3. The “capital projects fund budget” for the City of Vestavia Hills, Alabama, prepared by the City Manager and submitted to the City Council is hereby

approved and adopted to the extent of expenditures of \$6,225,511 which said amount is not exceeding the aggregate within ten (10) percent of the estimated expenses:

\$6,917,234 multiplied by 90% equals
\$6,225,511; and

4. The “infrastructure and community spaces fund budget” for the City of Vestavia Hills, Alabama, prepared by the City Manager and submitted to the City Council is hereby approved and adopted to the extent of expenditures of \$3,732,101 which said amount is not exceeding the aggregate within ten (10) percent of the estimated expenses:

\$4,146,779 multiplied by 90% equals
\$3,732,101; and

5. The City Manager is hereby authorized to expend the sum of \$52,316,411 from the General Fund, \$3,814,942 from the Special Revenue Fund, \$6,225,511 from the Capital Projects Fund, and \$3,732,101 from the Infrastructure and Community Spaces Fund for municipal expenses for the period beginning October 1, 2022, and ending September 30, 2023.

6. Copies of the budget outlines are attached hereto, marked as Exhibit “A” and incorporated into this Resolution by reference as though set out fully herein.

BE IT FURTHER ORDAINED, that each departmental total appropriation hereby approved by the City Council shall be utilized in all budget management activities. Departmental expenditures shall not be in excess of said departmental total appropriations without further approval of the City Council. However, line-item transfers within each department appropriation is expressly allowable upon budget adoption by the City Council with authorized approval by the City Manager upon presentation by the Department Head; and

This Ordinance shall become effective immediately upon its approval and adoption.

APPROVED and ADOPTED this the 12th day of September, 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 # 3118 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 12th day of September, 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 September, 2022.

Rebecca Leavings
City Clerk

**CITY OF VESTAVIA HILLS
ANNUAL BUDGET
SUMMARY OF "ALL FUNDS" REVENUE & EXPENDITURES
FISCAL YEAR ENDING SEPTEMBER 30, 2023**

<u>REVENUE:</u>	<u>GENERAL</u>	<u>SPECIAL</u>	<u>CAPITAL</u>	<u>COMMUNITY SPACES</u>	<u>TOTAL</u>
STATE REVENUE	221,372		345,000		566,372
COUNTY REVENUE	19,476,621				19,476,621
CITY REVENUE	37,371,053		2,133,815	120,000	39,624,868
PARKS & RECREATION	1,010,300				1,010,300
4 CENT GASOLINE TAX		217,000			217,000
5 CENT GASOLINE TAX		100,000			100,000
10 CENT GASOLINE TAX		220,320			220,320
7 CENT GASOLINE TAX		1,287,000			1,287,000
E-911 FUNDS		796,943			796,943
COURT & CORRECTIONS		622,000			622,000
LIBRARY STATE AID		29,313			29,313
LIBRARY BOOKS & DONATIONS		70,000			70,000
VEHICLE TAGS / ADMINISTRATION		193,244			193,244
TOTAL REVENUE	\$58,079,346	\$3,535,820	\$2,478,815	\$120,000	\$64,213,981

**CITY OF VESTAVIA HILLS
ANNUAL BUDGET
SUMMARY OF "ALL FUNDS" REVENUE & EXPENDITURES
FISCAL YEAR ENDING SEPTEMBER 30, 2023**

<u>EXPENDITURES:</u>	<u>GENERAL</u>	<u>SPECIAL</u>	<u>CAPITAL</u>	<u>COMMUNITY SPACES</u>	<u>TOTAL</u>
NON DEPARTMENTAL	9,176,007		75,000	3,726,175	12,977,182
CITY COUNCIL	85,241				85,241
ADMINISTRATION & FINANCE	1,893,029		28,090		1,921,120
CITY CLERK	498,885		12,552		511,437
MUNICIPAL COMPLEX	292,609		12,000		304,609
INFORMATION SERVICES / TECHNOLOGY	783,538		135,664		919,202
POLICE	12,187,078		3,023,682		15,210,760
FIRE	11,972,393		1,358,587		13,330,980
BUILDING SAFETY & INSPECTIONS	735,989		24,906		760,895
PUBLIC SERVICES	5,477,755		1,910,170	420,604	7,808,529
PUBLIC LIBRARY	2,809,928		72,462		2,882,390
PARKS & LEISURE SERVICES	4,227,501		182,040		4,409,541
4 CENT GASOLINE TAX		217,000			217,000
5 CENT GASOLINE TAX		100,000			100,000
10 CENT GASOLINE TAX		220,320			220,320
7 CENT GASOLINE TAX		1,749,743			1,749,743
E-911 FUNDS		904,622			904,622
COURT & CORRECTIONS		754,582	32,080		786,662
LIBRARY STATE AID		29,313			29,313
LIBRARY BOOKS & DONATIONS		70,000			70,000
VEHICLE TAGS / ADMINISTRATION		193,244			193,244
SUB-TOTAL EXPENDITURES	\$50,139,952	\$4,238,824	\$6,867,234	\$4,146,779	\$65,392,789
<u>TRANSFER-OUT:</u>					
General Fund to Special Funds (07, 09, & 11)	703,004				\$703,004
General Fund to Capital Reserve Fund (sales tax %)	1,085,207				\$1,085,207
General Fund to Community Spaces Fund (sales tax %)	6,201,183				\$6,201,183
Capital/Confiscation to General Fund (policeman salary offset)			50,000		\$50,000
TOTAL - TRANSFER-OUT	\$7,989,394		50,000		\$8,039,394
TOTAL EXPENDITURES	\$58,129,346	\$4,238,824	\$6,917,234	\$4,146,779	\$73,432,183

**CITY OF VESTAVIA HILLS
ANNUAL BUDGET
SUMMARY OF "ALL FUNDS" REVENUE & EXPENDITURES
FISCAL YEAR ENDING SEPTEMBER 30, 2023**

<u>OTHER REVENUE SOURCES:</u>	<u>GENERAL</u>	<u>SPECIAL</u>	<u>CAPITAL</u>	<u>COMMUNITY SPACES</u>	<u>TOTAL</u>
TRANSFER-IN:					
From Capital/Confiscation (policeman salary offset)	\$50,000				50,000
From General Fund (fund 07, 09, & 11)		703,004			703,004
From General Fund (projected sales tax %)			1,085,207		1,085,207
From General Fund (projected sales tax %)				\$6,201,183	6,201,183
TOTAL - OTHER REVENUE SOURCES	\$50,000	\$703,004	\$1,085,207	\$6,201,183	\$8,039,394
REVENUE OVER / (UNDER) EXPENDITURES	\$0	\$0	(\$3,353,212)	\$2,174,404	(\$1,178,808)
USE OF RESERVES / FUND BALANCE	\$0	\$0	\$3,353,212	(\$2,174,404)	\$1,178,808
REPORT BALANCE	\$0	\$0	\$0	\$0	(\$0)

RESOLUTION NUMBER 5405

**AUTHORIZING AND APPROVING AN INCREASE
IN SALARY AND WAGES AND ADOPTION OF NEW
PAY PLANS FOR EMPLOYEES**

**THIS RESOLUTION WAS ADOPTED AND APPROVED BY THE CITY
COUNCIL OF THE CITY OF VESTAVIA HILLS, ALABAMA ON SEPTEMBER
12, 2022.**

WITNESSETH THESE RECITALS

WHEREAS, the City Manager has proposed the budgets for fiscal year 2022-2023 year, along with expected surplus values, and has recommended a five-percent (5%) across-the-board increase of wages and salaries for all current employees effective October 1, 2022; and

WHEREAS, the City Manager, recognizing the critical need for public safety employee recruitment and retention, has recommended adoption of a public safety pay plan that includes an additional 2.5% increase above the across-the -board COLA effective October 1, 2022; and

WHEREAS, the City Manager has further recommended adoption of an executive pay plan for department heads and their assistants effective October 1, 2022 which provides a one-step merit increase in recognition of their leadership of a growing City as most have reached a ceiling in their particular pay grade; and

WHEREAS, the Council, at its regularly scheduled meeting of September 12, 2022, feel it is in the best public interest to approve a five-percent (5%) across-the-board increase in wages and salaries for all current employees and further to adopt a separate pay plan for public safety employees and department heads/assistants.

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

1. The City Council hereby approves a five-percent (5%) across-the-board increase in wages and salaries for all current employees; and
2. The City Council approves the separate pay plan for public safety employees as described above; and

3. The City Council approves a separate pay plan for department heads and their assistants that will adjust their compensation rates to allow for the equivalent of a one-step merit increase.
4. Said increases are effective October 1, 2022.

APPROVED and ADOPTED this the 12th day of September, 2022.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

ORDINANCE NUMBER 3120

AN ORDINANCE AUTHORIZING THE MAYOR AND CITY MANAGER TO ACCEPT A PROPOSAL FOR REDESIGN AND UPDATED CONSTRUCTION PLANS FOR THE PROPOSED PEDESTRIAN BRIDGE OVER US-31 AND TO ACCEPT FUNDING FOR SAID REDESIGN FROM ALDOT WITH AN 80/20 LOCAL MATCH

WHEREAS, Gresham Smith has submitted a proposal for a redesign and updated construction plans for the proposed pedestrian bridge over US-31 at Wald Park on a cost-plus bases estimated at \$256,034, a copy of which is marked as Exhibit A, attached to and incorporated into this Ordinance 3120 as if written fully therein; and

WHEREAS, the Alabama Department of Transportation (“ALDOT”) has reviewed and approved this proposal and the Birmingham MPO has approved \$204,827 in additional CMAQ funding for the redesign costs to be reimbursed after expenditure by the City with the City responsible for the 20% match totaling \$51,206.80; see attached detail marked as Exhibit B, attached to and incorporated into this Ordinance 3120 as if written fully therein; and

WHEREAS, the City Engineers and City Manager have reviewed the proposal and recommend approval of the submitted proposal and the 80/20 match for the CMAQ funding as described above and in Exhibits A&B; and

WHEREAS, the Mayor and City Council feel it is in the best public interest to accept the proposal and the 80/20 match grant funding as described in this Ordinance and attachments.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL AS FOLLOWS:

1. The Mayor and City Manager are hereby authorized to accept the proposal with Gresham Smith at an estimated amount not to exceed \$256,034; and
2. The Mayor and City Manager are hereby authorized to expend the funding with a reimbursement if CMAQ funding from MPO in the amount of \$204,827 with a local match of \$51,206.80; and
3. The Mayor and City Manager may execute any and all documents necessary to secure said funding and accept said proposal; and
4. This Ordinance Number 3120 shall become effective immediately upon adoption and approval.

ADOPTED and APPROVED this the 12th day of September, 2022.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

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

September 8, 2022

By Electronic Mail

City Clerk Rebecca Leavings
Vestavia Hills Municipal Center
P. O. Box 660854
Vestavia Hills, Alabama 35266-0854

In Re: Second Supplemental Agreement Between City and GSP

Dear Becky:

I forward to you Second Supplemental Agreement Between Owner and Architect/Engineer (12 pages) in "Word" format. Please note that the Proposal dated May 27, 2022 (consisting of 4 pages), marked as Exhibit A and the letter dated September 7, 2022 (1 page) marked as Exhibit B are attached.

Please note that the remaining documents (very voluminous) are not attached. I am counting on you to make that attachment. Please call me if you have any questions.

Sincerely,



Patrick H. Boone
Vestavia Hills City Attorney

PHB:gp

cc: City Manager Jeff Downes (by e-mail)

STATE OF ALABAMA

JEFFERSON COUNTY

**SECOND SUPPLEMENTAL AGREEMENT
BETWEEN OWNER AND ARCHITECT/ENGINEER**

WITNESSETH THIS SECOND SUPPLEMENTAL AGREEMENT, made and entered into on this the _____ day of September, 2022, by and between the City of Vestavia Hills, Alabama, a municipal corporation, as “Owner,” hereinafter referred to as “City,” and Gresham Smith & Partners, as “Architect and Engineer,” hereinafter referred to as GSP.

WITNESSETH THESE RECITALS:

WHEREAS, the City wishes to construct a pedestrian bridge (hereinafter referred to as “Bridge”) over U.S. Highway 31 South at Round Hill Road as a connection between Wald Park and the Vestavia Hills Library in the Forest; and

WHEREAS, Gresham Smith Partners (“GSP”) has agreed to provide the architectural and engineering services to redesign and update the construction plans for the proposed pedestrian bridge using the bridge beam selected in the Pedestrian Bridge Alternative Analysis for and in consideration of a fee in the amount of Two Hundred Fifty-six Thousand Thirty-four Dollars (\$256,034.00); and

WHEREAS, a copy of the written Proposal dated May 27, 2022 to perform the professional services is attached hereto, marked as Exhibit A and is incorporated into this Second Supplemental Agreement Between Owner and Architect/Engineer (the “Agreement”) as though set out fully herein; and

WHEREAS, a copy of an amendment to the Proposal dated September 7, 2022 is attached hereto, marked as Exhibit B and is incorporated into this Second Supplemental Agreement Between Owner and Architect/Engineer (the “Agreement”) as though set out fully herein; and

WHEREAS, the City Council hereby finds and determines that it promotes the public interest and general welfare for the City of Vestavia Hills, Alabama (“City”) to accept the Proposal marked as Exhibits A and B; and

WHEREAS, the City, as “Owner,” and GSP, as “Architect/Engineer,” wish to reduce their agreement to writing.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS: That in consideration of the mutual covenants, premises and promises contained herein and other good and valuable consideration, the receipt of which is hereby acknowledged by each of the parties hereto, the City and GSP mutually agree as follows:

1. **RECITALS:** The recitals set forth in the premises above are hereby incorporated into this Second Supplemental Agreement Between Owner and Architect/Engineer by reference as though set out fully herein.

2. **EXHIBITS:** Exhibits A and B are attached hereto and are incorporated herein verbatim by reference as though set out fully herein.

3. **PROFESSIONAL ENGINEER AND REGISTERED ARCHITECT:**

(a) **Professional Engineer:** Gresham Smith & Partners represent, covenant and warrant 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. GSP agrees to serve as Professional Engineer for the Project and the Work hereinafter described in sections 5 and 6.

(b) **Registered Architect:** Gresham Smith & Partners represent, covenant and warrant that it is a licensed registered architect within the meaning of Title 34-2-30, *Code of Alabama, 1975*, in good standing with the State of Alabama Board for Registration of Architects. GSP agrees to serve as Registered Architect for the Project and the Work hereinafter described in sections 5 and 6.

4. **PARTIES TO THIS CONTRACT:** This Second Supplemental Agreement is made and entered into by and between the City of Vestavia Hills, Alabama, a municipal corporation, as “Owner,” (hereinafter referred to as “City”) and Gresham Smith & Partners, as “Architect and Engineer,” (hereinafter referred to as “GSP”).

5. **THE PROJECT:** The project is the redesign of a pedestrian bridge (hereinafter referred to as “Bridge”) over U.S. Highway 31 South at Round Hill Road as a connection between Wald Park and the Vestavia Hills Library in the Forest and the update of construction plans.

6. **THE WORK:** The work is the redesign of the Bridge and the update of the drawings, plans, specifications, budgeted cost of the work, surveys, tests and consultants’ reports for the Bridge to the extent necessary to invite competitive bids for the construction of the Bridge pursuant to the Public Works Law of Alabama set forth in Title 39-2-1, et seq., *Code of Alabama, 1975* (hereinafter referred to as “the Work”). GSP shall coordinate and collaborate with the University of Alabama at Birmingham (“UAB”) to develop a redesign for the Bridge, which is in accordance with the Innovative Bridge Research and Construction (“IBRC”) Program of the FHWA and does agree to prepare contract plans for said Bridge upon approval of the innovative design. Detailed descriptions of the process and tasks included in the scope of the Work are included in Exhibit A and Exhibit B “Scope of Services”, attached and made a part of this Agreement.

7. **PERFORMANCE OF THE WORK:** GSP agrees to perform the Work described in Exhibit A and Exhibit B. Any additional tasks requested by the City, including any construction phase services, shall be additional services; the scope descriptions and schedule/fee adjustments for which shall be added to this Agreement by mutually agreed amendment prior to GSP commencing performance of such additional services.

8. **CONTRACT PRICE:** As consideration for this agreement, the City agrees to pay to GSP for the faithful performance of the Work the sum of Two Hundred Fifty-six Thousand Thirty-four Dollars (\$256,034.00) (hereinafter referred to as the “Contract Price”). The breakdown of the Contract Price by task and process within the Work is further identified in Exhibits A and B.

9. **PAYMENT OF CONTRACT PRICE:** The City shall pay the Contract Price to GSP in full upon completion of the Work described in paragraph 6 above and subject to the approval of ALDOT, the State, FHWA and the City. Payment will be in response to submission by GSP and approval by the City of monthly invoices including progress reports and such evidence of performance that the City may deem necessary. Should the City disapprove of a part of any invoice, the part that is not in dispute shall be paid without undue delay.

10. **TERM OF THE CONTRACT:** The term of this Second Supplemental Agreement shall be for a period of eighteen (18) months beginning on the date of the execution and delivery of this contract. GSP shall complete the Work to be performed under this contract no later than the mutually agreed project schedule included in Exhibit A. GSP endeavors to complete the redesign work in no later than eighteen (18) months following the date of the signing of the Second Supplemental Agreement by both City and GSP.

11. **CONSTRUCTION SITE:** The City and GSP acknowledge and agree that the Bridge will ultimately be constructed on, in and above the right-of-way of Highway U.S. 31 South (the “Construction Site”), which is not owned by the City. ALDOT will determine the exact location for the Construction Site. GSP, therefore, shall perform the Work for the Project for the Construction Site selected by ALDOT. Determination of the exact location of the Construction Site shall be a condition precedent to the commencement of the redesign Work by GSP. Should the location of the Construction Site be changed once GSP has commenced performance of the Work, GSP shall be entitled to an equitable adjustment to the project schedule and the Contract Price. Such mutually agreed adjustments to the project schedule and Contract Price shall be added to this Agreement by written amendment.

12. **STANDARD OF PERFORMANCE:** GSP shall perform the Work with the professional skill and care ordinarily provided by a competent design professional practicing under the same or similar circumstances and professional licenses as expeditiously as is prudent considering the ordinary professional skill and care of a competent design professional (Title 41-9A-3(d)(1), *Code of Alabama, 1975*).

13. **GENERAL COMPLIANCE WITH ALL LAWS:** GSP shall comply with the provisions of the labor law and all state, federal and local laws, statutes, codes, rules, regulations and ordinances that are applicable to the performance of this Contract Between City and GSP.

14. **COMPLIANCE WITH AMERICANS WITH DISABILITIES ACT OF 1990:** GSP represents, covenants and warrants that the redesign for the Bridge and all work performed by GSP will comply with the terms, conditions and provisions of Public Law 101-336 being the Americans With Disabilities Act of 1990 at 42 U.S.C. 1210, et seq. (“ADA”).

15. APPROVAL OF WORK: The Work shall be approved by ALDOT, the State, FHWA and the City. GSP acknowledges and agrees as follows:

(a) Title 34-2-32(c), *Code of Alabama, 1975*, provides that:

“(c) The services of a registered architect shall be required on all buildings except those hereinabove exempted and no official of this state or of any city, town or county herein charged with the enforcement of laws, ordinances or regulations relating to the construction or alteration of buildings, shall accept or approve any plans or specifications that are not so prepared.”

(b) Title 34-11-10, *Code of Alabama, 1975*, provides that:

“§34-11-10. **Public Works.** A state, county, or local governmental agency or authority, or an official or employee thereof, may not engage in the practice of engineering or land surveying involving either public or private property without the project being under the responsible charge of a professional engineer for engineering projects or a professional land surveyor for land surveying projects as provided for the practice of the respective professions by this chapter; provided, that nothing in this chapter shall be held to apply to any public work wherein the expenditure for the complete project of which the work is a part does not exceed \$20,000.00.”

16 ENGINEERING SERVICES AND CONSULTANTS: For the performance of the services by the Agreement, GSP will employ the services of consulting engineers so as to provide a full professional team as dictated by the disciplines of architectural and engineering design involved in the Work, specifically including but not limited to, civil engineer, structural engineer, electrical engineer, mechanical engineer, geotechnical engineer, land surveyor and other engineering consultants as required for the Project and shall pay for any and all said engineering expenses necessarily incurred for the Project. In other words, the costs for said consultants is included in the Contract Price.

All architectural and engineering work shall be performed under the direct supervision of professional architects and engineers registered in the State of Alabama and employed either by GSP or its consultants.

All plans prepared by engineering consultants shall be separately identified by title, sheet number and official registration seal or signature and registration number. Engineering drawings shall not be combined with other drawings unless deemed to be in the “incidental” category.

(a) ALDOT Survey Requirements are set forth in Attachment D, a copy of which was attached to the original Agreement by and between the City and GSP dated September 23, 2011 and incorporated into this Agreement by reference as though set out fully herein.

17. **INDEPENDENT CONTRACTOR:** GSP is an independent contractor for purposes of this contract. Nothing contained herein shall be construed to mean that said GSP is the servant, agent or employee of the City of Vestavia Hills, Alabama.

18. **ARCHITECT'S/ENGINEER'S INSURANCE:** Within ten (10) days after receiving the fully executed Agreement and prior to performing any services under this Agreement, GSP shall procure the insurance coverages identified below at its own expense, and to evidence that such insurance coverages are in effect GSP shall furnish the City an insurance certificate(s) acceptable to the City and listing the City as the certificate holder or provide a copy of the insurance policy that documents said coverage to the satisfaction of the City prior to the commencement of the Work.

(a) **Policy Providers:** Each of the insurance coverages required below shall be issued by an insurer licensed by the Insurance Commissioner to transact the business of insurance in the State of Alabama for the applicable line of insurance, and such insurer (or, for qualified self-insureds or group self-insureds, a specific excess insurer providing statutory limits) must have a Best Policyholders Rating of "A-" or better and a financial size rating of Class V or larger.

(b) **Notification Endorsement:** Each policy shall be endorsed to provide that the insurance company agrees that the policy shall not be cancelled, changed, allowed to lapse or allowed to expire for any reason until thirty (30) days after the City has received written notice by certified mail as evidenced by return receipt or until such time as other insurance coverage providing protection equal to protection called for herein shall have been received, accepted and acknowledged by the City. Such notice shall be valid only as to the Project as shall have been designed by Project Name and Number in said notice.

(c) **Insurance Certificates:** Insurance certificate must provide the following information:

- (1) Name and address of authorized agent of the insurance company;
- (2) Name and address of insured;
- (3) Name of insurance company or companies;
- (4) Description of policies;
- (5) Policy number(s);
- (6) Policy period(s);
- (7) Limits of liability;
- (8) Name and address of City as certificate holder;
- (9) Project name and number, if any;
- (10) Signature of authorized agent of the insurance company;
- (11) Telephone number of authorized agent of the insurance company;
- (12) Mandatory thirty (30) day notice of cancellation/non-

renewal/change.

(d) **GSP's Insurance Coverages:** Unless otherwise provided in the Special Provisions of the Agreement, GSP shall purchase the types of insurance coverages with liability limits not less than as follows:

(1) **Workers' Compensation** coverage shall be provided in accordance with the statutory coverage required in Alabama. A group insurer must submit a certificate of authority from the Alabama Department of Industrial Relations approving the group insurance plan. A self-insurer must submit a certificate from the Alabama Department of Industrial Relations stating that GSP qualifies to pay its own workers compensation claims.

(2) **Employer's Liability Insurance** limits shall be at least:

- (a) Bodily Injury by Accident--\$1,000,000 each accident;
- (b) Bodily Injury by Disease--\$1,000,000 each employee.

(3) **Commercial General Liability Insurance** written on an ISO Occurrence Form (current edition as of the date of this Agreement) or equivalent, which shall include, but need not be limited to, coverage for bodily injury and property damage arising from premises and operations liability, products and completed operations liability, personal injury liability and contractual liability.

(a) The Commercial General Liability Insurance shall provide, at minimum, the following limits:

	Coverage	Limit
(i)	General Aggregate	\$2,000,000
(ii)	Products, Completed Operations Aggregate	\$2,000,000
(iii)	Personal and Advertising Injury	\$1,000,000 per occurrence
(iv)	Each Occurrence	\$1,000,000

(b) The Commercial General Liability Insurance policy shall name the City and its agents and employees as additional insureds and shall state that this coverage shall be primary insurance for the additional insureds.

(4) **Commercial Business Automobile Liability Insurance**, which shall include coverage for bodily injury and property damage arising from the operation of any owned, non-owned or hired automobile. The Commercial Business Automobile Liability Insurance Policy shall provide not less than \$1,000,000.00 Combined Single Limits for each occurrence and shall name the City and its agents, consultants and employees as additional insureds.

(5) **Professional Liability (Errors & Omissions) Insurance** shall be carried in an amount not less than \$1,000,000.00. The policy deductible shall not exceed \$25,000.00.

(6) **Excess/Umbrella Insurance:** At GSP's option, the foregoing insurance coverage described in (2), (3) and (4) above may be satisfied with a combination of primary insurance and excess/umbrella insurance coverage.

(e) **GSP's Consultants' Insurance Coverages:**

(1) **Workers' Compensation and Employer's Liability Insurance:**

GSP shall require each of its consultants who will perform services at the Project Site to obtain and maintain Workers' Compensation and Employer's Liability Insurance coverages as described in preceding paragraph (d).

(2) **Automobile and General Liability Insurance:**

GSP shall require each of its consultants who will perform services at the Project Site to obtain and maintain Automobile and General Liability Insurance Coverages with the limits described in preceding paragraph (d).

(3) **Professional Liability Insurance:**

GSP shall require each of its consultants to obtain and maintain Professional Liability Insurance with coverage as described in preceding paragraph (d).

(4) **Enforcement Responsibility:**

GSP shall have responsibility to enforce its consultants' compliance with these insurance requirements; however, GSP shall, upon request, provide the City acceptable evidence of insurance for any consultant.

(f) **Termination of Obligation to Insure:**

Unless otherwise expressly provided in the Special Provisions of the Agreement, the obligation of GSP and its consultants to insure as provided herein shall continue as follows:

(1) **Professional Liability (Errors & Omissions) Insurance**

shall be carried for two (2) years after completion of the Work. Other than shop drawing review, GSP does not have scope of work during construction, and the project might be suspended after design is complete. Should Construction Engineering and Inspection (CEI) get added by amendment, then completion of the Work will be completion of construction.

(2) **Other Insurance.**

The obligation to carry the other insurance coverages of preceding paragraph (d) or coverages equal to them, shall remain in effect at any time GSP, its consultants, anyone directly or indirectly employed by them or anyone for whose acts they may be liable, returns to the Project to perform services required of this Agreement.

19. INDEMNIFICATION: To the fullest extent permitted by law, Architect/Engineer (GSP) shall indemnify and hold harmless the City, State and ALDOT and their agents, employees, officials and officers, in their official and individual capacities (hereinafter collectively referred to as the "Indemnitees") from and against all claims, damages, losses and expenses, including but not limited to attorneys' fees, arising out of, related to, or resulting from performance of the Work done by Architect/Engineer (GSP), including specifically, but not limited to claims alleged to have been caused by faulty, negligent or defective design and/or other related services, provided that

such claim, damage, loss or expense is attributable to bodily injury, sickness, disease or death, or to injury to or destruction of tangible property, including loss of use resulting therefrom, and is caused in whole or in part by negligent acts or omissions of the Architect/Engineer (GSP), a subcontractor, anyone directly or indirectly employed by them, or anyone for whose acts they may be liable, regardless of whether such claim, damage, loss or expense is caused in part, or is alleged but not legally established to have been caused in whole or in part by the negligence or other fault of a party indemnified hereunder. This indemnification shall extend to all claims, damages, losses and expenses for injury or damage to adjacent or neighboring property, or persons injured thereon, that arise out of, relate to, or result from performance of the Work.

20. DISPUTE RESOLUTION: The City and GSP agree to endeavor to resolve all conflicts or disputes between the arising out of or relating to this Agreement or the project through good-faith, face-to-face discussions between duly authorized representatives of both parties. Should such face-to-face discussions fail to resolve the issue, both parties agree to submit the dispute to nonbinding Mediation. Should Mediation also fail to resolve the dispute, then either party may pursue resolution through litigation in a court of competent jurisdiction.

21. CONSEQUENTIAL DAMAGES: The City and GSP waive indirect, incidental or consequential damages for claims, disputes or other matters in question arising out of or relating to this Agreement.

22. IMMIGRATION: By signing this Contract, 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 Contract and shall be responsible for all damages resulting therefrom.

23. 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. The Architect/Engineer 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.

24. RATIFICATION AND CONFIRMATION: The City and GSP hereby ratify, approve and confirm all of the terms, provisions and conditions of the Contract dated September 23, 2011 and Supplemental Agreement dated October 23, 2018, by and between the City and GSP that are not amended or modified by this Second Supplemental Agreement.

25 **MISCELLANEOUS:**

(a) **Non Waiver:** The failure of the City to insist, in any one or more instances, upon a strict performance of any of the covenants of this contract, or to exercise any option herein contained, shall not be construed as a waiver, or a relinquishment for the future of such covenant or option, but the same shall continue and remain in full force and effect.

(b) **Waiver of Modification:** Any waiver, alteration or modification of any of the provisions of this agreement or cancellation or replacement of this agreement shall not be valid unless in writing and signed by the parties hereto. This agreement may be amended at any time by written agreement of the parties signatory hereto.

(c) **Notices:** Any and all notices required or permitted to be given under this agreement will be sufficient if furnished in writing and sent by Registered Mail to the parties' last known address.

(d) **Governing Law:** This Second Supplemental Agreement shall be interpreted, construed and governed to the laws of the State of Alabama. The jurisdiction and venue for the resolution of any dispute shall be in Jefferson County, Alabama.

(e) **Article and Section Headings:** The article and section headings and captions contained herein are included for convenience only, and shall not be considered a part hereof or affect in any manner the construction or interpretation hereof.

(f) **Construction of Terms:** The City and GSP negotiated the terms, provisions and conditions of this Agreement over a period of many months and both parties had the equal opportunity for input for the drafting of this contract. Therefore, any ambiguities of this contract shall be construed fairly and equitably regardless of the participation of either party in drafting this contract. The reference in terms to gender and number shall be modified as may be appropriate.

(g) **Execution in Counterparts:** The Second Supplemental Agreement may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

(h) **Binding Effect:** The Second Supplemental Agreement shall inure to the benefit of, and shall be binding upon City and GSP and their heirs, successors and assigns.

(i) **Severability:** In the event any provision of this Second Supplemental Agreement shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision hereof.

(j) **Survival:** All representations and warranties of this Contract shall survive the execution and delivery of this Contract, as shall any covenants for performance thereafter.

(k) **Entire Agreement:** This written contract contains the entire agreement between the City and the GSP.

IN WITNESS WHEREOF, the City of Vestavia Hills, Alabama, a municipal corporation, and Gresham Smith & Partners have caused this Second Supplemental Agreement to be executed by their duly authorized officers and their respective seals to be affixed hereto on this the _____ day of _____, 2022.

OWNER:
CITY OF VESTAVIA HILLS, ALABAMA
A Municipal Corporation

By _____
Ashley C. Curry
Its Mayor

By _____
Jeffrey D. Downes
Its City Manager

ATTESTED:

By _____

ARCHITECT AND ENGINEER:
GRESHAM SMITH & PARTNERS

By _____
Its _____

ATTESTED:

By _____

**STATE OF ALABAMA
JEFFERSON COUNTY**

ACKNOWLEDGMENT

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Ashley C. Curry, whose name as Mayor of the City of Vestavia Hills, Alabama, a municipal corporation, is signed to the foregoing Second Supplemental Agreement Between Owner and Architect/Engineer, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said City of Vestavia Hills, Alabama.

Given under my hand and official seal, this the ____ day of _____, 2022.

Notary Public

My Commission Expires:

SEAL

**STATE OF ALABAMA
JEFFERSON COUNTY**

ACKNOWLEDGMENT

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Jeffrey D. Downes, whose name as City Manager of the City of Vestavia Hills, Alabama, a municipal corporation, is signed to the foregoing Second Supplemental Agreement Between Owner and Architect/Engineer, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said City of Vestavia Hills, Alabama.

Given under my hand and official seal, this the ____ day of _____, 2022.

Notary Public

My Commission Expires:

SEAL

**STATE OF ALABAMA
JEFFERSON COUNTY**

ACKNOWLEDGMENT

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that _____ whose name as _____ of Gresham Smith & Partners is signed to the foregoing Second Supplemental Agreement Between Owner and Architect/Engineer and who is known to me, acknowledged before me on this day that, being informed of the contents of the contract, (s)he, as such officer and with full authority, executed the same voluntarily for and as the act of said Gresham Smith & Partners.

Given under my hand and official seal, this the _____ day of _____, 2022.

Notary Public

My Commission Expires:

SEAL



May 27, 2022

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

Subject: Proposal for Pedestrian Bridge Redesign and Construction Plans Update
ALDOT Project No. HPP-TAPBH-CMAQ-A104(916)
Pedestrian Bridge over US-31 at Wald Park in Vestavia Hills, AL
Vestavia Hills, AL

Dear Mr. Downes:

Gresham Smith is pleased to submit this proposal to redesign and update the construction plans for the proposed pedestrian bridge over US-31 at Wald Park. **Gresham Smith's scope of services is shown below.**

PROJECT DESCRIPTION

For the redesign and plans update of the US-31 pedestrian bridge, our goal is to reuse the existing construction plans to the extent possible and incorporate the bridge beam selected in the Pedestrian Bridge Alternatives Analysis. The construction plans will incorporate a prefabricated steel truss design for the pedestrian bridge. The bridge superstructure will be contractor-designed. Plan development will follow ALDOT Guidelines for Developing Construction Plans (GDGP) with construction plan reviews restarting at PS&E. An initial bridge plan submittal will include a type, size and location (TSL) review and then proceed to a 90% review. Other initial submittals will include an Utility Coordination submittal and an Environmental Re-evaluation to update utility coordination with the various utility owners and update environmental clearance.

SCOPE OF SERVICES

Gresham Smith's scope of services for this project includes: Environmental (PCE1) document update, Field Survey update, Geotechnical Investigation update, Preliminary Bridge (TSL) update, Bridge Plans update, Architecture Plans update, Utility Coordination and Construction Plans update,

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Suite 300
Birmingham, AL 35243
205.298.9200

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EXHIBIT A

Environmental (PCE1) Document – Gresham Smith will update the PCE1 environmental document for the project by updating the project narrative, submitting updated coordination letters to Corps of Engineers, US Fish and Wildlife Service and SHPO. Gresham Smith will submit the updated PCE1 to ALDOT for review and approval.

Field Survey - Gresham Smith will obtain updated topographic and utility surveys for the project using our survey subconsultant, Sain Associates, Inc. The surveyor will survey updated existing features/topography (pavement, curb and gutter, driveway, drainage, etc.), the location of visual and marked by Alabama One Call utilities within the project limits, and other topography sufficient for updating the field survey and for development of an updated digital terrain model.

Geotechnical Investigation – Gresham Smith will provide an updated Bridge Foundation Report using our geotechnical subconsultant, Terracon Consultants, Inc. The previous Bridge Foundation Report dated April 2, 2019 provided recommendations for drilled shafts, driven steel piles and shallow spread footings. The geotechnical scope of work will include coordination with the bridge engineer on foundation options, and updating the report to reflect the new bridge type.

Preliminary Bridge (TSL) – Gresham Smith will provide a type, size and location plan sheet (TSL) of the new pedestrian bridge based on the selected bridge beam type from the Pedestrian Bridge Alternatives Analysis. The TSL will be submitted to ALDOT for review and approval prior to proceeding with the Bridge Plans.

Bridge Plans – Gresham Smith will redesign the substructure of the pedestrian bridge for the contractor-designed, prefabricated steel truss superstructure. Bridge plans will be updated based on the approved TSL, the redesigned substructure and the contractor-designed superstructure.

Architecture Plans – Gresham Smith will redesign the architecture elements of the pedestrian bridge including railing/fencing system on the main span, the overlook and stairs. Gresham Smith will review the veneers and finishes on the vertical transportation tower, roof system and other architecture features. Gresham Smith will coordinate with subconsultants performing structural, mechanical, electrical and plumbing design of the vertical transportation tower. Gresham Smith will address comments from the Alabama Building Commission.

Gresham Smith will provide mechanical, electrical and plumbing (MEP) revisions to the vertical transportation tower and lighting design on the tower, stairs and bridge using our subconsultant, Dewberry Engineering, Inc.

Gresham Smith, using our subconsultant LBYD Engineers, Inc., will also provide a structural connection design for the decorative arches and the attachment of the handrail and LED lighting. A review of the canopy redesign, foundation redesign and applicable codes will be made to ensure these items meet current standards.

Gresham Smith, using our subconsultant Doster Construction Company, Inc., will provide updated cost estimates based on the updated architectural plans. A cost estimate will be prepared to accompany the PS&E submittal and again for the Office Engineer submittal.

Utility Coordination – Gresham Smith will prepare and submit utility plans and coordinate with all utility owners impacted by the construction of the pedestrian bridge as identified in the construction plans. Due to the difficulty in estimating the amount of effort required to acquire utility relocation designs and funding agreements, we propose to pursue utility coordination through utility certification or until the proposed budget amount is fully spent, whichever comes first. If additional time and budget is needed to obtain utility certification, beyond what is budgeted in this proposal, a separate proposal for additional services will be prepared.

Roadway Plans – Gresham Smith will update the construction plans, revise the plans to incorporate the updated pedestrian bridge design, and design new sidewalk along the west side of US-31 from Waldrige Road to the City of Vestavia Hills Aquatic Center. Plan updates will include updating the sheets for a current year letting, updating pay items and quantities for the updated pedestrian bridge design and new sidewalk design, updating plan-profiles for new or changed required items and the disposition of current in-place items, revising traffic control phasing for constructing the updated bridge, revising ITS layout sheets for permanently relocating the existing fiber, and preparing cost estimates based on the roadway plans. Design for the new sidewalk on the west side of US-31 will be shown in the plans in a similar manner as the required sidewalk already shown required in the plans on the east side of US-31, which is a plan and profile view of the sidewalk and a typical section. Cross sections of the new sidewalk are not anticipated, and not included in this proposal, since the previous set of plans did not include sidewalk cross sections. During the sidewalk design process, it is anticipated that the existing terrain will present challenges in meeting requirements for an ADA accessible route (e.g. 5% maximum running grade requirement). The sidewalk design will not meet all requirements for an ADA accessible route. Plans will be prepared and submitted for PS&E, Final Backcheck, Construction Bureau and Office Engineer submittals as defined in ALDOT's Guidelines for Developing Construction Plans (GDGP).

EXCLUSIONS

- Property ownership and boundaries
- Additional geotechnical investigations
- Additional plan updates
- Additional Utility Coordination
- Roadway Lighting Design
- ROW deeds, tract sketches and ROW map
- ROW acquisition services
- Contract documents
- Bidding and Advertising services
- Construction staking

COMPENSATION

Gresham Smith proposes to perform the scope of services described above for the cost-plus, not to exceed fee of \$256,034.00, as outlined in the attached fee proposal. Gresham Smith will invoice using the terms and conditions of Article IV (Payment) of Gresham Smith's current Transportation Support Services, Statewide Agreement (Contract ID#2332) with ALDOT.

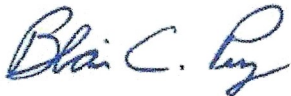
We are prepared to begin work on this redesign and plans update as soon as we are authorized by the City in order to keep this project moving forward.

AGREEMENT

Gresham Smith anticipates the City of Vestavia Hills will use the agreement format used in the original design agreement, and that this proposal will become an exhibit to a new agreement. If this proposal letter and attachments are acceptable to the City of Vestavia Hills, please issue an agreement for execution, and we can begin work upon receiving a Notice to Proceed.

We thank you for trusting Gresham Smith to assist you with this project. We look forward to assisting the City of Vestavia Hills on this very important project.

Sincerely,



Blair Perry, P.E.
Principal
Alabama State Leader - Transportation Services



Matthew R. Williams, P.E.
Project Manager

BP/mw

Copy Christopher Brady, P.E., City of Vestavia Hills
Lori Beth Kearley, P.E., City of Vestavia Hills

Attachments Fee Proposal
Pedestrian Bridge Alternatives Analysis



September 7, 2022

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

Subject: Proposal for Pedestrian Bridge Redesign and
Construction Plans Update – ADA Sidewalk Design Clarification
ALDOT Project No. HPP-TAPBH-CMAQ-A104(916)
Pedestrian Bridge over US-31 at Wald Park in Vestavia Hills, AL

Dear Mr. Downes:

Reference is made to the proposal dated May 27, 2022 Gresham Smith submitted to the City for the above referenced project. Based on the information that we currently have and our field observations, we do believe that the portion of the sidewalk on the west side of US-31 from the west end of the pedestrian bridge to the existing sidewalk near the City Aquatic Complex can be designed to comply with ADA requirements, and we will endeavor to do so.

We thank you for trusting Gresham Smith to assist you with this important project, and look forward to working with the City of Vestavia Hills.

Sincerely,

A handwritten signature in blue ink that reads 'Blair C. Perry'.

Blair Perry, P.E.
Principal
Alabama State Leader

A handwritten signature in blue ink that reads 'Matthew R. Williams'.

Matthew R. Williams, P.E.
Project Manager

Copy

Christopher Brady, P.E., City of Vestavia Hills
Lori Beth Kearley, P.E., City of Vestavia Hills

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Birmingham, AL 35243
205.298.9200

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EXHIBIT B

CITY OF VESTAVIA HILLS
DEPARTMENT OF PUBLIC SERVICES
OFFICE OF CITY ENGINEER
INTER-DEPARTMENT MEMO

August 17, 2022

To: Jeff Downes, City Manager

Cc: Brian Davis, Director of Public Services
Christopher Brady, City Engineer
Rebecca Leavings, City Clerk/Zoning Official

From: Lori Beth Kearley, Assistant City Engineer

RE: Pedestrian Bridge over US-31 – HPP-TAPBH-CMAQ-A104(916)
Funding Request for Engineering Consulting Services for Pedestrian Bridge Redesign
and Construction Plans Update

Gresham Smith has submitted a proposal to redesign and update the construction plans for the proposed pedestrian bridge over US-31 at Wald Park. The intent of the redesign effort is to reuse the existing construction plans to the extent possible and incorporate the bridge beam selected in the Pedestrian Bridge Alternatives Analysis completed by Gresham Smith in December 2021.

The scope of services is outlined in the proposal dated May 27, 2022. Gresham Smith proposes to perform the scope of services for a cost-plus, not to exceed fee of \$256,034.00.

This scope of services and fee proposal have been reviewed and approved by ALDOT. The Birmingham MPO recently approved \$204,827.00 in additional CMAQ funding for these redesign costs that are to be reimbursed after expenditure by the City. The City will be responsible for the 20% match totaling \$51,206.80.

We are requesting Council approval to allocate this funding toward the project and to execute an Agreement for Professional Engineering Services with Gresham Smith for the redesign services.

Please let me know if you have any questions.



September 7, 2022

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

Subject: Proposal for Pedestrian Bridge Redesign and
Construction Plans Update – ADA Sidewalk Design Clarification
ALDOT Project No. HPP-TAPBH-CMAQ-A104(916)
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Project Manager

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May 27, 2022

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

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ALDOT Project No. HPP-TAPBH-CMAQ-A104(916)
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SCOPE OF SERVICES

Gresham Smith's scope of services for this project includes: Environmental (PCE1) document update, Field Survey update, Geotechnical Investigation update, Preliminary Bridge (TSL) update, Bridge Plans update, Architecture Plans update, Utility Coordination and Construction Plans update,

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Mr. Jeff Downes, City Manager
May 27, 2022

Environmental (PCE1) Document – Gresham Smith will update the PCE1 environmental document for the project by updating the project narrative, submitting updated coordination letters to Corps of Engineers, US Fish and Wildlife Service and SHPO. Gresham Smith will submit the updated PCE1 to ALDOT for review and approval.

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Gresham Smith will provide mechanical, electrical and plumbing (MEP) revisions to the vertical transportation tower and lighting design on the tower, stairs and bridge using our subconsultant, Dewberry Engineering, Inc.

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Mr. Jeff Downes, City Manager
May 27, 2022

Gresham Smith, using our subconsultant Doster Construction Company, Inc., will provide updated cost estimates based on the updated architectural plans. A cost estimate will be prepared to accompany the PS&E submittal and again for the Office Engineer submittal.

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EXCLUSIONS

- Property ownership and boundaries
- Additional geotechnical investigations
- Additional plan updates
- Additional Utility Coordination
- Roadway Lighting Design
- ROW deeds, tract sketches and ROW map
- ROW acquisition services
- Contract documents
- Bidding and Advertising services
- Construction staking

Mr. Jeff Downes, City Manager
May 27, 2022

COMPENSATION

Gresham Smith proposes to perform the scope of services described above for the cost-plus, not to exceed fee of \$256,034.00, as outlined in the attached fee proposal. Gresham Smith will invoice using the terms and conditions of Article IV (Payment) of Gresham Smith’s current Transportation Support Services, Statewide Agreement (Contract ID#2332) with ALDOT.

We are prepared to begin work on this redesign and plans update as soon as we are authorized by the City in order to keep this project moving forward.

AGREEMENT

Gresham Smith anticipates the City of Vestavia Hills will use the agreement format used in the original design agreement, and that this proposal will become an exhibit to a new agreement. If this proposal letter and attachments are acceptable to the City of Vestavia Hills, please issue an agreement for execution, and we can begin work upon receiving a Notice to Proceed.

We thank you for trusting Gresham Smith to assist you with this project. We look forward to assisting the City of Vestavia Hills on this very important project.

Sincerely,



Blair Perry, P.E.
Principal
Alabama State Leader - Transportation Services



Matthew R. Williams, P.E.
Project Manager

BP/mw

Copy Christopher Brady, P.E., City of Vestavia Hills
Lori Beth Kearley, P.E., City of Vestavia Hills

Attachments Fee Proposal
Pedestrian Bridge Alternatives Analysis

Project No. HPP-TAPBH-CMAQ-A104(916)
County Jefferson
Description Pedestrian Bridge Over US-31 and Sidewalks in Vestavia Hills Near Wald Park
Scope of Work Corridor Study
Project Length 0.10 Miles
Consultant Gresham Smith

Environmental PCE1 Update	Sr. Trans. Engineer	Engineer. Tech.	Environment	Environ. Tech.	Clerical
Task A: Updates to ENV					
A-1 Contact ALDOT & verify scope of ENV Task items	0.25				
A-2 Update ENV Narrative	0.25				
A-3 Submit Updated Letters to Corps of Engineers, US Fish and Wildlife Service, and SHPO (request Cultural Resources Study Reconcurrence)	0.50				
A-4 Update ENV Maps	0.50				
Task A Totals	1.50	0.00	0.00	0.00	0.00
Task B: Complete PCE1					
B-1 Complete PCE1	1.00				
B-2 Submit PCE1 to ALDOT for approval	0.25				
B-3 Complete Modifications to PCE1	0.50				
Task B Totals	1.75	0.00	0.00	0.00	0.00
TOTALS	3.25	0.00	0.00	0.00	0.00

Project No.	HPP-TAPBH-CMAQ-A104(916)
County	Jefferson
Description	Pedestrian Bridge Over US-31 and Sidewalks in Vestavia Hills Near Wald Park
Scope of Work	Corridor Study
Project Length	0.10 Miles
Consultant	Gresham Smith
Fee Proposal (Corridor Study)	

PERSONNEL COST			
	Man-days	x Daily Rate	
Project Manager (10% of Eng. & Env.)	0.33	\$ 564.20	\$ 186.19
Sr Transportation Engineer	3.25	\$ 509.64	1,656.33
Transportation Engineer	0.00	\$ 403.18	-
Clerical	0.25	\$ 276.61	69.15
Total Direct Labor			\$ 1,911.67
Combined Overhead (%)	161.52		\$ 3,087.73
Out-of-Pocket Expenses**			\$ 60.00
Sub-Total			\$ 5,059.40
Operating Margin (10%)			\$ 505.94
Sub-Total			\$ 5,565.34
SUB-CONSULTANTS (attach man-day & fee FROM each sub-consultant; show total fee for each here)			
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
Subconsultant Administration Expense (5%)			\$ -
Sub-Total			\$ 5,565.34
Facilities Capital Cost of Money (% of Direct Labor)	0.44		\$ 8.41
TOTAL FEE			\$ 5,573.75

**See Grand Total Fee sheet

Project No. <u>HPP-TAPBH-CMAQ-A104(916)</u>
County <u>Jefferson</u>
Description <u>Pedestrian Bridge Over US-31 and Sidewalks in Vestavia Hills Near Wald Park</u>
Scope of Work <u>Corridor Study</u>
Project Length <u>0.10 Miles</u>
Consultant <u>Gresham Smith</u>
Out-of-pocket Expenses (Corridor Study)

TRAVEL COST				
Mileage Cost	Trips	Miles/Trip	\$/Mile	Total
	0	0	\$0.585	\$ -
	0	0	\$0.585	\$ -
	0	0	\$0.585	\$ -
	0	0	\$0.585	\$ -
Total Mileage Cost				\$ -

Subsistence Cost				
	Days	# People	\$/Day	Total
Travel allowance (6 hour trips)	0	0	\$11.25	\$ -
Travel allowance (12 hour trips - meal provided by others)	0	0	\$20.00	\$ -
Travel allowance (12 hour trips)	0	0	\$30.00	\$ -
Travel allowance (overnight)***	0	0	\$75.00	\$ -
				\$ -
Total Subsistence Cost				\$ -
Total Travel Cost				\$ -

PRINTING / REPRODUCTION COST					
Type of printing/reproduction	# of Sets	Sheets/Set	Total Sheets	Cost/Sheet	Total
	0	0	0	\$ -	\$ -
	0	0	0	\$ -	\$ -
	0	0	0	\$ -	\$ -
	0	0	0	\$ -	\$ -
	0	0	0	\$ -	\$ -
	0	0	0	\$ -	\$ -
Total Printing/Reproduction Cost					\$ -

Communication Cost (telephone, fax, etc.)	Total
	\$ 10.00

Postage Cost (overnight, stamps, etc.)	Total
	\$ 50.00

Other (provide description on next line)	Total
	\$ -

Total Out-of-pocket Expenses	\$ 60.00
-------------------------------------	-----------------

Comments:

***You must have ALDOT approval for ANY overnight trips of less than 100 miles.

Project No.	HPP-TAPBH-CMAQ-A104(916)
County	Jefferson
Description	Pedestrian Bridge Over US-31 and Sidewalks in Vestavia Hills Near Wald Park
Scope of Work	Field Survey
Project Length	0.10 Miles
Consultant	Gresham Smith

Field Survey

PERSONNEL COST			
	Man-days	x Daily Rate	
Project Manager (10% of Eng.)			\$ -
Senior Transportation Engineer			\$ -
Transportation Engineer			\$ -
Clerical			\$ -
Total Direct Labor			\$ -
Combined Overhead (%)	161.52		\$ -
Out-of-Pocket Expenses**			\$ -
Sub-Total			\$ -
Operating Margin (10%)			\$ -
Sub-Total			\$ -
SUB-CONSULTANTS (attach man-day & fee FROM each sub-consultant; show total fee for each here)			
Sain Associates, Inc. (Field Survey)			\$ 6,800.00
Subconsultant Administration Expense (5%)			\$ 340.00
Sub-Total			\$ 7,140.00
Facilities Capital Cost of Money (% of Direct Labor)	0.44		\$ -
TOTAL FEE			\$ 7,140.00

**See Grand Total Fee sheet



April 5, 2022

Matthew R. Williams, P.E.
Senior Associate
Gresham Smith
3595 Grandview Parkway, Suite 300
Birmingham, Alabama 35243

Two Perimeter Park South
Suite 500 East
Birmingham, Alabama 35243
Telephone: (205) 940-6420
www.sain.com

SUBJECT: Pedestrian Bridge – Vestavia Hills
SA Project #22-0111

Dear Matt:

We appreciate the opportunity to submit this proposal for surveying services. Following is a description of our understanding of your project and the scope of services that we propose to undertake.

General Project Understanding

Surveying services are required to update a topographic and Right-of-Way survey previously performed by Sain Associates, Inc. in 2012.

Scope of Services

We will attempt to find, verify, and flag the control established by the previous survey. This control will be used for the work performed under this scope of services. An additional trip will be made prior to construction to perform this task for a second time.

Contours will be shown at 1-foot intervals and spot elevations will be shown in flat areas. Where accessible, visible drainage and sanitary 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, paved areas, and landscaped areas. Please note that in densely wooded areas tree lines will be shown in place of individual trees. Utility locate request will be made to Alabama 811 to have underground utilities within the project corridor identified and marked. Once or if the underground utilities have been marked, we will gather field locations to show the underground utilities on the survey. Please note that utility locators often refuse to mark underground utilities lying outside the limits of public Right-of-Way. In addition, utility locators often refuse to mark underground utilities for surveys. If after six days, the underground utilities have not been marked, an additional locate request will be made. If utilities are not marked after the second locate request is made, we will note the 811 ticket locate number and the unmarked area that the ticket covers. A list of utility contacts information will be shown the survey. The topographic limits will extend to the limits indicated in green and blue on the attached Exhibits A and B.

Vestavia Ped Brdg
M. Williams
4/5/2022
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The above survey will be drawn to ALDOT Cad standards (ALCAD) and provided in MicroStation V8i format.

Exclusions

The following services are excluded from this proposal but can be provided if deemed necessary and requested by you: This survey does not include subdivision platting or zoning review. No property ownership or property lines will be shown on the survey. No staking or construction services will be provided with this survey. No owner notification letters will be prepared or sent as part of this survey. NO tract sketches or legal descriptions will be prepared as part of this survey.

Fees

We propose to provide the above described services based on the following fee schedule:

Control/Topographic Budget	\$6,000.00
Pre-construction Control Budget	\$800.00

Reimbursable expenses such as printing, shipping, plan/permit application fees, mileage, etc. are included in the above fees.

Procedures for Changes in Scope of Work

The scope of work documented herein is based upon information known as of the date of this proposal. Should future changes (e.g., site plan, regulatory, project phasing, additional meetings, etc.) necessitate changes in the scope of work, we will contact you to discuss the scope of the additional work and its impact to our contracted fees and project schedule. No additional work will be undertaken by Sain or our subconsultants without your authorization.

Terms and Conditions

This contract is subject to the enclosed Terms and Conditions. All subsequent services required by you outside the scope of service specified will be performed on a time and materials basis according to the schedule of rates enclosed. Any modification to this contract document must be approved in writing by both parties with approval indicated by each signatory's initials and the date of approval.

Proposal Limitations

We reserve the right to withdraw or modify this proposal if not contracted within sixty days.

Qualification Based Selection

Sain Associates has provided this proposal with the understanding that you have selected our firm to perform professional services based upon our staff's qualifications, experience, and reputation and not solely upon the cost of the services proposed. We trust the fees outlined herein are acceptable and within your project budgetary plans. We look forward to commencement of the work and will be glad to address any questions or concerns you have regarding the technical scope and/or schedule of fees for this proposal. If you should request additional prices for the scope of work included herein from other consulting engineers and/or land surveyors, please consider our proposal withdrawn to comply with Alabama Administrative Code Chapter 330-X-14-.05(f).

Vestavia Ped Brdg
M. Williams
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Schedule

We can begin field work within three weeks of your notice to proceed and can provide a completed survey within three weeks of completing field work.

Thank you for the opportunity to provide this proposal. If you have any questions or need clarification on any item, please call me. We look forward to working with you.

Sincerely,

SAIN ASSOCIATES, INC.

Matt Lackey
Survey Manager
Sain Associates Inc.

OFFERED:
SAIN ASSOCIATES, INC.
BY: Alicia Bailey, P.E.
Practice Leader/Sr. Principal
Alabama License No. 26339

Signature of Authorized Representative

Date: 4/5/22

Enclosures:
Exhibits A & B
Sain Terms & Conditions (sch. 2022)

ACCEPTED:
GRESHAM SMITH

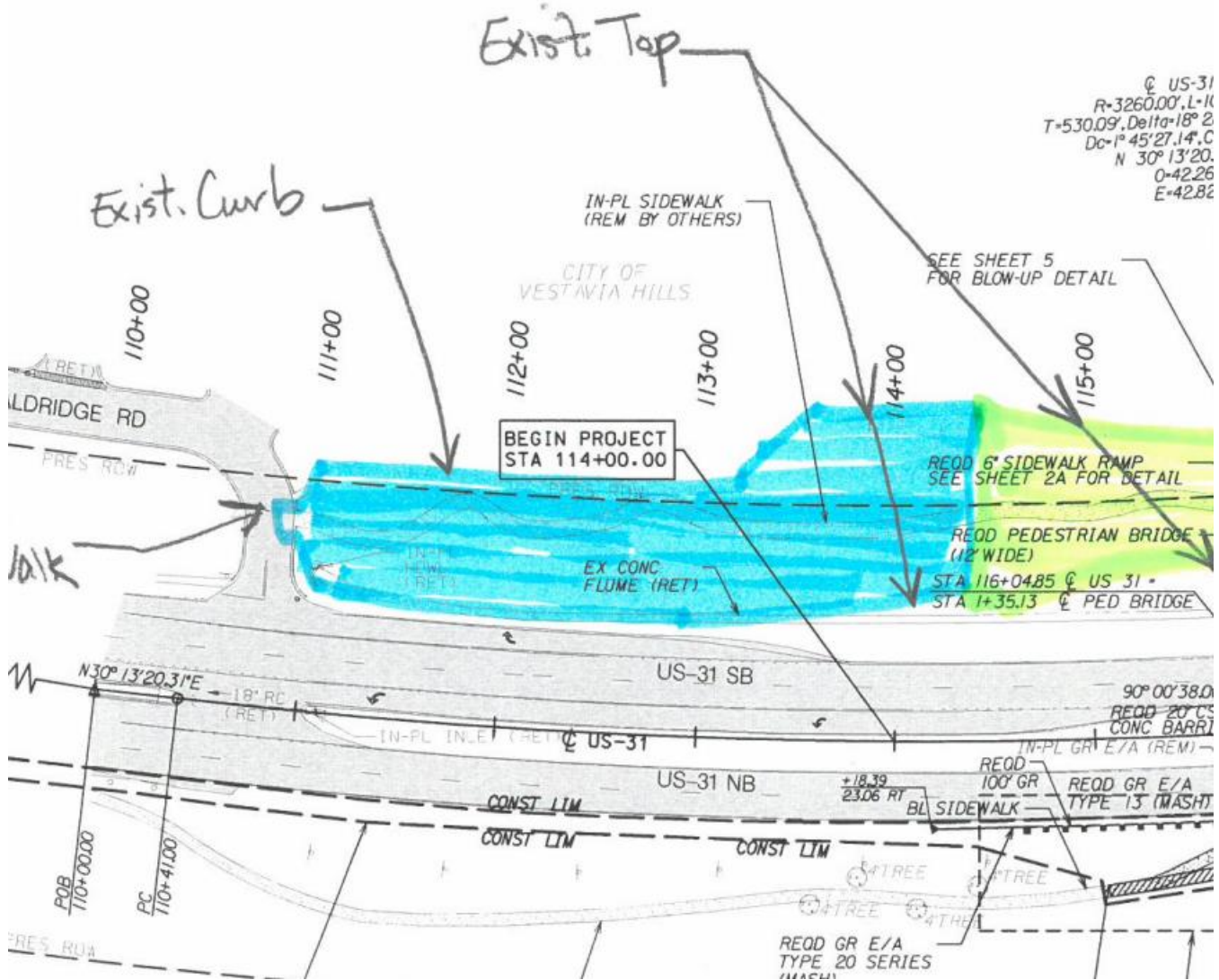
BY: _____
Signature of Authorized Representative

Print Name & Title

Date: _____



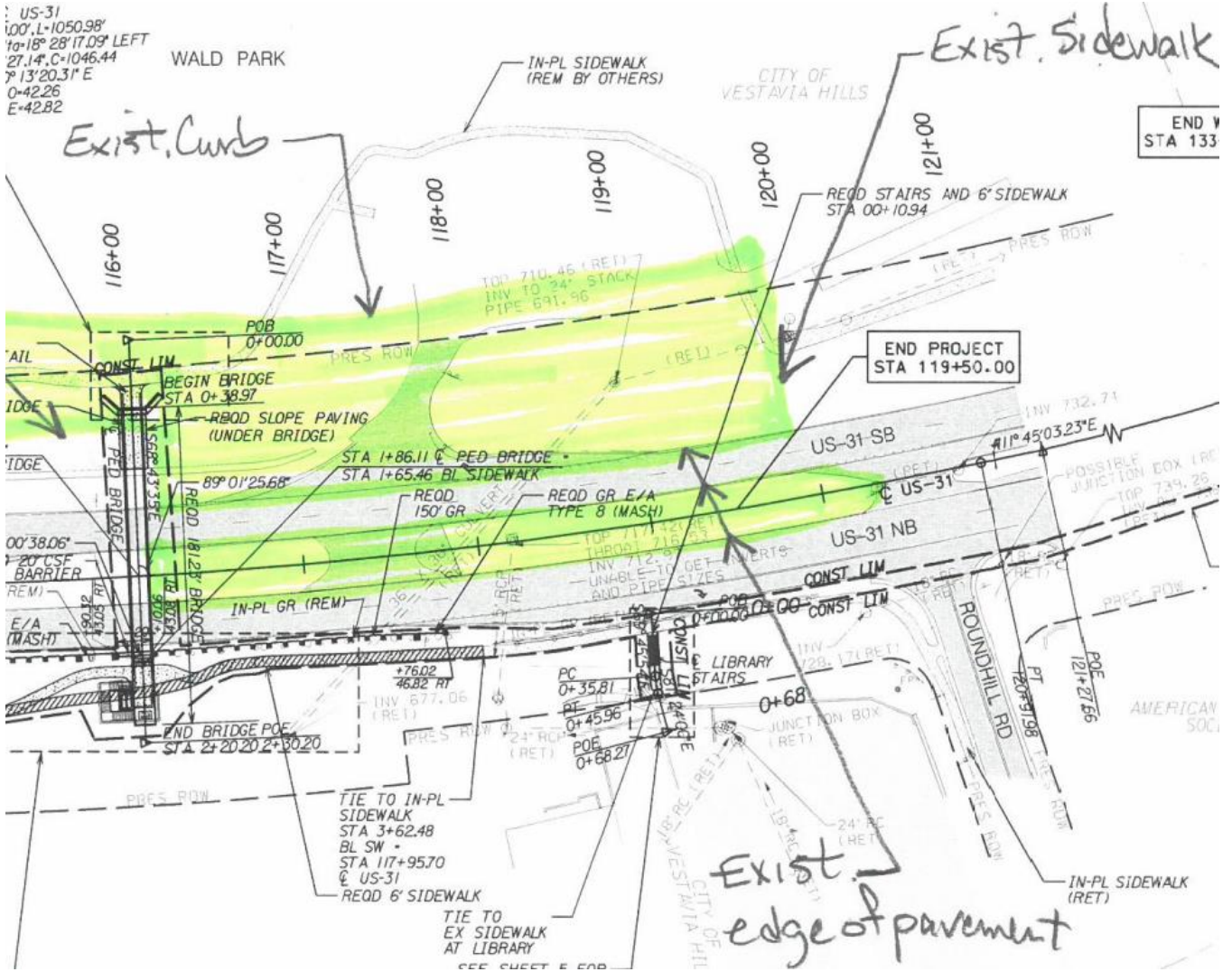
EXHIBIT A



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M. Williams
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EXHIBIT B



Project No.	HPP-TAPBH-CMAQ-A104(916)
County	Jefferson
Description	Pedestrian Bridge Over US-31 and Sidewalks in Vestavia Hills Near Wald Park
Scope of Work	Geotechnical Investigation
Project Length	0.10 Miles
Consultant	Gresham Smith
Geotechnical Investigation	

PERSONNEL COST			
	Man-days	x Daily Rate	
Project Manager (10% of Eng.)			\$ -
Senior Transportation Engineer			\$ -
Transportation Engineer			\$ -
Clerical			\$ -
Total Direct Labor			\$ -
Combined Overhead (%)	161.52		\$ -
Out-of-Pocket Expenses**			\$ -
Sub-Total			\$ -
Operating Margin (10%)			\$ -
Sub-Total			\$ -
SUB-CONSULTANTS (attach man-day & fee FROM each sub-consultant; show total fee for each here)			
Terracon Consultants, Inc. (Geotechnical Investigation)			\$ 16,678.25
Subconsultant Administration Expense (5%)			\$ 833.91
Sub-Total			\$ 17,512.16
Facilities Capital Cost of Money (% of Direct Labor)	0.44		\$ -
TOTAL FEE			\$ 17,512.16

**See Grand Total Fee sheet

SUPPLEMENT TO AGREEMENT FOR SERVICES

**CHANGE TO
SCOPE OF SERVICES AND FEES**

This **SUPPLEMENT to AGREEMENT FOR SERVICES** to the original Agreement for Services (original Agreement dated 06/18/2014, Agreement reference number PE1140012) is between Gresham Smith ("Client") and Terracon Consultants, Inc. ("Consultant") for additional or changed Services to be provided by Consultant for Client on the Project, as described in the Agreement for Services. This Supplement is incorporated into and part of the Agreement for Services.

1. Scope of Services. The scope of the additional or changed Services are described in the Scope of Services section of the Consultant's Supplemental Proposal, unless Services are otherwise described below or in Exhibit B to this Supplement (which section or exhibit are incorporated into the Supplement).

Our scope of services will include a new Bridge Foundation Report for the Pedestrian Walkway over US-31 (Terracon Project No. E1145166) to reflect recent design changes. All recommendations will be based on previously performed soil and rock core borings.

2. Compensation. Client shall pay compensation for the additional or changed Services performed at the fees stated in the Supplemental Proposal unless fees are otherwise stated below or in Exhibit C to this Supplement (which section or exhibit are incorporated into the Supplement).

Refer to the attached Budget Estimate Worksheet. Services will be invoiced on a time and materials basis in accordance with the unit rates shown.

All terms and conditions of the **Agreement for Services** shall continue in full force and effect. This Supplement is accepted and Consultant is authorized to proceed.

Consultant: **Terracon Consultants, Inc.**
 By: _____ Date: **4/22/2022**
 Name/Title: **Matthew S McCullough, P.E. / Department
 Manager, Geotechnical Services**
 Address: **2147 Riverchase Office Rd
 Hoover, AL 35244-1836**
 Phone: **(205) 942-1289** Fax: **(205) 443-5302**
 Email: **Matt.McCullough@terracon.com**

Client: **Gresham Smith**
 By: _____ Date: _____
 Name/Title: **Matt Williams / Transportation Services**
 Address: **3595 Grandview Parkway, Suite 300
 Birmingham, AL 35243**
 Phone: **(205) 298-9232** Fax: _____
 Email: **matt_williams@gspnet.com**

Budget Estimate Worksheet



Project Supplemental Geotechnical Services for Pedestrian Bridge over US-31 near Wald Park
Supplement to Proposal PE1140012

Location Vestavia Hills, Alabama

Quantity ENGINEERING SERVICES-Bridge

25	Staff Professional 1	Hr	85.65	2,141.25
30	Staff Professional 2	Hr	113.00	3,390.00
30	Staff Professional 3	Hr	133.36	4,000.80
15	Staff Professional 4	Hr	171.48	2,572.20
10	Staff Professional 5	Hr	216.76	2,167.60
20	Draftsman	Hr	62.02	1,240.40
20	Administrative Assistant	Hr	58.30	1,166.00
	Estimated Engineering Services			16,678.25

TOTAL ESTIMATED BUDGET

\$16,678.25

Project No. HPP-TAPBH-CMAQ-A104(916)
County Jefferson
Description Pedestrian Bridge Over US-31 and Sidewalks in Vestavia Hills Near Wald Park
Pedestrian Bridge and Plans Re-Design to use Prefabricated Steel Truss
Scope of Work Superstructure
Project Length 0.10 Miles
Consultant Gresham Smith

PRELIMINARY BRIDGE PLANS		
	Sr Bridge Engineer	Bridge Engineer/Tech
Bridge		
1. Prepare preliminary span layouts (TS&L) plans for all required bridges	0.50	0.50
2. Furnish preliminary cost estimates for bridge	0.50	0.50
	0.00	0.00
PRELIMINARY BRIDGE TOTALS	1.00	1.00
PRELIMINARY PLANS TOTALS		
	1.00	1.00

Project No.	HPP-TAPBH-CMAQ-A104(916)
County	Jefferson
Description	Pedestrian Bridge Over US-31 and Sidewalks in Vestavia Hills Near Wald Park
Scope of Work	Steel Truss Superstructure
Project Length	0.10 Miles
Consultant	Gresham Smith

Fee Proposal (Preliminary Bridge Plans)

PERSONNEL COST			
	Man-days	x Daily Rate	
Project Manager (10% of Eng.)	0.20	\$ 564.20	\$ 112.84
Senior Bridge Engineer	1.00	\$ 646.13	\$ 646.13
Bridge Engineer/Tech	1.00	\$ 274.60	\$ 274.60
Clerical	0.25	\$ 276.61	\$ 69.15
Total Direct Labor			\$ 1,102.72
Combined Overhead (%)	161.52		\$ 1,781.11
Sub-Total			\$ 2,883.83
Out-of-Pocket Expenses**			\$ 58.50
Sub-Total			\$ 2,942.33
Operating Margin (10%)			\$ 294.23
Sub-Total			\$ 3,236.56
SUB-CONSULTANTS (attach man-day & fee FROM each sub-consultant; show total fee for each here)			
			\$ -
			\$ -
			\$ -
Subconsultant Administration Expense (5%)			\$ -
Sub-Total			\$ 3,236.56
Facilities Capital Cost of Money (% of Direct Labor)	0.44		\$ 4.85
TOTAL FEE			\$ 3,241.41

**See Grand Total Fee sheet

Project No.	HPP-TAPBH-CMAQ-A104(916)
County	Jefferson
Description	Pedestrian Bridge Over US-31 and Sidewalks in Vestavia Hills Near Wald Park
Scope of Work	Pedestrian Bridge and Plans Re-Design to use Prefabricated Steel Truss Superstructure
Project Length	0.10 Miles
Consultant	Gresham Smith

Out-of-pocket Expenses (Preliminary Bridge Plans)

TRAVEL COST					
Mileage Cost	Trips	Miles/Trip	\$/Mile	Total	
	0	0	\$0.585	\$	-
	0	0	\$0.585	\$	-
	0	0	\$0.585	\$	-
	0	0	\$0.585	\$	-
Total Mileage Cost					\$ -
Subsistence Cost					
	Days	# People	\$/Day	Total	
Travel allowance (6 hour trips)	0	0	\$11.25	\$	-
Travel allowance (12 hour trips - meal provided by others)	0	0	\$20.00	\$	-
Travel allowance (12 hour trips)	0	0	\$30.00	\$	-
Travel allowance (overnight)***	0	0	\$75.00	\$	-
				\$	-
Total Subsistence Cost					\$ -
Total Travel Cost					\$ -
PRINTING / REPRODUCTION COST					
Type of printing/reproduction	# of Sets	Sheets/Set	Total Sheets	Cost/Sheet	Total
11 x 17 Black & White	5	5	25	\$ 0.34	\$ 8.50
	0	0	0	\$ 0.34	\$ -
	0	0	0	\$ 0.34	\$ -
	0	0	0	\$ 0.34	\$ -
	0	0	0	\$ 0.34	\$ -
	0	0	0	\$ 0.34	\$ -
	0	0	0	\$ 0.80	\$ -
Mylar	0	0	0	\$ 24.20	\$ -
Total Printing / Reproduction Cost					\$ 8.50
Communication Cost (telephone, fax, etc.)					Total
					\$ -
Postage Cost (overnight, stamps, etc.)					Total
					\$ 50.00
Other (provide description on next line)					Total
					\$ -
Total Out-of-pocket Expenses					\$ 58.50

Comments:

***You must have ALDOT approval for ANY overnight trips of less than 100 miles.

FEE COMPUTATIONS FOR PREPARING BRIDGE DESIGN & PLANS

Consultant: **Gresham Smith**

Submittal Date:

PROJECT NO: DE-HPP-TAPBH-A124(916)

DESCRIPTION: Pedestrian Bridge Over US-31 and Sidewalks in Vestavia Hills Near Wald Park

COUNTY: Jefferson

SHEET TITLE	NO. OF SHEETS	CONSULTANT ESTIMATED MANDAYS			
		SR BRIDGE ENG days/sheet	TOTAL DAYS	BRIDGE ENG/TECH days/sheet	TOTAL DAYS
Preliminary Bridge Layout	<input type="text" value="1"/>	<input type="text" value="1"/>	1	<input type="text" value="1"/>	1
Index, Notes, Quantities, & Required	<input type="text" value="1"/>	<input type="text" value="2"/>	2	<input type="text" value="1.5"/>	1.5
Bridge General Plan & Elevation	<input type="text" value="1"/>	<input type="text" value="1"/>	1	<input type="text" value="1"/>	1
SUBTOTAL	3		4		3.5
BRIDGE SUPERSTRUCTURE DESIGN & DETAIL					
Span Details	<input type="text" value="1"/>	<input type="text" value="1.5"/>	1.5	<input type="text" value="2"/>	2
Girder Details	<input type="text" value="1"/>	<input type="text" value="1"/>	1	<input type="text" value="1"/>	1
Bearings, Diaphragms, Miscellaneous Details	<input type="text" value="1"/>	<input type="text" value="2.5"/>	2.5	<input type="text" value="3"/>	3
SUBTOTAL per SPAN	3		5		6
Number of individual spans/girders requiring design and detail		<input type="text" value="1"/>			
SUBTOTAL	3		5		6
Will bridge be in vertical curve or superelevation/transition? Enter "y" for yes, enter "n" for no		<input type="text" value="n"/>			
Incremental (1/10 point) Elevations (when required)	<input type="text" value="0"/>	<input type="text" value="0"/>		<input type="text" value="0"/>	
BRIDGE SUBSTRUCTURE DESIGN & DETAIL					
Abutment Details	<input type="text" value="2"/>	<input type="text" value="3"/>	6	<input type="text" value="3.5"/>	7
Number of individual abutments requiring design and detail		<input type="text" value="1"/>			
SUBTOTAL	2		6		7
Bent Details	<input type="text" value="1.5"/>	<input type="text" value="3.5"/>	5.25	<input type="text" value="5.5"/>	8.25
Number of individual bents requiring design and detail		<input type="text" value="2"/>			
SUBTOTAL	3		10.5		16.5
Complexity Effort - (entered as mandays) additional effort required due to complexity of design such as skew, horiz. and vertical curve			<input type="text"/>		<input type="text"/>
SHOP DRAWING REVIEW					
Truss bridge			<input type="text" value="2.5"/>		
TOTALS - Total # Shts	11		Engr. Days 28	Tech. Days	33

Project No.	HPP-TAPBH-CMAQ-A104(916)
County	Jefferson
Description	Pedestrian Bridge Over US-31 and Sidewalks in Vestavia Hills Near Wald Park
Scope of Work	Pedestrian Bridge and Plans Re-Design to use Prefabricated Steel Truss Superstructure
Project Length	0.10
Consultant	Gresham Smith

Fee Proposal (Bridge Plans)

PERSONNEL COST			
	Man-days	x Daily Rate	
Project Manager (10% of Eng.)	6.10	\$ 564.20	\$ 3,441.62
Sr. Bridge Engineer	28.00	\$ 646.13	\$ 18,091.64
Bridge Engineer/Tech	33.00	\$ 274.60	\$ 9,061.80
Clerical	1.00	\$ 276.61	\$ 276.61
Total Direct Labor			\$ 30,871.67
Combined Overhead (%)	161.52		\$ 49,863.92
Sub-Total			\$ 80,735.59
Out-of-Pocket Expenses**			\$ 82.28
Sub-Total			\$ 80,817.87
Operating Margin (10%)			\$ 8,081.79
Sub-Total			\$ 88,899.66
SUB-CONSULTANTS (attach man-day & fee FROM each sub-consultant; show total fee for each here)			
			\$ -
			\$ -
			\$ -
Subconsultant Administration Expense (5%)			\$ -
Sub-Total			\$ 88,899.66
Facilities Capital Cost of Money (% of Direct Labor)	0.44		\$ 135.84
TOTAL FEE			\$ 89,035.50

**See Grand Total Fee sheet

Project No. HPP-TAPBH-CMAQ-A104(916)
County Jefferson
Description Pedestrian Bridge Over US-31 and Sidewalks in Vestavia Hills Near Wald Park
Scope of Work Pedestrian Bridge and Plans Re-Design to use Prefabricated Steel Truss Superstructure
Project Length 0.10 Miles
Consultant Gresham Smith

Out-of-pocket Expenses (Bridge Plans)

TRAVEL COST					
Mileage Cost	Trips	Miles/Trip	\$/Mile	Total	
	0	0	\$0.585	\$	-
	0	0	\$0.585	\$	-
	0	0	\$0.585	\$	-
	0	0	\$0.585	\$	-
Total Mileage Cost				\$	-
Subsistence Cost	Days	# People	\$/Day	Total	
Travel allowance (6 hour trips)	0	0	\$11.25	\$	-
Travel allowance (12 hour trips - meal provided by others)	0	0	\$20.00	\$	-
Travel allowance (12 hour trips)	0	0	\$30.00	\$	-
Travel allowance (overnight)***	0	0	\$75.00	\$	-
				\$	-
Total Subsistence Cost				\$	-
Total Travel Cost				\$	-
PRINTING / REPRODUCTION COST					
Type of printing/reproduction	# of Sets	Sheets/Set	Total Sheets	Cost/Sheet	Total
11 x 17 Black & White	20	11	220	\$ 0.34	\$ 74.80
22 x 34 Black & White	2	11	22	\$ 0.34	\$ 7.48
	0	0	0	\$ -	\$ -
	0	0	0	\$ -	\$ -
	0	0	0	\$ -	\$ -
	0	0	0	\$ -	\$ -
Total Printing/Reproduction Cost					\$ 82.28
Communication Cost (telephone, fax, etc.)					Total
					\$ -
Postage Cost (overnight, stamps, etc.)					Total
					\$ -
Other (provide description on next line)					Total
					\$ -
Total Out-of-pocket Expenses					\$ 82.28

Comments:

***You must have ALDOT approval for ANY overnight trips of less than 100 miles.

Project No. HPP-TAPBH-CMAQ-A104(916)
County Jefferson
Description Pedestrian Bridge Over US-31 and Sidewalks in Vestavia Hills Near Wald Park
Scope of Work Architectural Design Services
Project Length 0.10 Miles

Consultant Gresham Smith

ARCHITECTURAL DESIGN SERVICES	PROJECT ARCHITECT	PROJECT COORDINATOR	SENIOR ARCHITECT	Clerical
SERVICE A: SCHEMATIC DESIGN				
Info gathering Tasks	0.00	0.00	0.00	0.00
Design Tasks	0.00	0.00	0.00	0.00
Production tasks	0.00	0.00	0.00	0.00
QAQC Tasks	0.00	0.00	0.00	0.00
Meetings	0.00	0.00	0.00	0.00
Housekeeping / Revit Management	0.00	0.00	0.00	0.00
Task A Totals	0.00	0.00	0.00	0.00
SERVICE B- DESIGN DEVELOPMENT				
Info gathering Tasks	0.75	0.25	0.13	0.00
Design Tasks	1.75	0.25	0.63	0.00
Production tasks	0.50	2.00	0.25	0.50
QAQC Tasks	0.63	0.63	0.25	0.00
Meetings	0.75	0.75	0.75	0.50
Housekeeping / Revit Management	0.13	0.63	0.00	0.13
Task B Totals	4.51	4.51	2.01	1.13
SERVICE C- CONSTRUCTION DOCUMENTS				
Info gathering Tasks	0.25	0.25	0.13	0.13
Design Tasks	0.50	0.25	0.25	0.00
Production tasks	0.50	1.00	0.00	0.25
QAQC Tasks	0.75	0.75	0.25	0.00
Meetings	0.38	0.38	0.25	0.13
Housekeeping / Revit Management	0.38	0.50	0.00	0.00
Task C Totals	2.76	3.13	0.88	0.51
SERVICE E- BIDDING AND NEGOTIATION				
RFI review	0.00	0.00	0.00	0.00
RFI response	0.00	0.00	0.00	0.00
Addenda	0.00	0.00	0.00	0.00
Task D Totals	0.00	0.00	0.00	0.00
TOTALS	7.27	7.64	2.89	1.64

Project No.	HPP-TAPBH-CMAQ-A104(916)
County	Jefferson
Description	Pedestrian Bridge Over US-31 and Sidewalks in Vestavia Hills Near Wald Park
Scope of Work	Architectural Design Services
Project Length	0.10 Miles
Consultant	Gresham Smith
Architectural Design Services	

PERSONNEL COST			
	Man-days	x Daily Rate	
Project Manager (10% of total)	1.78	\$ 564.20	\$ 1,004.28
Project Architect	7.27	\$ 565.40	\$ 4,110.46
Project Coordinator (PC)	7.64	\$ 302.90	\$ 2,314.16
Senior Architect (Quality review)	2.89	\$ 650.16	\$ 1,878.96
Clerical	1.64	\$ 276.61	\$ 453.64
Total Direct Labor			\$ 9,761.50
Combined Overhead (%)	161.52		\$ 15,766.77
Out-of-Pocket Expenses**			\$ 269.20
Sub-Total			\$ 25,797.47
Operating Margin (10%)			\$ 2,579.75
Sub-Total			\$ 28,377.22
SUB-CONSULTANTS (attach man-day & fee FROM each sub-consultant; show total fee for each here)			
Subconsultant Administration Expense (5%)		\$	-
Sub-Total			\$ 28,377.22
Facilities Capital Cost of Money (% of Direct Labor)	0.44	\$	42.95
TOTAL FEE			\$ 28,420.17

**See Grand Total Fee sheet

Project No. <u>HPP-TAPBH-CMAQ-A104(916)</u>
County <u>Jefferson</u>
Description <u>Pedestrian Bridge Over US-31 and Sidewalks in Vestavia Hills Near Wald Park</u>
Scope of Work <u>Architectural Design Services</u>
Project Length <u>0.10 Miles</u>
Consultant <u>Gresham Smith</u>

Out-of-pocket Expenses (Architectural Design Services)

TRAVEL COST

Mileage Cost	Trips	Miles/Trip	\$/Mile	Total
Pre-Design Site Investigation Trip	1	20	\$0.545	\$ 10.90
Review Meeting with City of Vestavia	3	20	\$0.545	\$ 32.70
	0	0	\$0.545	\$ -
	0	0	\$0.545	\$ -
Total Mileage Cost				\$ 43.60

Subsistence Cost	Days	# People	\$/Day	Total
Travel allowance (6 hour trips)	0	0	\$11.25	\$ -
Travel allowance (12 hour trips - meal provided by others)	0	0	\$20.00	\$ -
Travel allowance (12 hour trips)	0	0	\$30.00	\$ -
Travel allowance (overnight)***	0	0	\$75.00	\$ -
				\$ -
Total Subsistence Cost				\$ -
Total Travel Cost				\$ 43.60

PRINTING / REPRODUCTION COST

Type of printing/reproduction	# of Sets	Sheets/Set	Total Sheets	Cost/Sheet	Total
Intermediate Check Sets	3	4	12	\$ 0.90	\$ 10.80
QAQC Check sets	3	4	12	\$ 0.90	\$ 10.80
ALDOT submittals	50	4	200	\$ 0.90	\$ 180.00
Spec markups	1	150	150	\$ 0.08	\$ 12.00
Spec Check Set	1	150	150	\$ 0.08	\$ 12.00
	0	0	0	\$ -	\$ -
	0	0	0	\$ -	\$ -
Total Printing/Reproduction Cost					\$ 225.60

Communication Cost (telephone, fax, etc.)	Total
	\$ -

Postage Cost (overnight, stamps, etc.)	Total
	\$ -

Other (provide description on next line)	Total
	\$ -

Total Out-of-pocket Expenses	\$ 269.20
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Comments:

***You must have ALDOT approval for ANY overnight trips of less than 100 miles.

Project No.	HPP-TAPBH-CMAQ-A104(916)
County	Jefferson
Description	Pedestrian Bridge Over US-31 and Sidewalks in Vestavia Hills Near Wald Park
Scope of Work	Mechanical, Electrical, Plumbing (MEP) and Lighting Design Services
Project Length	0.10 Miles
Consultant	Gresham Smith

Mechanical, Electrical, Plumbing (MEP) and Lighting Design Services

PERSONNEL COST			
	Man-days	x Daily Rate	
Project Manager (10% of total)			\$ -
Project Architect			\$ -
Project Coordinator (PC)			\$ -
Senior Architect (Quality review)			\$ -
Clerical			\$ -
Total Direct Labor			\$ -
Combined Overhead (%)	161.52		\$ -
Out-of-Pocket Expenses**			
Sub-Total			\$ -
Operating Margin (10%)			\$ -
Sub-Total			\$ -
SUB-CONSULTANTS (attach man-day & fee FROM each sub-consultant; show total fee for each h			
Dewberry Engineering, Inc. (Mechanical, Electrical, Plumbing (MEP) and Lighting Design Services)			\$ 7,500.00
Subconsultant Administration Expense (5%)			\$ 375.00
Sub-Total			\$ 7,875.00
Facilities Capital Cost of Money (% of Direct Labor)	0.44		\$ -
TOTAL FEE			\$ 7,875.00



REQUEST FOR ADDITIONAL SERVICES

April 15, 2022

Gresham Smith
3595 Grandview Parkway, Suite 300
Birmingham, AL 35243

Attention: Jonas Booker
Subject: Vestavia Hill Pedestrian Bridge
DEI Project No.: 50152877 / (BHM18026)

DESCRIPTION OF ADDITIONAL SCOPE / DESIGN SERVICES

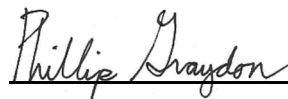
Provide electrical, mechanical and plumbing revisions to the drawings to accommodate the requested changes noted below.

- Design and specification of LED strip lighting to light the path of the bridge and attachment to the steel trusses along with LBYD.
- Ventilating the stair & elevator tower.
- Lightning protection.
- Project timeline is still pending the City of Vestavia’s approval of our proposal, which we anticipate being around the end of May. Then, taking a month to prepare updated pricing documents for Doster Construction to do cost estimating and value engineering. And, finalizing construction documents about a couple of weeks after receiving Doster’s estimate.

FEE

Per your request, we offer a lump sum fee as follows: \$7,500.00

Sincerely,
Dewberry Engineering, Inc.



Phillip Graydon, PE
Senior Project Manager

Accepted by,
Gresham Smith

Signature, Title & Date

Project No.	HPP-TAPBH-CMAQ-A104(916)
County	Jefferson
Description	Pedestrian Bridge Over US-31 and Sidewalks in Vestavia Hills Near Wald Park
Scope of Work	Structural Design Services of Vertical Transportation Tower and Architectural Attachments to Pedestrian Bridge
Project Length	0.10 Miles
Consultant	Gresham Smith

Structural Design Services of Vertical Transportation Tower and Architectural Attachments to Pedestrian Bridge

PERSONNEL COST			
	Man-days	x Daily Rate	
Project Manager (10% of total)			\$ -
Project Architect			\$ -
Project Coordinator (PC)			\$ -
Senior Architect (Quality review)			\$ -
Clerical			\$ -
Total Direct Labor			\$ -
Combined Overhead (%)	161.52		\$ -
Out-of-Pocket Expenses**			\$ -
Sub-Total			\$ -
Operating Margin (10%)			\$ -
Sub-Total			\$ -
SUB-CONSULTANTS (attach man-day & fee FROM each sub-consultant; show total fee for each here)			
LBYD, Inc. (Structural Design Services of Vertical Transportation Tower and Architectural Attachments to Pedestrian Bridge)			\$ 7,500.00
Subconsultant Administration Expense (5%)			\$ 375.00
Sub-Total			\$ 7,875.00
Facilities Capital Cost of Money (% of Direct Labor)	0.44		\$ -
TOTAL FEE			\$ 7,875.00

**See Grand Total Fee sheet

Additional Services Authorization

Date
April 15, 2022

LBYPD Project No.
101-18-034.001

To
Gresham Smith
3595 Grandview Parkway, Suite 300
Birmingham, AL 35243

Project
Highway 31 Steel Truss Bridge
At Wald Park, Vestavia, AL



Attention
Jonas Booker

From
Joseph Broderick

Transmitted Via: Email

The terms of our original agreement apply except as follows:

Our scope of services is revised to include consultation for architectural features of the new steel truss bridge and an update/review of the original stair and elevator tower drawings. The consultation for the architectural features will include the connection design for the decorative arches and the attachment of the handrail and LED lighting. The update/review to the original drawings will include a code and foundation review and the canopy redesign.

Please obtain the owner's acceptance of these additional services prior to authorization.

Estimated Fee: \$7,500

Requested of LBYPD by: Jonas Booker, Gresham Smith.

If the terms above are acceptable, please sign and return a copy of this form.

Accepted by: _____

Date: _____

Project No.	HPP-TAPBH-CMAQ-A104(916)
County	Jefferson
Description	Pedestrian Bridge Over US-31 and Sidewalks in Vestavia Hills Near Wald Park
Scope of Work	Cost Estimating for Architectural, Mechanical, Electrical, Plumbing and Lighting
Project Length	0.10 Miles
Consultant	Gresham Smith

Cost Estimating for Architectural, Mechanical, Electrical, Plumbing and Lighting

PERSONNEL COST			
	Man-days	Daily Rate	
Project Manager (10% of total)			\$ -
Project Architect			\$ -
Project Coordinator (PC)			\$ -
Senior Architect (Quality review)			\$ -
Clerical			\$ -
Total Direct Labor			\$ -
Combined Overhead (%)	161.52		\$ -
Out-of-Pocket Expenses**			
Sub-Total			\$ -
Operating Margin (10%)			\$ -
Sub-Total			\$ -
SUB-CONSULTANTS (attach man-day & fee FROM each sub-consultant; show total fee for each here)			
Doster Construction Company (Cost Estimating for Architectural, Mechanical, Electrical, Plumbing and Lighting)			\$ 20,000.00
Subconsultant Administration Expense (5%)			\$ 1,000.00
Sub-Total			\$ 21,000.00
Facilities Capital Cost of Money (% of Direct Labor)	0.44		\$ -
TOTAL FEE			\$ 21,000.00

**See Grand Total Fee sheet

May 17, 2022
COST CONSULTANT SERVICES AGREEMENT
SCOPE OF SERVICES
PEDESTRIAN BRIDGE OVER US-31 IN
VESTAVIA HILLS NEAR WALD PARK
VESTAVIA HILLS, AL

AGREEMENT

Made as of the 17th day of May in the year 2022.

Between the Architect:

Gresham Smith
3595 Grandview Parkway,
Suite 300
Birmingham, AL 35243

and the Cost Consultant:

Doster Construction Company, Inc.
2100 International Park Drive
Birmingham, AL 35243

for the Project:

Pedestrian Bridge Over US-31 In
Vestavia Hills Near Wald Park
Vestavia Hills, AL

General Project Description

The project generally consists of the development of the following:

A pedestrian bridge over Hwy US-31 in Vestavia Hills to allow pedestrian traffic between the Wald Park area and the Vestavia Hills Public Library area. The bridge is approximately 181'.

Scope of Cost Consulting Services

The Cost Consultant shall provide the following professional services for the planned development:

Estimating

Prepare an estimate based on the 85% documents and the 100% documents for a total of two (2) rounds of estimating. We will identify, consider and include appropriate allowances and contingencies to supplement our detailed quantification and pricing of the scope.

Summary of Deliverables

- Estimates for Cost of Work
 - o CSI-Format Summary Estimates by Component or Phase
 - o Detailed Estimates at Construction Documents phase of design

Compensation for Cost Consulting Services

The Cost Consultant will be paid a Fixed Fee of ten thousand Dollars (\$20,000.00). Payments are to be made at intervals tied to the major milestone estimates, in amounts commensurate with the deliverables of each respective phase of service.

Architect's Responsibilities

If requested by the Cost Consultant, the Architect shall furnish evidence that financial arrangements have been made to fulfill the Architect's obligations under this agreement. The Architect shall furnish all available surveys, easements, right-of-ways, zoning approvals, soil tests, site assessments, environmental clearances, and similar items.

Other Conditions

Notwithstanding any other term or provision of this Agreement the Architect acknowledges and agrees that Cost Consultant is not a design professional and is not obligated or expected to provide any design services, whether directly or otherwise. Any options or alternates offered for consideration by the Cost Consultant are made solely in the Cost Consultant's described capacity and not as a design professional, and Cost Consultant does not assume any design liability for those recommendations

Architect

Signature

Printed Name and Title

Cost Consultant

Doster Construction Company



Signature

Bill Tomlin - Director of Preconstruction

Printed Name and Title

Project No.	HPP-TAPBH-CMAQ-A104(916)
County	Jefferson
Description	Pedestrian Bridge Over US-31 and Sidewalks in Vestavia Hills Near Wald Park
Scope of Work	Utility Coordination
Project Length	0.10 Miles
Consultant	Gresham Smith
Utility Coordination	

PERSONNEL COST			
	Man-days	x Daily Rate	
Project Manager (10% of Sr. Trans. Eng and Trans. Eng.)	1.00	\$ 564.20	\$ 564.20
Senior Transportation Engineer	3.00	\$ 509.64	\$ 1,528.92
Transportation Engineer	7.00	\$ 403.18	\$ 2,822.26
Clerical	0.50	\$ 276.61	\$ 138.31
Total Direct Labor			\$ 5,053.69
Combined Overhead (%)	161.52		\$ 8,162.72
Out-of-Pocket Expenses**			
Sub-Total			\$ 13,216.41
Operating Margin (10%)			\$ 1,321.64
Sub-Total			\$ 14,538.05
SUB-CONSULTANTS (attach man-day & fee FROM each sub-consultant; show total fee for each here)			
Subconsultant Administration Expense (5%)			\$ -
Sub-Total			\$ 14,538.05
Facilities Capital Cost of Money (% of Direct Labor)	0.44		\$ 22.24
TOTAL FEE			\$ 14,560.29

**See Grand Total Fee sheet

Project Number	HPP-TAPBH-CMAQ-A104(916)	CPMS #	
County	Jefferson		
Description	Pedestrian Bridge Over US-31 and Sidewalks in Vestavia Hills Near Wald Park		
Scope of work	Roadway Plans		
Length	0.10 miles		
Consultant	Gresham Smith		

ROADWAY PLANS SHEET TITLE	NO OF SHEETS	ESTIMATED MAN-DAYS			
		SENIOR ENGINEER		ENGINEER	
		SHEET	TOTAL	SHEET	TOTAL
TITLE SHEET	1.00	0.07	0.07	0.13	0.13
INDEX SHEET	1.00	0.07	0.07	0.13	0.13
SPECIAL & STANDARD DRAWINGS	1.00	0.07	0.07	0.13	0.13
GEOMETRIC LAYOUT/SURVEY CONTROL	1.00		0.00		0.00
PROJECT NOTE SHEET (Project)	1.00	0.07	0.07	0.13	0.13
PROJECT NOTE SHEET (TCP)	1.00	0.07	0.07	0.13	0.13
PROJECT NOTE SHEET (Signage)			0.00		0.00
PROJECT NOTE SHEET (Signals)			0.00		0.00
PROJECT NOTE SHEET (ITS)			0.00		0.00
PROJECT NOTE SHEET (Lighting)			0.00		0.00
PROJECT NOTE SHEET (Traffic Loops)			0.00		0.00
PLANS LEGEND & ABBREVIATIONS			0.00		0.00
TYPICAL SECTIONS					
Main Roadway			0.00		0.00
Cross Roads			0.00		0.00
Detour & Misc. (Driveways)			0.00		0.00
Ramps			0.00		0.00
Ditches			0.00		0.00
Typical Details	1.00	0.13	0.13	0.25	0.25
SUMMARY SHEET					
Main Summary	1.00	0.50	0.50	1.00	1.00
SUMMARY BOX SHEETS					
Roadway Drainage (non-culvert)			0.00		0.00
Culvert Extension, New Culvert			0.00		0.00
Bridge Culvert Extension, New Bridge Culvert			0.00		0.00
Guardrail/End Anchors	0.25	0.25	0.06	0.25	0.06
Slope Paving (Under Bridges)			0.00		0.00
Side Drain Pipe			0.00		0.00
Signing			0.00		0.00
Base & Pavement (No summary box, milling, base & paving quantity calcs only)			0.00		0.00
Bridge	1.00	0.13	0.13	0.07	0.07
Striping & Pavement Markings			0.00		0.00
Curb & Gutter			0.00		0.00
Bridge End Slabs			0.00		0.00
Roadway Lighting			0.00		0.00
Signals (Intersection Flasher & School Zone Flashers)			0.00		0.00
ITS	1.00	0.07	0.07	0.07	0.07
Sidewalk	1.00	0.50	0.50	0.50	0.50
Slope Paving (Ditches)/Ditch Summary			0.00		0.00
Concrete Safety Barrier	1.00	0.07	0.07	0.07	0.07
Retaining Wall			0.00		0.00
Misc. Boxes	1.00	0.07	0.07	0.07	0.07

ROADWAY PLANS SHEET TITLE	NO OF SHEETS	ESTIMATED MAN-DAYS			
		SENIOR ENGINEER		ENGINEER	
		SHEET	TOTAL	SHEET	TOTAL
Erosion Control	1.00	0.07	0.07	0.07	0.07
Removal Items	1.00	0.07	0.07	0.07	0.07
Utility Relocation			0.00		0.00
			0.00		0.00
PLAN & PROFILE					
Main Roadway Plan (includes work on crossroads)	1.00	4.00	4.00	5.00	5.00
Main Roadway Profile	1.00	0.13	0.13	0.13	0.13
Crossroads			0.00		0.00
Crossroads Profile			0.00		0.00
Details	1.00	0.13	0.13	0.13	0.13
Retaining Walls			0.00		0.00
Driveway Profiles			0.00		0.00
PAVING LAYOUT (includes striping)					
Main Roadway (includes crossroads)			0.00		0.00
Crossroads			0.00		0.00
Intersections			0.00		0.00
			0.00		0.00
INTERCHANGES					
Geometrics			0.00		0.00
Ramps Profiles			0.00		0.00
Site Grading			0.00		0.00
Cross Sections			0.00		0.00
Signing			0.00		0.00
Ramp Gore Details			0.00		0.00
			0.00		0.00
TRAFFIC CONTROL					
Sequence of Construction	0.50	0.25	0.13	0.50	0.25
Summary & Items	0.50	0.50	0.25	1.00	0.50
Typical Section Sketches	1.00	0.13	0.13	0.25	0.25
Layout Sheets (signs, devices, shifts, etc.)	3.00	0.25	0.75	0.75	2.25
Special Drawings/ALDOT TCP SPDs	7.00	0.05	0.35	0.05	0.35
			0.00		0.00
SIGNING, STRIPINGS & MARKINGS					
Signing, Striping & Marking Layout			0.00		0.00
Sign X-Section			0.00		0.00
Sign Panel Details			0.00		0.00
Soils Data Sheets (provided by ALDOT)			0.00		0.00
			0.00		0.00
			0.00		0.00
SIGNALIZATION					
Signal Layout			0.00		0.00
Traffic Counts (1 per site)			0.00		0.00
Signal Warrant Analysis (1 per site)			0.00		0.00
Soils Data Sheets (provided by ALDOT)			0.00		0.00
			0.00		0.00
ITS					
ITS Coordination			0.50		0.25
Special Study			0.00		0.00
Legend	1.00	0.07	0.07	0.13	0.13
Special Details			0.00		0.00
ITS Layouts	3.00	0.13	0.39	0.75	2.25

ROADWAY PLANS SHEET TITLE	NO OF SHEETS	ESTIMATED MAN-DAYS			
		SENIOR ENGINEER		ENGINEER	
		SHEET	TOTAL	SHEET	TOTAL
Optical Fiber Splice Charts	1.00	0.13	0.13	0.25	0.25
Fiber - Cable Routing Diagram			0.00		0.00
Specifications	1.00	0.25	0.25	0.50	0.50
			0.00		0.00
LIGHTING					
Plan Layout			0.00		0.00
Demo Plans			0.00		0.00
Special Details			0.00		0.00
Soils & Passive Pressure (provided by ALDOT)			0.00		0.00
			0.00		0.00
UTILITY SHEETS					
Utility Locations (plan only)			0.00		0.00
Request 811 Locate for Utilities			0.00		0.00
Utility Coordination			0.00		0.00
Utility Certification			0.00		0.00
DRAINAGE SECTIONS					
Pipe & Culvert X-Sect./Hydraulic Computations			0.00		0.00
Hydraulic Data Sheet			0.00		0.00
Details			0.00		0.00
			0.00		0.00
SOIL SHEETS					
Soil Boring Logs			0.00		0.00
Soil Profile			0.00		0.00
			0.00		0.00
EROSION CONTROL					
Legend & Sequence			0.00		0.00
Phased Sheets (Phase I)			0.00		0.00
Phased Sheets (Phase II)			0.00		0.00
Phased Sheets (Phase III)			0.00		0.00
CBMPP & NOI			0.00		0.00
			0.00		0.00
ROADWAY CROSS SECTIONS					
Main Roadway (50' interval)			0.00		0.00
Crossroads (50' interval)			0.00		0.00
Earthwork Summary Sheet/Quantities			0.00		0.00
			0.00		0.00
REVIEW COMMENTS					
30% Review					
Plan-in-Hand Inspection					
PS&E Inspection			2.50		3.50
Cost Estimates					
Cost Estimates			1.00		2.00
Design Hearing					
Attend PS&E			1.00		1.00
SUB-TOTAL	36.25		13.73		21.62
10% Supervision			1.37		
TOTALS					
	36.25		13.73		21.62

Project No.	HPP-TAPBH-CMAQ-A104(916)
County	Jefferson
Description	Pedestrian Bridge Over US-31 and Sidewalks in Vestavia Hills Near Wald Park
Scope of Work	Roadway Plans
Project Length	0.10 Miles
Consultant	Gresham Smith
Fee Proposal (Roadway Plans)	

PERSONNEL COST			
	Man-days	x Daily Rate	
Project Manager (10% of Eng.)	3.54	\$ 564.20	\$ 1,997.27
Senior Transportation Engineer	13.73	\$ 509.64	\$ 6,997.36
Transportation Engineer	21.62	\$ 403.18	\$ 8,716.75
Clerical	1.50	\$ 276.61	\$ 414.92
Total Direct Labor			\$ 18,126.30
Combined Overhead (%)	161.52		\$ 29,277.60
Out-of-Pocket Expenses**			\$ 1,433.64
Sub-Total			\$ 48,837.54
Operating Margin (10%)			\$ 4,883.75
Sub-Total			\$ 53,721.29
SUB-CONSULTANTS (attach man-day & fee FROM each sub-consultant; show total fee for each here)			
			-
			-
			\$ -
Subconsultant Administration Expense (5%)			\$ -
Sub-Total			\$ 53,721.29
Facilities Capital Cost of Money (% of Direct Labor)	0.44		\$ 79.76
TOTAL FEE			\$ 53,801.05

**See Grand Total Fee sheet

Project No.	HPP-TAPBH-CMAQ-A104(916)
County	Jefferson
Description	Pedestrian Bridge Over US-31 and Sidewalks in Vestavia Hills Near Wald Park
Scope of Work	Roadway Plans
Project Length	0.10 Miles
Consultant	Gresham Smith

Out-of-pocket Expenses (Roadway Plans)

TRAVEL COST

Mileage Cost	Trips	Miles/Trip	\$/Mile	Total
Trips to Site	2	12	\$0.585	\$ 14.04
Trips to ALDOT East Central Region	2	20	\$0.585	\$ 23.40
	0	0	\$0.585	\$ -
	0	0	\$0.585	\$ -
Total Mileage Cost				\$ 37.44

Subsistence Cost	Days	# People	\$/Day	Total
Travel allowance (6 hour trips)	0	0	\$11.25	\$ -
Travel allowance (12 hour trips - meal provided by others)	0	0	\$20.00	\$ -
Travel allowance (12 hour trips)	0	0	\$30.00	\$ -
Travel allowance (overnight)***	0	0	\$75.00	\$ -
				\$ -
Total Subsistence Cost				\$ -
Total Travel Cost				\$ 37.44

PRINTING / REPRODUCTION COST

Type of printing/reproduction	# of Sets	Sheets/Set	Total Sheets	Cost/Sheet	Total
	0	0.00	0	\$ 0.34	\$ -
	0	0.00	0	\$ 0.34	\$ -
Utility submittals - B&W 11x17 (AL Graphics)	2	100	200	\$ 0.34	\$ 68.00
PS&E submittal - B&W - 11x17 (AL Graphics)	12	100	1200	\$ 0.34	\$ 408.00
FBC submittal - B&W - 11x17 (AL Graphics)	12	100	1200	\$ 0.34	\$ 408.00
CN submittal - B&W - 11x17 (AL Graphics)	12	100	1200	\$ 0.34	\$ 408.00
OE submittal - B&W - 22x34 (AL Graphics)	1	100	100	\$ 0.80	\$ 80.00
OE submittal - 22x34 mylar title sheet	1	1	1	\$ 24.20	\$ 24.20
Total Printing/Reproduction Cost					\$ 1,396.20

Communication Cost (telephone, fax, etc.)	Total
	\$ -

Postage Cost (overnight, stamps, etc.)	Total
	\$ -

Other (provide description on next line)	Total
	\$ -

Total Out-of-pocket Expenses		\$ 1,433.64
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Comments:

***You must have ALDOT approval for ANY overnight trips of less than 100 miles.



VESTAVIA HILLS

A LIFE ABOVE

City of Vestavia Hills Pedestrian Bridge over
US-31 at Wald Park

ALDOT Project Number: DE-HPP-TAPBH-A104(916)

GS Project: 28668.01

Jefferson County

Final Bridge Redesign Alternative Analysis



**Gresham
Smith**

December 17, 2021

Introduction

The purpose of this study is to present various alternatives for the pedestrian bridge over US-31 proposed to connect Wald Park with the Vestavia Hills Library. The intent is to provide the City of Vestavia Hills and ALDOT sufficient information regarding bridge type alternatives along with preliminary cost estimates for redesign and construction. Four (4) redesign alternatives were considered in this study. The alternatives are: 1) Prefabricated Steel Truss Spans, 2) 63" Florida I-Beam (Concrete) Spans, 3) 63" Bulb Tee (Concrete) Spans, 4) 63" Florida U-Beam (Concrete) Spans. Information regarding each alternative is outlined in the tables below. Also included in this document are example photos of each alternative to assist in visualizing the options.

Bridge Alternatives

Bridge Redesign Effort

ALTERNATIVE	RAISE BRIDGE PROFILE & VERTICAL TRANSPORTATION TOWER?	REDESIGN	PLAN REVISIONS
PREFABRICATED STEEL TRUSS	Not required	Yes; Entire substructure only	Moderate
63" FLORIDA I-BEAM	Raise +/- 1'-3"	Yes; complete superstructure and substructure	Major
63" BULB TEE	Raise +/- 1'-3"	Yes; complete superstructure and substructure	Major
63" FLORIDA U-BEAM	Raise +/- 1'-3"	Partial changes; minor redesign to substructure	Minor

Constructability Considerations

ALTERNATIVE	CAN BE FABRICATED EASILY/NEARBY?	CONSTRUCTABILITY
PREFABRICATED STEEL TRUSS	Yes: most likely fabricated in Fort Payne, AL	Prefabricated truss pieces will need to be spliced together at the project site; Deck formwork is built into the sections; Decrease in construction time
63" FLORIDA I-BEAM	Yes: likely fabricated in Atlanta, GA; however, formwork could be purchased or modified for local production in Pelham, AL	Standard construction: Formwork will be needed for deck pour
63" BULB TEE	Yes: fabricated in Pelham, AL	Standard construction: Formwork will be needed for deck pour
63" FLORIDA U-BEAM	No: the beams may likely need to be fabricated in Tampa, FL	Standard construction: Formwork will be needed for deck pour

Traffic Control Considerations

ALTERNATIVE	TRAFFIC CONTROL
PREFABRICATED STEEL TRUSS	8–10-hour closure of northbound US-31 to splice together prefabricated bridge sections in the median; Run two-way traffic on southbound US-31; 30–60-minute closure of US-31 both directions to set main span; 30–60-minute closure of northbound US-31 to set end span; All lanes open 2 hours after operation to allow for removal of crane and equipment
63" FLORIDA I-BEAM	Inside lane closure both directions of US-31 for setup of crane and beam placement preparation; 2–4-hour closure of US-31 both directions to set all beams; Open outside lanes both directions after beams are set; All lanes open 2 hours after operation to allow for removal of crane and equipment
63" BULB TEE	
63" FLORIDA U-BEAM	

Note: Gresham Smith anticipates that all lane closures to set beams would be completed at night.

Bridge Aesthetic Considerations

ALTERNATIVE	AESTHETICS
PREFABRICATED STEEL TRUSS	Various truss styles for City to choose from; Truss can be painted or weathered steel (brown, rusted steel look); Architectural features can be incorporated into the prefabricated bridge sections; Architects and City will work with prefabricated bridge supplier to develop desired appearance
63" FLORIDA I-BEAM	Curved bottom flange produces a smooth appearance; Architectural features will be added during construction (see Architectural Considerations section later in report)
63" BULB TEE	Hard angles of Bulb Tee girders may produce a blockish appearance; Architectural features will be added during construction (see Architectural Considerations section later in report)
63" FLORIDA U-BEAM	Smooth exterior faces of Florida U-Beam produces a streamline appearance; Architectural features will be added during construction (see Architectural Considerations section later in report)

Preliminary Estimated Construction and Redesign Costs

ALTERNATIVE	PRELIMINARY ESTIMATED CONSTRUCTION COST ¹	PRELIMINARY ESTIMATED REDESIGN COST ²
PREFABRICATED TRUSS	\$4,142,891	\$126,000
63" FLORIDA I-BEAM	\$4,049,000	\$149,000
63" BULB TEE	\$4,036,191	\$149,000
63" FLORIDA U-BEAM	\$4,811,034	\$149,000

¹ Construction Costs include bridge, roadway/site items, traffic control, fiber optic line relocation, architectural items, and 15% for construction engineering & inspection (CE&I).

² Redesign Costs include Bridge, Structural (Elevator/Stair Tower), Roadway, and Architectural.

Prefabricated Steel Truss Examples



Figure 1: Riverbanks Zoo Expansion, Columbia, SC; Contractor: Rodgers Builders; Truss Supplier: Contech



Figure 2: Front Beach Rd, Gulf Shores, AL; Contractor: Banner Industrial Construction, Inc.; Truss Supplier: Qualico Steel



Figure 3: Vanderbilt University, Nashville, TN; Contractor: Centex Rodgers, Inc.; Truss Supplier: Contech

Florida I-Beam Examples



Figure 4: Florida I-Beam



Figure 5: Florida I-Beam

Bulb Tee Girder Examples



Figure 6: Bulb Tees Girders



Figure 7: Encore Parkway Bridge, Alpharetta, GA using Blub-Tee Girders; Image from Google Earth

Florida U-Beam Examples



Figure 8: Florida U-Beams



Figure 9: Florida U-Beams

Roadway/Site Considerations

East Side of Roadway

For the east side of the roadway (Library side), there are no changes to the ground elevation of the elevator tower or sidewalk. The Bridge Engineers can extend the main span approximately 2' longer and move the bridge column closest to US-31 to the east two feet. This will allow us to use guardrail to shield the bridge column because we will now have the required deflection needed from guardrail to the bridge column. We will remove the concrete barrier that was previously proposed to shield the bridge column from the plans, resulting in some cost savings. This change proposed for all the bridge designs.

West Side of Roadway – Prefabricated Steel Truss Bridge Option

The prefabricated steel truss bridge option can be constructed at the same profile/ elevation as the bridge in the original design. Therefore, there will be no changes to the ramp/ramp sidewalk on the west side of the roadway.

West Side of Roadway – All Other Bridge Options

All other bridge options will require raising the profile/elevation of the main span approximately 1' - 3" from the profile elevation of the bridge in the original design. However, a slope that meets ADA (less than 5%) can be used for the ramp/ramp sidewalk in the design. We will work with the City of Vestavia and LBYD Engineers to rework the proposed sidewalk (not constructed) in the Wald Park development to meet the pedestrian bridge ramp.

Traffic Control Plan Changes – Prefabricated Steel Truss Bridge Option

The prefabricated steel truss bridge option will require that the US-31 Northbound lanes be closed for approximately 8 – 10 hours to splice together the prefabricated bridge sections in the median. During this time, we anticipate that two-way traffic would be maintained (one lane in each direction) on the southbound side of US-31. Both directions of US-31 will need to be closed for 30–60 minutes to set main span. US-31 northbound will need to be closed again for approximately 30–60-minutes to set the second, end span. We anticipate that all lanes would be opened to traffic two hours after the above operations to allow for removal of crane and equipment. We anticipate that all of the above lane closures would be well publicized in advance and done at night to minimize impact to traffic. This closure time and length of closure is longer than in the original construction plans. Additional traffic control devices will be needed between the adjacent median openings north and south of the proposed bridge in order to run two-way traffic on the southbound side of US-31 when both northbound lanes are closed.

Traffic Control Plan Changes – All Other Bridge Options

All other bridge options require shorter duration lane closures like the original project.

Relocation of Existing Buried Fiber Optic Line

In the original project, we were allowed to remove an existing buried fiber optic line in the outside shoulder of US-31 northbound during construction and relocate it after the bridge construction was complete because the fiber was not in-service. However, ALDOT is in the process of repairing this fiber optic line and plans to begin using it soon to enable communications with all traffic signals on US-31. Accordingly, some form of communications will have to be maintained while the existing fiber optic line is removed and later relocated. It is proposed that we re-route this section of fiber permanently to the west side of roadway. This is a significant cost increase from the original construction project.

Architectural Considerations

Prefabricated Steel Truss Bridge Option

The design concept is to have overlapping arches mimicking the hills that are prevalent in and around the City. The steel truss itself will serve as the supporting structure for the bridge and non-structural decorative arches can be attached on each side of the bridge. A larger steel tube arch matching the profile of the steel truss is proposed to be attached to the outside face of the south truss on the east end of the bridge. A smaller steel tube arch is proposed to be attached on the outside face of the north truss on the west end of the bridge. The truss fabricator can provide steel plate connections as needed. A 3"x3" wire mesh fencing is proposed on both sides of the bridge to a height of 8'-2" above the deck surface over the roadway. In addition, to the handrails, a guard rail will be provided beyond the area of the wire mesh for added safety for pedestrians.

Concrete (I-Beam, Bulb-Tee, U-Beam) Bridge Options

Similarly, the design concept maintains the overlapping arches mimicking the hills that are prevalent in and around the City. However, for these bridge options, the decorative arches are proposed to be supported from the concrete deck with bolted connections. The architectural profile of the steel arch on the south side of the bridge will have two arches and straight segments in between. The north side of the bridge will have one long profile with one arch and straight segments. The countering profiles when viewed from a distance will form the desired overlapping effect mimicking the hills beyond. A 3"x3" wire mesh fencing is proposed to be provided on both sides of the bridge to a height of 8'-2" above the deck

surface over the roadway and attached to the vertical supports. Handrails will be provided, and guardrails will be added beyond the wire mesh for added safety.

Bridge Lighting Design Options

Lighting the bridge is comprised of three components. First is an LED lighting strip that is proposed to be attached to the top and illuminate the profile of the steel tube arches or truss design described above. The second is LED lighting that is proposed to be provided just below the handrails attached at the vertical supports illuminating the walking surface of the bridge. The third lighting component is an optional LED lighting package to illuminate the underside of the bridge span. Lighting will be provided at the stairs mounted on the elevator/stair tower. Any additional City signage can be illuminated independent of the bridge lighting.

Construction Cost Increases

In talking with local contractors and watching construction bid letting prices from the past year, there has been a significant upward trend in construction costs. Some local contractors are saying that construction costs are approximately 30% higher because of hard to source items, workplace issues such as loss of construction jobs, and freight issues with getting items to the job site. Although the bid for the originally designed bridge was roughly \$3,696,600 in February 2021, the cost of the exact same project now is estimated to be approximately \$4,800,000 according to construction cost trends.

Evaluation Matrix

ALTERNATIVE	RAISE BRIDGE PROFILE & VERTICAL TRANSPORTATION TOWER?	REDESIGN	PLAN REVISIONS	FABRICATED NEARBY	CONSTRUCTABILITY	TRAFFIC CONTROL	AESTHETICS	CONSTRUCTION COST	REDESIGN COST	OVERALL
PREFABRICATED STEEL TRUSS	1	3	4	2	1	4	1	3	1	20
63" FLORIDA I-BEAM	4	4	4	3	3	3	3	2	4	30
63" BULB TEE	4	4	4	1	3	3	4	1	4	28
63" FLORIDA U-BEAM	4	2	3	4	3	3	2	4	4	29

Ranking: 1 – Best; 4 – Worst

According to the Evaluation Matrix shown above, the Prefabricated Steel Truss Bridge option ranked the best of the four (4) alternatives. The Prefabricated Steel Truss Bridge alternative keeps the original bridge profile, can be fabricated nearby and is easier to construct on-site, aesthetically can be designed to mimic the “look” of the original bridge design, and the redesign cost is lower. Additionally, since the amount of redesign work is less and the actual structural design of the truss will be done in construction by the truss manufacturer, this should reduce the time needed for the redesign work and enable to project to be re-bid sooner.

Moving Forward

Gresham Smith will submit this feasibility study to ALDOT for their review of the alternative structure types. Once the City and ALDOT have reached a concurrence on which structure type to move forward with, the re-design process can begin.

When moving forward to complete the design of the recommended structure, Gresham Smith will evaluate the anticipated cost of the architectural items that are proposed. As part of the architecture fee for the redesign, we plan to engage a local general contractor (Doster Construction) to provide cost estimates on the architectural items of the bridge and elevator tower (ALDOT Pay Item 770A-110, Vertical Transportation Tower and Railings). If the architectural cost estimate comes in higher than expected after Doster's cost estimate, Gresham Smith will work on solutions to bring down the architectural costs with construction advisement from Doster.

Appendix

Appendix A Concept Drawings
Appendix B Cost Estimates

TIP Amendments - Birmingham MPO

Exhibit B - Ordinance No. 3120

Project Sponsor	Action Requested	Project Reference Number	Federal Aid Number	Funding Source	Scope	Description	Fiscal Year	Conformity Status	Federal Estimated Cost	State/Local Estimated Cost	Total Estimated Cost	MPO Approval Date
ALDOT	Move inside TIP	100073849	CRPAA-MR21()	Carbon Reduction Program Any Area	SP	5-YEAR RTOP TRAFFIC OPERATIONS PROGRAM (RTOP) ON ALL U.S. AND SR. SIGNALIZED INTERSECTIONS IN JEFFERSON AND SHELBY COUNTIES YEAR 2023 AND 2024	2022	Exempt	\$1,502,250	\$375,562	\$1,877,812	8/10/2022
ALDOT	Add new project	100074910	CRPAA-I059()	Carbon Reduction Program Any Area	PE	THE INSTALLATION OF ITS DEVICES AND NETWORK INFRASTRUCTURE TO SUPPORT ADVANCED CORRIDOR MANAGEMENT (ALGO, TSMO) ON I-20/59	2022	Exempt	\$52,000	\$13,000	\$65,000	8/10/2022
ALDOT	Add new project	100074911	CRPAA-I059()	Carbon Reduction Program Any Area	CN	THE INSTALLATION OF ITS DEVICES AND NETWORK INFRASTRUCTURE TO SUPPORT ADVANCED CORRIDOR MANAGEMENT (ALGO, TSMO) ON I-20/59	2022	Exempt	\$3,600,000	\$900,000	\$4,500,000	8/10/2022
ALDOT	Add new project	100075303	STPAA-NR23()	Carbon Reduction Program Any Area	SP	REGIONAL TRANSPORTATION MANAGEMENT CENTER AND ASAP PROGRAM FOR FY-2023	2023	Exempt	\$2,400,000	\$600,000	\$3,000,000	8/10/2022
ALDOT	Move inside TIP	100055415	IM-I065()	Interstate Maintenance	CN	CONCRETE PAVEMENT REHAB, UNDERSEAL, GRINDING, PAVELAID SURFACE TREATMENT, UNDERDRAIN, SHOULDER PAVEMENT, GUARDRAIL ON I-65 FROM US-31 TO RALEIGH AVENUE. OVERPASS (PRIORITY #35)	2023	Exempt	\$7,544,623	\$838,291	\$8,382,914	8/10/2022
ALDOT	Add new project	100074409	IAR-037-000-009	State Funds	CN	RELOCATION OF LAKESHORE PARKWAY AND MORGAN ROAD FROM CUMBERLAND ROAD TO APPROXIMATELY 1000 FEET FROM TURIN DRIVE	2023	Exempt	\$0	\$4,000,000	\$4,000,000	8/10/2022
ALDOT	Add new project	100075137	IM-I059()	Interstate Maintenance	CN	I-59 BRIDGE RAIL RETROFIT BETWEEN VALLEY ROAD AND SR-5 (ARCADEPHIA ROAD) AT BIN'S 14388, 14389, 14390, 14381, 14758 AND 14759	2023	Exempt	\$454,500	\$50,500	\$505,000	8/10/2022
ALDOT	Add new project	100075226	IM-I059()	Interstate Maintenance	PE	CONCRETE PAVEMENT REHABILITATION ON I-59 FROM THE NORTH END OF THE BRIDGE (BIN 10496) OVER VANDERBILT ROAD TO THE NORTH END OF THE BRIDGE (BIN 11095) OVER AVIATION AVENUE	2022	Exempt	\$465,497	\$51,722	\$517,219	8/10/2022
ALDOT	Add new project	100073714	NH-0007()	National Highway System	FM	RESURFACING, PLANING, STRIPING AND PATCHING ON SR-7 (US-11) FROM 25TH STREET NORTH TO 83RD STREET NORTH INCLUDING WORK ON RAMPS 130A AND 130B	2023	Exempt	\$2,364,578	\$591,144	\$2,955,722	8/10/2022
ALDOT	Add new project	100075458	ST-037-I59-015	State Funds	SP	START-UP PERIOD FUNDING AND FIRST YEAR OPERATING DEFICIT FOR CITYWALK	2022	Exempt	\$0	\$1,300,000	\$1,300,000	8/10/2022
ALDOT	Add new project	100074775	RHCH-RR22()	Rail Road Safety Funds	CN	RR XING HAZARD ELIMINATION IMPROVEMENTS FOR THE INSTALLATION OF SIGNALS, GATES, BELLS, SIGNS, LEGEND AND MARKINGS AT CR-26 (FULTON SPRINGS ROAD) AND CSX RAILROAD DOT NO 352277T	2022	Exempt	\$301,372	\$33,486	\$334,858	8/10/2022
ALDOT	Add new project	100075388	RHCH-RR22()	Rail Road Safety Funds	CN	RAILROAD XING HAZARD ELIMINATION IMPRV, OBS EQUIP REPLACE EXISTING ACTIVE WARNING DEVICES WITH TWO (2) 12X DEEP DISH LENSES WITH LIGHT EMITTING DIODES (LED), TWO (2) GATES, TWO (2) BELLS AND CWT AT 5TH STREET AND BNSF; REF. # 2214HE; DOT # 664848X.	2022	Exempt	\$263,464	\$29,274	\$292,738	8/10/2022
ALDOT	Add new project	100075258	RHCH-RR22()	Rail Road Safety Funds	CN	RR XING HAZARD ELIMINATION IMPROVEMENT FOR THE REPLACEMENT OF INCANDESCENT LIGHTS TO LIGHT EMITTING DIODES (LED) 12" LENSES AT DOT NO. 663652A ON AVENUE W IN BIRMINGHAM; BNSF RAILROAD; REF. # 2212HE.	2022	Exempt	\$45,000	\$5,000	\$50,000	8/10/2022
ALDOT	Move outside TIP	100071723	IM-I459()	Interstate Maintenance	CN	PLANING, OVERLAY AND STRIPING ON I-459 FROM THE NORTH END OF THE BRIDGE OVER SR-150 TO THE SOUTH END OF THE BRIDGE OVER US-31	2025	Exempt	\$2,348,747	\$260,972	\$2,609,719	8/10/2022
ALDOT	Move outside TIP	100073344	IM-I459()	Interstate Maintenance	CN	CONCRETE PAVEMENT RECONSTRUCTION ON I-459 FROM LORNA ROAD (MP14.794) TO WEST OF LITTLE SHADES CREEK (MP 15.892)	2024	Exempt	\$25,963,585	\$2,884,843	\$28,848,428	8/10/2022
Homewood	Add \$2,877,943 of CMAQ funding	100029525	CMAQ-9802(911)	Congestion Mitigation Air Quality and Carbon Reduction Funding	CN	SHADES CREEK GREENWAY MULTI-PURPOSE TRAIL - PHASE TWO GRADE, DRAIN, BASE, PAVE, BRIDGE, STRIPING, SIGNING AND LANDSCAPING CITY OF HOMEWOOD JEFFERSON COUNTY	2022	Exempt	\$7,064,598	\$1,766,149	\$8,830,747	8/10/2022
Jefferson County	Move outside TIP	100007540	STPBH-5939(200)	Surface Transportation Program Birmingham Attributable	CN	WIDEN CR-29\1277 FROM CR-370 (HEATHERWOOD DR) TO CR-2311 (ACTON ROAD) AND BRG REPLACEMENT OVER CAHABA RIVER BIN #019329	2024	Non-Exempt*	\$1,588,654	\$397,164	\$1,985,818	8/10/2022
Jefferson County	Add Utility Phase	100075679	STPBH-5939()	Surface Transportation Program Birmingham Attributable	UT	WIDEN CR-29\1277 FROM CR-370 (HEATHERWOOD DR) TO CR-2311 (ACTON ROAD) AND BRG REPLACEMENT OVER CAHABA RIVER BIN #019329	2023	Non-Exempt*	\$1,600,000	\$400,000	\$2,000,000	8/10/2022

Project Sponsor	Action Requested	Project Reference Number	Federal Aid Number	Funding Source	Scope	Description	Fiscal Year	Conformity Status	Exhibit B - Ordinance No. 8420 Estimated Cost	Ordinance No. 8420 Estimated Cost	Estimated Cost	MPO Approval Date
Center Point	Add \$1,851,421 of STPBH funding	100054521	STPBH-3716(250)	Surface Transportation Program Birmingham Attributable	CN	RESURFACING, SIDEWALK ADDITIONS AND DRAINAGE IMPROVEMENTS ALONG POLLY REED ROAD FROM SR-75 TO REED ROAD NE	2022	Exempt	\$8,227,606	\$2,056,901	\$10,284,507	8/10/2022
Center Point	Add new project	100074808	RALG-37-2022-135	Rebuild Alabama	CN	RESURFACE POLLY REED ROAD FROM HILLCREST ROAD TO OLD SPRINGVILLE ROAD AND HILLCREST ROAD FROM POLLY REED ROAD TO MARY VANN LANE	2022	Exempt	\$0	\$250,000	\$250,000	8/10/2022
City of Pelham	Move outside TIP	100039450	STPBH-7012()	Surface Transportation Program Birmingham Attributable	CN	PELHAM TOPICS, SR-3(US-31) FROM CR-52 TO A POINT 0.25 MILES NORTH OF CR-105 (PHASE II)	2024	Non-Exempt*	\$449,009	\$112,252	\$561,261	8/10/2022
City of Pelham	Add \$240,000 of STPBH funding	100039466	STPBH-7012(602)	Surface Transportation Program Birmingham Attributable	PE	PELHAM TOPICS, SR-3(US-31) FROM CR-52 TO A POINT 0.25 MILES NORTH OF CR-105 (PHASE II)	2001	Non-Exempt*	\$939,016	\$234,754	\$1,173,770	8/10/2022
Shelby County	Add \$120,000 of STPBH funding	100056308	STPBH-5914(250)	Surface Transportation Program Birmingham Attributable	PE	BRIDGE REPLACEMENT ON CR-55 OVER NORFOLK SOUTHERN RAILROAD NEAR STERRETT BIN 10357	2014	Exempt	\$436,420	\$109,105	\$545,525	8/10/2022
Hueytown	Add \$550,000 of STPBH funding	100056288	STPBH-7021(600)	Surface Transportation Program Birmingham Attributable	RW	CR-46 (HUEYTOWN ROAD) ADDITIONAL TURN LANES AND INTERSECTION IMPROVEMENTS FROM WALKER AVENUE TO NORTH OF HILLSIDE DRIVE	2017	Exempt	\$1,068,000	\$267,000	\$1,335,000	8/10/2022
City of Birmingham	Move outside TIP	100069761	CMAQ-NR19()	Congestion Mitigation Air Quality	CN	STREETSCAPE AND SIDEWALK ENHANCEMENTS INCLUDING ADA UPGRADES IN MORE THAN 20 LOCATIONS THROUGHOUT THE CITY OF BIRMINGHAM; INFORMATION ABOUT SPECIFIC LOCATIONS WILL BE PROVIDED UPON REQUEST	2024	Exempt	\$2,102,020	\$525,505	\$2,627,525	8/10/2022
City of Birmingham	Move outside TIP	100066709	CMAQ-3717()	Congestion Mitigation Air Quality	CN	WOODLAWN NEIGHBORHOOD STREETSCAPE PHASE 2 (CITY OF BIRMINGHAM)	2024	Exempt	\$1,286,562	\$321,641	\$1,608,203	8/10/2022
Vestavia Hills	Add \$204,827 of CMAQ funding	100050996	DE-IBRD-A104(916)	Congestion Mitigation Air Quality	PE	VESTAVIA HILLS PEDESTRIAN WALKWAY INCLUDING THE WALD PARK PEDESTRIAN CROSSOVER ON US-31	2008	Exempt	\$404,827	\$101,207	\$506,034	8/10/2022

* These projects are included in the adopted/approved Air Quality Conformity Determination Report and 2045 Regional Transportation Plan (see MapIDs 108 and 111)

The Birmingham Metropolitan Planning Organization Policy Committee resolves that these TIP Amendments are in accord with the Alabama Performance Measures Agreement between the State of Alabama and the Birmingham Metropolitan Planning Organization as per 23 CFR 450.314(h).

The Birmingham Metropolitan Planning Organization Policy Committee agreed to include and/or modify the projects in the FY2020-2023 Transportation Improvement Program as stated above:


MPO Chair, Vice-Chair, or Secretary

August 11, 2022

Date

RESOLUTION NUMBER 5409

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

WITNESSETH THESE RECITALS

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

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

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

1. The City Manager is hereby authorized to sell or dispose of the above-referenced surplus personal property; and
2. This Resolution Number 5409 shall become effective immediately upon adoption and approval.

DONE, ORDERED, APPROVED and ADOPTED on this the 12th day of September, 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: September 8, 2022

TO: Jeff Downes
City Manager

From: Brian Davis
Director of Public Services

RE: Surplus Items

Please see the list of items below that we are requesting the council to declare as surplus property. Our staff has identified these as no longer necessary for our operations.

- 2009 Jet Washer – Asset number 0855
- 2013 Thermo Road Striper – Asset number 1267
- 2005 F-150 VIN - 1FTRX12W55NA81548
- 2006 Chevrolet Impala VIN – 2G1WB58K269150142
- Mower Model – 74906 Serial – 313000274 Asset # 1340
- Mower Model – 74245 Serial – 2060002037 Asset # 0773
- RTV Model – RTV900 Serial – 97007 ID# - KRTV900A81097007

Once declared as surplus property we will try and sell the items or simply dispose of those items that necessitate it.

CC: Rebecca Leavings

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

INTEROFFICE MEMO

Date: September 8, 2022

TO: Jeff Downes
City Manager

From: Brian Davis
Director of Public Services

RE: Surplus Items

Please see the 2 vehicles below that we are requesting the council to declare as surplus property. These vehicles have been replaced.

- 2015 Ford Fusion - 3FA6P0G7XFR235786
- 2014 Ford Fusion - 1FA6P0G79E5399029

CC: Rebecca Leavings

RESOLUTION NUMBER 5404

**A RESOLUTION APPROVING ALCOHOL LICENSE
FOR CEC ENTERTAINMENT LLC D/B/A CHUCK E
CHEESES; DAVID A. DECK, RODOLFO
RODRIGUEZ, JR AND DAVID MCKILLIPS,
EXECUTIVES**

WHEREAS, the City Council of the City of Vestavia Hills, Alabama, approves the alcohol license for CEC Entertainment LLC d/b/a Chuck E Cheeses, located at 500 Olde Town Road, Vestavia Hills, Alabama, for the one and off premise sale of 040-Retail Beer and 060-Retail Table Wine; David A. Deck, Rodolfo Rodriguez, Jr and David McKillips, executives.

APPROVED and ADOPTED this the 12nd day of September, 2022.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

INTEROFFICE MEMORANDUM

DATE: August 18, 2022
TO: Dan Rary, Police Chief
FROM: Rebecca Leavings, City Clerk

RE: Alcohol License Request – 040-Retail Beer and 060-Retail Table Wine

Please find attached information submitted by David A. Deck, Rodolfo Rodriguez, Jr and David McKillips who request an alcohol license to sell 040-Retail Beer and 060-Retail Table Wine at the CEC Entertainment LLC d/b/a Chuck E Cheeses, 500 Olde Town Road, Vestavia Hills, Alabama.

I am scheduling this case to be heard by the City Council on 22nd day of August, 2022 at 6:00 PM (Monday). Please advise me of your recommendation for this license. If you have any questions, please contact me.

Reply

I have reviewed the available background information on the above referenced applicant and submit the following to the City Council:

X	<i>Application cleared by P.D. This indicates that there are NO convictions for drug trafficking, convictions regarding arrest involving danger to children, weapon charges, violent felony crimes against persons, felony sexual offenses or habitual alcohol related arrests</i>
	<i>Needs further review. This indicates that the Police Chief has found records of some convictions of alcohol related arrests</i>
	<i>Does not recommend. This indicates that the Police Chief has found records of convictions for drug trafficking, convictions regarding arrest involving danger to children, weapon charges, violent felony crimes against persons, felony sexual offenses or habitual alcohol related arrests</i>

Reviewed:  _____



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION



Confirmation Number: 20220801110216507

Type License: 040 - RETAIL BEER (ON OR OFF PREMISES) State: County:

Type License: 060 - RETAIL TABLE WINE (ON OR OFF PREMISES) State: County:

Trade Name: **CHUCK E CHEESES** Filing Fee:

Applicant: **CEC ENTERTAINMENT LLC** Transfer Fee: \$100.00

Location Address: 500 OLDE TOWN RD VESTAVIA HILLS, AL 35216

Mailing Address: 1707 MARKET PLACE BLVD ; SUITE 200 IRVING, TX 75063

County: JEFFERSON Tobacco sales: NO Tobacco Vending Machines:

Product Type: Type Ownership: LLC

Book, Page, or Document info: 202008652699-4445268

Do you sell Draft Beer?:

Date Incorporated: 12/15/2020 State incorporated: DE County Incorporated: NEW CASTLE

Date of Authority: 12/30/2022

Federal Tax ID: 85-4343185

Alabama State Sales Tax ID: R011096162

Name:	Title:	Date and Place of Birth:	Residence Address:
DAVID A. DECK 00165492 - TX	ASSISTANT SECRETARY	11/05/1970 ROCKLEDGE, FL	3720 CAMERON LN MCKINNEY, TX 76051
RODOLFO RODRIGUEZ JR 11725354 - TX	SECRETARY	08/31/1966 SINTON, TX	4647 HALLMARK DR DALLAS, TX 75229
DAVID MCKILLIPS 44139951 - TX	CEO	12/09/1971 NEW YORK	1201 EARLSTON CT SOUTHLAKE, TX 76092

Has applicant complied with financial responsibility ABC RR 20-X-5-.14? YES

Does ABC have any actions pending against the current licensee? NO

Has anyone, including manager or applicant, had a Federal/State permit or license suspended or revoked? NO

Has a liquor, wine, malt or brewed license for these premises ever been denied, suspended, or revoked? NO

Are the applicant(s) named above, the only person(s), in any manner interested in the business sought to be licensed? YES

Are any of the applicants, whether individual, member of a partnership or association, or officers and directors of a corporation itself, in any manner monetarily interested, either directly or indirectly, in the profits of any other class of business regulated under authority of this act? NO

Does applicant own or control, directly or indirectly, hold lien against any real or personal property which is rented, leased or used in the conduct of business by the holder of any vinous, malt or brewed beverage, or distilled liquors permit or license issued under authority of this act? NO

Is applicant receiving, either directly or indirectly, any loan, credit, money, or the equivalent thereof from or through a subsidiary or affiliate or other licensee, or from any firm, association or corporation operating under or regulated by the authority of this act? NO

Contact Person: MARIBEL ALAMILLO

Business Phone: 972-258-5481

Fax:

Home Phone: 972-258-5481

Cell Phone:

E-mail: MALAMILLO@CECENTERTAINMENT.COM

PREVIOUS LICENSE INFORMATION:

Trade Name: CHUCK E CHEESES 330

Applicant: CEC ENTERTAINMENT INC

Previous License Number(s)

License 1: 000822837

License 2: 000822837



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION



Confirmation Number: 20220801110216507

If applicant is leasing the property, is a copy of the lease agreement attached? **YES**
 Name of Property owner/lessor and phone number: **NATIONAL RETAIL PROPERTIES, LP 800-666-7348**
 What is lessors primary business? **PIZZA RESTAURANT/ FAMILY ENTERTAINMENT CENTER**
 Is lessor involved in any way with the alcoholic beverage business? **NO**
 Is there any further interest, or connection with, the licensee's business by the lessor? **NO**

Does the premise have a fully equipped kitchen? **YES**
 Is the business used to habitually and principally provide food to the public? **YES**
 Does the establishment have restroom facilities? **YES**
 Is the premise equipped with services and facilities for on premises consumption of alcoholic beverages? **YES**

Will the business be operated primarily as a package store? **NO**
 Building Dimensions Square Footage: **10372** Display Square Footage:
 Building seating capacity: **400** Does Licensed premises include a patio area? **NO**
 License Structure: **SINGLE STRUCTURE** License covers: **ENTIRE STRUCTURE**
 Number of licenses in the vicinity: Nearest:
 Nearest school: Nearest church: Nearest residence: **0 blocks**
 Location is within: **CITY LIMITS** Police protection: **CITY**

Has any person(s) with any interest, including manager, whether as sole applicant, officer, member, or partner been charged (whether convicted or not) of any law violation(s)?

Name:	Violation & Date:	Arresting Agency:	Disposition:
DAVID MCKILLIPS	3/23/2019 CLASS B MISDEMEANOR DRIVING WHILE INTOXICATED	COLLEYVILLE PD	CONVICTED- LESSER CHARGE 12/16/2019



STATE OF ALABAMA ALCOHOLIC BEVERAGE CONTROL BOARD ALCOHOL LICENSE APPLICATION



Confirmation Number: 20220801110216507

Initial each

Signature page

DD

In reference to law violations, I attest to the truthfulness of the responses given within the application.

In reference to the Lease/property ownership, I attest to the truthfulness of the responses given within the application.

DD

In reference to ACT No. 80-529, I understand that if my application is denied or discontinued, I will not be refunded the filing fee required by this application.

N/A

In reference to Special Retail or Special Events retail license, I agree to comply with all applicable laws and regulations concerning this class of license, and to observe the special terms and conditions as indicated within the application.

N/A

In reference to the Club Application information, I attest to the truthfulness of the responses given within the application.

DD

In reference to the transfer of license/location, I attest to the truthfulness of the information listed on the attached transfer agreement.

DD

In accordance with Alabama Rules & Regulations 20-X-5-.01(4), any social security number disclosed under this regulation shall be used for the purpose of investigation or verification by the ABC Board and shall not be a matter of public record.

DD

The undersigned agree, if a license is issued as herein applied for, to comply at all times with and to fully observe all the provisions of the Alabama Alcoholic Beverage Control Act, as appears in Code of Alabama, Title 28, and all laws of the State of Alabama relative to the handling of alcoholic beverages. The undersigned, if issued a license as herein requested, further agrees to obey all rules and regulations promulgated by the board relative to all alcoholic beverages received in this State. The undersigned, if issued a license as herein requested, also agrees to allow and hereby invites duly authorized agents of the Alabama Alcoholic Beverage Control Board and any duly commissioned law enforcement officer of the State, County or Municipality in which the license premises are located to enter and search without a warrant the licensed premises or any building owned or occupied by him or her in connection with said licensed premises. The undersigned hereby understands that he or she violate any provisions of the aforementioned laws his or her license shall be subject to revocation and no license can be again issued to said licensee for a period of one year. The undersigned further understands and agrees that no changes in the manner of operation and no deletion or discontinuance of any services or facilities as described in this application will be allowed without written approval of the proper governing body and the Alabama Alcoholic Beverage Control Board.

DD

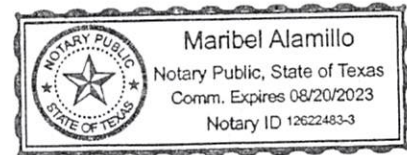
I hereby swear and affirm that I have read the application and all statements therein and facts set forth are true and correct, and that the applicant is the only person interested in the business for which the license is required.

Applicant Name (print): David A. Deck, Assistant Secretary

Signature of Applicant:

Notary Name (print): Maribel Alamillo

Notary Signature:



Commission expires: 08/20/2023

Application Taken:

App. Inv. Completed:

Forwarded to District Office:

Submitted to Local Government:

Received from Local Government:

Received in District Office:

Reviewed by Supervisor:

Forwarded to Central Office:



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
Confirmation Number: 20220801110216507



NOTICE OF TRANSFER OF ABC LICENSED BUSINESS

NOTE: A Copy of Operating Agreement Must be Attached To Application

CURRENT LICENSEE:
CEC ENTERTAINMENT INC
Address: 500 OLDE TOWN RD ;
VESTAVIA HILLS , AL 35216
Telephone: 972-258-5481

NEW APPLICANT:
CEC ENTERTAINMENT LLC
Address: 1707 MARKET PLACE BLVD ; SUITE 200
IRVING , TX 75063
Telephone: 972-258-5481

Current License No: 000822837
000822837

LICENSED PREMISES ADDRESS: 500 OLDE TOWN RD VESTAVIA HILLS , AL 35216

THE AFORENAMED HEREBY SERVE NOTICE TO THE ABC BOARD OF THE ATTACHED CONTRACTUAL AGREEMENT GOVERNING THE CONTINUATION OF SALES OF ALCOHOLIC BEVERAGES ON THE LICENSED PREMISES.

The Parties to this agreement hereby acknowledge and affirm that the New (Applicant) Licensee will, at all times, act as the AGENT for the Current (Named) Licensee, and the Current Licensee shall act as PRINCIPAL for the purposes of the attached Agreement. The Principal shall be bound by all acts and/or omissions of the Agent in the operation of the licensed premises.

The Current Licensee is now and shall remain liable for any violations of ABC Rules and Regulations or other Alabama Law for the duration of the attached Agreement; and, further, that the Current Licensee has the right and authority, under Alabama Law, to surrender the ABC License to the ABC Board at any time.

The parties acknowledge that the operation of the licensed premises shall remain subject to inspection by ABC Enforcement, and must comply with all State and Local regulations and Laws, and that the local ABC Enforcement District Office must be immediately notified of any change in the attached Agreement.

THE CURRENT LICENSE WILL NOT BE RENEWED.

WITNESS our hands and seals on this the 1st day of August, 2022.

CURRENT LICENSEE (NAMED ON LICENSE)

NEW LICENSEE (APPLICANT)

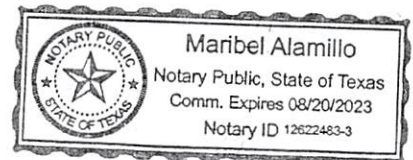
[Signature of David A. Deck]

[Signature of David A. Deck]

Print Name: David A. Deck
Title: Assistant Secretary

Print Name: David A. Deck
Title: Assistant Secretary

WITNESS: (By ABC Enforcement)
Revised 9/08



Notary Name (print): Maribel Alamillo

Notary Signature: Maribel Alamillo

Commission expires: 08/20/2023

RESOLUTION NUMBER 5408

**A RESOLUTION APPROVING ALCOHOL LICENSE
FOR DAVENPORTS PIZZA PALACE D/B/A
DAVENPORTS PIZZA PALACE VESTAVIA INC.;
TARA P. DAVIS, YATES P. NORRIS AND AMANDA
P. THAMES, EXECUTIVES**

WHEREAS, the City Council of the City of Vestavia Hills, Alabama, approves the alcohol license for Davenports Pizza Palace d/b/a Davenports Pizza Palace Vestavia Inc., located at 700 Montgomery Highway, Suite 193, Vestavia Hills, Alabama, for the sale of 040 - Retail Beer (on or off premises) and 060 - Retail Table Wine (on or off premises); Tara P. Davis, Yates P. Norris and Amanda P. Thames, executives.

APPROVED and ADOPTED this the 12th day of September, 2022.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

INTEROFFICE MEMORANDUM

DATE: September 1, 2022

TO: Dan Rary, Police Chief

FROM: Rebecca Leavings, City Clerk

RE: Alcohol License Request –

Please find attached information submitted by Tara P. Davis, Yates P. Norris and Amanda P. Thames who request an alcohol license to sell at the Davenports Pizza Palace d/b/a Davenports Pizza Palace Vestavia Inc., 700 Montgomery Highway, Suite 193, Vestavia Hills, Alabama.

I am scheduling this case to be heard by the City Council on 12th day of September, 2022 at 6:00 PM (Monday). Please advise me of your recommendation for this license. If you have any questions, please contact me.

Reply

I have reviewed the available background information on the above referenced applicant and submit the following to the City Council:

X	Application cleared by P.D. This indicates that there are NO convictions for drug trafficking, convictions regarding arrest involving danger to children, weapon charges, violent felony crimes against persons, felony sexual offenses or habitual alcohol related arrests
	Needs further review. This indicates that the Police Chief has found records of some convictions of alcohol related arrests
	Does not recommend. This indicates that the Police Chief has found records of convictions for drug trafficking, convictions regarding arrest involving danger to children, weapon charges, violent felony crimes against persons, felony sexual offenses or habitual alcohol related arrests

Reviewed: DRR



**STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION**



Confirmation Number: 20220818104805543

Type License: 040 - RETAIL BEER (ON OR OFF PREMISES) **State:** \$150.00 **County:** \$75.00

Type License: 060 - RETAIL TABLE WINE (ON OR OFF PREMISES) **State:** \$150.00 **County:** \$75.00

Trade Name: DAVENPORTS PIZZA PALACE **Filing Fee:** \$100.00

Applicant: DAVENPORT PIZZA PALACE VESTAVIA INC **Transfer Fee:**

Location Address: 700 MONTGOMERY HWY ; SUITE 193 VESTAVIA HILLS , AL 35216

Mailing Address: 700 MONTGOMERY HWY ; SUITE 193 VESTAVIA HILLS , AL 35216

County: JEFFERSON **Tobacco sales:** NO **Tobacco Vending Machines:**

Product Type: **Type Ownership:** CORPORATION

Book, Page, or Document info: 849-394

Do you sell Draft Beer?:

Date Incorporated: 04/27/2021 **State incorporated:** AL **County Incorporated:** JEFFERSON

Date of Authority:

Federal Tax ID: 86-3533399 **Alabama State Sales Tax ID:** R011453577

Name:	Title:	Date and Place of Birth:	Residence Address:
TARA PRIDGEN DAVIS 7184082 - AL	ASSISTANT VP	12/27/1984 CHATTANOOGA, TN	3633 OAKDALE RD BIRMINGHAM , AL 35223
YATES PATRICK NORRIS 8268411 - AL	SECRETARY/VP	12/25/1993 BIRMINGHAM, AL	1860 SOUTHWOOD RD VESTAVIA HILLS, AL 35216
AMANDA PRIDGEN THAMES 6799763 - AL	PRESIDENT	05/30/1982 NASHVILLE, TN	306 CLERMONT DR HOMEWOOD , AL 35209

Has applicant complied with financial responsibility ABC RR 20-X-5-.14? YES

Does ABC have any actions pending against the current licensee? NO

Has anyone, including manager or applicant, had a Federal/State permit or license suspended or revoked? NO

Has a liquor, wine, malt or brewed license for these premises ever been denied, suspended, or revoked? NO

Are the applicant(s) named above, the only person(s), in any manner interested in the business sought to be licensed? YES

Are any of the applicants, whether individual, member of a partnership or association, or officers and directors of a corporation itself, in any manner monetarily interested, either directly or indirectly, in the profits of any other class of business regulated under authority of this act? NO

Does applicant own or control, directly or indirectly, hold lien against any real or personal property which is rented, leased or used in the conduct of business by the holder of any vinous, malt or brewed beverage, or distilled liquors permit or license issued under authority of this act? NO

Is applicant receiving, either directly or indirectly, any loan, credit, money, or the equivalent thereof from or through a subsidiary or affiliate or other licensee, or from any firm, association or corporation operating under or regulated by the authority of this act? NO

Contact Person: AMANDA THAMES

Business Phone: 205-407-4747

Fax:

Home Phone: 205-643-8855

Cell Phone: 205-643-8855

E-mail: ATHAMES@DAVENPORTSPIZZA.COM

PREVIOUS LICENSE INFORMATION:

Trade Name:

Applicant:

Previous License Number(s)

License 1:

License 2:



STATE OF ALABAMA ALCOHOLIC BEVERAGE CONTROL BOARD ALCOHOL LICENSE APPLICATION



Confirmation Number: 20220818104805543

If applicant is leasing the property, is a copy of the lease agreement attached? **YES**

Name of Property owner/lessor and phone number: **VESTAVIA MZL LLC 312-798-5140**

What is lessors primary business? **COMMERCIAL REAL ESTATE**

Is lessor involved in any way with the alcoholic beverage business? **NO**

Is there any further interest, or connection with, the licensee's business by the lessor? **NO**

Does the premise have a fully equipped kitchen? **YES**

Is the business used to habitually and principally provide food to the public? **YES**

Does the establishment have restroom facilities? **YES**

Is the premise equipped with services and facilities for on premises consumption of alcoholic beverages? **YES**

Will the business be operated primarily as a package store? **NO**

Building Dimensions Square Footage: **4210** Display Square Footage:

Building seating capacity: **100** Does Licensed premises include a patio area? **YES**

License Structure: **SHOPPING CENTER** License covers: **OTHER**

Number of licenses in the vicinity: Nearest:

Nearest school: Nearest church: Nearest residence: **0 miles**

Location is within: **CITY LIMITS** Police protection: **CITY**

Has any person(s) with any interest, including manager, whether as sole applicant, officer, member, or partner been charged (whether convicted or not) of any law violation(s)?

Name: Violation & Date: Arresting Agency: Disposition:

Name:	Violation & Date:	Arresting Agency:	Disposition:



STATE OF ALABAMA ALCOHOLIC BEVERAGE CONTROL BOARD ALCOHOL LICENSE APPLICATION



Confirmation Number: 20220818104805543

Initial each

Signature page

APT
APT

In reference to law violations, I attest to the truthfulness of the responses given within the application.

In reference to the Lease/property ownership, I attest to the truthfulness of the responses given within the application.

APT

In reference to ACT No. 80-529, I understand that if my application is denied or discontinued, I will not be refunded the filing fee required by this application.

/

In reference to Special Retail or Special Events retail license, I agree to comply with all applicable laws and regulations concerning this class of license, and to observe the special terms and conditions as indicated within the application.

/

In reference to the Club Application information, I attest to the truthfulness of the responses given within the application.

/

In reference to the transfer of license/location, I attest to the truthfulness of the information listed on the attached transfer agreement.

APT

In accordance with Alabama Rules & Regulations 20-X-5-.01(4), any social security number disclosed under this regulation shall be used for the purpose of investigation or verification by the ABC Board and shall not be a matter of public record.

APT

The undersigned agree, if a license is issued as herein applied for, to comply at all times with and to fully observe all the provisions of the Alabama Alcoholic Beverage Control Act, as appears in Code of Alabama, Title 28, and all laws of the State of Alabama relative to the handling of alcoholic beverages.

The undersigned, if issued a license as herein requested, further agrees to obey all rules and regulations promulgated by the board relative to all alcoholic beverages received in this State. The undersigned, if issued a license as herein requested, also agrees to allow and hereby invites duly authorized agents of the Alabama Alcoholic Beverage Control Board and any duly commissioned law enforcement officer of the State, County or Municipality in which the license premises are located to enter and search without a warrant the licensed premises or any building owned or occupied by him or her in connection with said licensed premises. The undersigned hereby understands that he or she violate any provisions of the aforementioned laws his or her license shall be subject to revocation and no license can be again issued to said licensee for a period of one year. The undersigned further understands and agrees that no changes in the manner of operation and no deletion or discontinuance of any services or facilities as described in this application will be allowed without written approval of the proper governing body and the Alabama Alcoholic Beverage Control Board.

APT

I hereby swear and affirm that I have read the application and all statements therein and facts set forth are true and correct, and that the applicant is the only person interested in the business for which the license is required.

Applicant Name (print): Amanda P. Thames

Signature of Applicant: *A.P. Thames*

Notary Name (print): Valencio Johnson

Notary Signature: *Valencio Johnson*

Commission expires: 4/22/24

Application Taken:

App. Inv. Completed:

Forwarded to District Office:

Submitted to Local Government:

Received from Local Government:

Received in District Office:

Reviewed by Supervisor:

Forwarded to Central Office:

RESOLUTION NUMBER 5410

**A RESOLUTION APPROVING ALCOHOL LICENSE
FOR WALDOS STATIONS NO 5 LLC D/B/A
WALDOS CHICKEN AND BEER; JOHN MICHAEL
BODNAR, ARTUR JOHN ULM II, MARK TITUS
WALDO, ET AL, EXECUTIVES**

WHEREAS, the City Council of the City of Vestavia Hills, Alabama, approves the alcohol license for Waldos Stations No 5 LLC d/b/a Waldos Chicken and Beer, located at 3009 Pumphouse Rd, Suite 110, Vestavia Hills, Alabama, for the on-premise sale of 020-Restaurant Retail Liquor; John Michael Bodnar, Artur John Ulm II, Mark Titus Waldo, Et Al, executives.

APPROVED and ADOPTED this the 12th day of September, 2022.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

INTEROFFICE MEMORANDUM

DATE: September 2, 2022

TO: Dan Rary, Police Chief

FROM: Rebecca Leavings, City Clerk

RE: Alcohol License Request – 020-Restaurant Retail Liquor

Please find attached information submitted by John Michael Bodnar, ARtur John Ulm II, Mark Titus Waldo, EtAl who request an alcohol license to sell 020-Restaurant Retail Liquor at the Waldos Stations No 5 LLC d/b/a Waldos Chicken and Beer, 3009 Pumphouse Rd Suite 110, Vestavia Hills, Alabama.

I am scheduling this case to be heard by the City Council on 12th day of September, 2022 at 6:00 PM (Monday). Please advise me of your recommendation for this license. If you have any questions, please contact me.

Reply

I have reviewed the available background information on the above referenced applicant and submit the following to the City Council:

<i>X</i>	<i>Application cleared by P.D. This indicates that there are NO convictions for drug trafficking, convictions regarding arrest involving danger to children, weapon charges, violent felony crimes against persons, felony sexual offenses or habitual alcohol related arrests</i>
	<i>Needs further review. This indicates that the Police Chief has found records of some convictions of alcohol related arrests</i>
	<i>Does not recommend. This indicates that the Police Chief has found records of convictions for drug trafficking, convictions regarding arrest involving danger to children, weapon charges, violent felony crimes against persons, felony sexual offenses or habitual alcohol related arrests</i>

Reviewed: *DPR*



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION

Confirmation Number: 20220901091932257

Type License: **020 - RESTAURANT RETAIL LIQUOR** State: **\$300.00** County: **\$300.00**
 Type License: State: County:
 Trade Name: **WALDOS CHICKEN AND BEER** Filing Fee: **\$50.00**
 Applicant: **WALDOS STATION NO 5 LLC** Transfer Fee:
 Location Address: **3009 PUMP HOUSE RD ; SUITE 110 VESTAVIA HILLS, AL 35243**
 Mailing Address: **PO BOX 331272 NASHVILLE , TN 37203**
 County: **JEFFERSON** Tobacco sales: **NO** Tobacco Vending Machines:
 Product Type: Type Ownership: **LLC**
 Book, Page, or Document info: **880-124**
 Do you sell Draft Beer?:
 Date Incorporated: **08/26/2021** State incorporated: **AL** County Incorporated: **JEFFERSON**
 Date of Authority:
 Federal Tax ID: **87-2357589** Alabama State Sales Tax ID: **R011443074**

Name:	Title:	Date and Place of Birth:	Residence Address:
JOHN MICHAEL BODNAR 5389373 - AL	MEMBER	11/25/1969 SOUTH CHARLESTON, WV	4253 CALDWELL MILL RD MOUNTIAN BROOK , AL 35243
ARTUR JOHN ULM II 108923075 - TN	MEMBER	02/22/1972 ITALY	714 CANTRELL AVE NASHVILLE, TN 37215
MARK TITUS WALDO 121039966 - TN	MEMBER	11/11/1985 HOMEWOOD, AL	141 LINCOLN COURT NASHVILLE , TN 37205

Has applicant complied with financial responsibility ABC RR 20-X-5-.14? **YES**
 Does ABC have any actions pending against the current licensee? **NO**
 Has anyone, including manager or applicant, had a Federal/State permit or license suspended or revoked? **NO**
 Has a liquor, wine, malt or brewed license for these premises ever been denied, suspended, or revoked? **NO**
 Are the applicant(s) named above, the only person(s), in any manner interested in the business sought to be licensed? **YES**
 Are any of the applicants, whether individual, member of a partnership or association, or officers and directors of a corporation itself, in any manner monetarily interested, either directly or indirectly, in the profits of any other class of business regulated under authority of this act? **NO**
 Does applicant own or control, directly or indirectly, hold lien against any real or personal property which is rented, leased or used in the conduct of business by the holder of any vinous, malt or brewed beverage, or distilled liquors permit or license issued under authority of this act? **NO**
 Is applicant receiving, either directly or indirectly, any loan, credit, money, or the equivalent thereof from or through a subsidiary or affiliate or other licensee, or from any firm, association or corporation operating under or regulated by the authority of this act? **NO**

Contact Person: **BRIANNA HOMER**
 Business Phone: **205-635-0002**
 Fax:

Home Phone: **980-428-3335**
 Cell Phone: **205-531-7175**
 E-mail: **BRIANNA@FRESHHOSPITALITY.NET**

PREVIOUS LICENSE INFORMATION:
 Trade Name:
 Applicant:

Previous License Number(s)
 License 1:
 License 2:

Handwritten initials



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION



Confirmation Number: 20220901091932257

If applicant is leasing the property, is a copy of the lease agreement attached? YES

Name of Property owner/lessor and phone number: STATION NO 5 LLC 678-673-7534

What is lessors primary business? REAL ESTATE INVESTMENT/HOLDING COMPANY

Is lessor involved in any way with the alcoholic beverage business? NO

Is there any further interest, or connection with, the licensee's business by the lessor? NO

Does the premise have a fully equipped kitchen? YES

Is the business used to habitually and principally provide food to the public? YES

Does the establishment have restroom facilities? YES

Is the premise equipped with services and facilities for on premises consumption of alcoholic beverages? YES

Will the business be operated primarily as a package store? NO

Building Dimensions Square Footage: 3297 Display Square Footage:

Building seating capacity: 138 Does Licensed premises include a patio area? YES

License Structure: SHOPPING CENTER License covers: OTHER

Number of licenses in the vicinity: Nearest:

Nearest school: Nearest church: Nearest residence: 0 miles

Location is within: CITY LIMITS Police protection: CITY

Has any person(s) with any interest, including manager, whether as sole applicant, officer, member, or partner been charged (whether convicted or not) of any law violation(s)?

Name:	Violation & Date:	Arresting Agency:	Disposition:

MAN



STATE OF ALABAMA ALCOHOLIC BEVERAGE CONTROL BOARD ALCOHOL LICENSE APPLICATION



Confirmation Number: 20220901091932257

Initial each

Signature page

MTW
MTW

In reference to law violations, I attest to the truthfulness of the responses given within the application.
In reference to the Lease/property ownership, I attest to the truthfulness of the responses given within the application.

MTW

In reference to ACT No. 80-529, I understand that if my application is denied or discontinued, I will not be refunded the filing fee required by this application.

N/A

In reference to Special Retail or Special Events retail license, Wine Festival and Wine Festival Participant Licenses, and Food or Beverage Truck Licenses, I agree to comply with all applicable laws and regulations concerning this class of license, and to observe the special terms and conditions as indicated within the application.

N/A

In reference to the Club Application information, I attest to the truthfulness of the responses given within the application.

N/A

In reference to the transfer of license/location, I attest to the truthfulness of the information listed on the attached transfer agreement.

MTW

In accordance with Alabama Rules & Regulations 20-X-5-.01(4), any social security number disclosed under this regulation shall be used for the purpose of investigation or verification by the ABC Board and shall not be a matter of public record.

MTW

The undersigned agree, if a license is issued as herein applied for, to comply at all times with and to fully observe all the provisions of the Alabama Alcoholic Beverage Control Act, as appears in Code of Alabama, Title 28, and all laws of the State of Alabama relative to the handling of alcoholic beverages.

The undersigned, if issued a license as herein requested, further agrees to obey all rules and regulations promulgated by the board relative to all alcoholic beverages received in this State. The undersigned, if issued a license as herein requested, also agrees to allow and hereby invites duly authorized agents of the Alabama Alcoholic Beverage Control Board and any duly commissioned law enforcement officer of the State, County or Municipality in which the license premises are located to enter and search without a warrant the licensed premises or any building owned or occupied by him or her in connection with said licensed premises. The undersigned hereby understands that he or she violate any provisions of the aforementioned laws his or her license shall be subject to revocation and no license can be again issued to said licensee for a period of one year. The undersigned further understands and agrees that no changes in the manner of operation and no deletion or discontinuance of any services or facilities as described in this application will be allowed without written approval of the proper governing body and the Alabama Alcoholic Beverage Control Board.

MTW

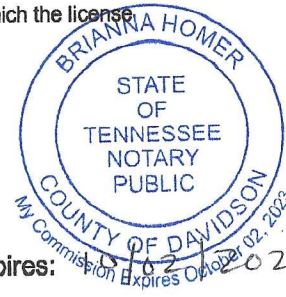
I hereby swear and affirm that I have read the application and all statements therein and facts set forth are true and correct, and that the applicant is the only person interested in the business for which the license is required.

Applicant Name (print): Waldos Station NO 5 LLC

Signature of Applicant:

Notary Name (print): Brianna Homer

Notary Signature:



Commission expires: 02/2023

Application Taken: App. Inv. Completed:

Submitted to Local Government:

Forwarded to District Office:
Received from Local Government:
Forwarded to Central Office:

Received in District Office: Reviewed by Supervisor:

RESOLUTION NUMBER 5411

A RESOLUTION APPROVING FINANCING TERMS FOR CITY VEHICLES AND/OR EQUIPMENT THROUGH ROBERTSON BANKING

WHEREAS, The City of Vestavia Hills (“Governmental Entity”) has previously determined to undertake a project for the purchase of various vehicles & equipment (the “Project”) and the Officer of the Governmental Entity responsible for financial affairs of the Governmental Entity (the “Finance Officer”) has now presented a proposal for the financing of such Project.

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

1. The Governmental Entity hereby determines to finance the Project through Robertson Bank (“Robertson Bank”), in accordance with the proposals obtained by the Finance Officer as detailed in Exhibits A & B attached to and incorporated into this Resolution Number 5411 as though written fully therein; and
2. All financing contracts and all related documents for the closing of the financing (the “Financing Documents”) shall be consistent with the foregoing terms. All officers and employees of the Governmental Entity are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable to carry out the financing of the Project as contemplated by the proposal and this resolution. The Financing Documents shall include a Financing Agreement and a Project Fund Agreement as Regions may request.
3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer’s satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by Governmental Entity officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer’s release of any Financing Document for delivery constituting conclusive evidence of such officer’s final approval of the document’s final form.

4. The Governmental Entity shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations under the Financing Documents. The Governmental Entity hereby designates its obligations to make principal and interest payments under the Financing Documents as “qualified tax-exempt obligations” for the purpose of Internal Revenue Code Section 265(b)(3).
5. The Governmental Entity intends that the adoption of this resolution will be a declaration of the Governmental Entity’s official intent to reimburse expenditures for the Project that is to be financed from the proceeds of the Regions financing described above. The Governmental Entity intends that funds that have been advanced, or that may be advanced, from the Governmental Entity’s general fund, or any other Governmental Entity fund related to the Project, for Project costs may be reimbursed from the financing proceeds.
6. The officers of the Governmental Entity and any person or persons designated and authorized by any officer of the Governmental Entity to act in the name and on behalf of the Governmental Entity, or any one or more of them, are authorized to do and perform or cause to be done and performed in the name and on behalf of the Governmental Entity such other acts, to pay or cause to be paid on behalf of the Governmental Entity such related costs and expenses, and to execute and deliver or cause to be executed and delivered in the name and on behalf of the Governmental Entity such other notices, requests, demands, directions, consents, approvals, orders, applications, certificates, agreements, further assurances, or other instruments or communications, under the corporate seal of the Governmental Entity, or otherwise, as they or any of them may deem necessary, advisable, or appropriate in order to (a) complete the plan of financing contemplated by the Financing Documents, (b) carry into effect the intent of the provisions of this resolution and the Financing Documents, and (c) demonstrate the validity of the Financing Documents, the absence of any pending or threatened litigation with respect to the Financing Documents and the plan of financing contemplated by the Financing Documents, and the exemption of interest on the interest payment obligations under the Financing Documents from federal and State of Alabama income taxation.

7. All prior actions of Governmental Entity officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

ADOPTED and APPROVED this the 12th day of September, 2022.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

SEAL

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

September 9, 2022

By Electronic Mail

Finance Director Melvin Turner, III
Vestavia Hills Municipal Center
1032 Montgomery Highway
Vestavia Hills, Alabama 35216

In Re: Robertson Banking Company Financing Proposals

Dear Mr. Turner:

On September 7, 2022, you sent to me via electronic mail two (2) financing Proposals between Robertson Banking Company ("Lender") and the City of Vestavia Hills, Alabama ("Borrower") with a request that I review the documents and provide you with my written legal opinion. The purpose of this letter is to respond to your request.

I. FACTS

The City of Vestavia Hills, Alabama ("City") requested "Lease/Purchase Proposals" from seventeen (17) banks. The City desires a loan in the principal amount of \$147,000.00 for the purchase of various vehicles. The City wishes to borrow additional funds in the principal amount of \$1,800,003.00 for the purchase of various heavy vehicles and small equipment.

Eight (8) lending institutions submitted Proposals for both loans. The Proposals by Robertson Banking Company were determined by you to be the lowest and best Proposals.

II. PROPOSALS BY ROBERTSON BANKING COMPANY

<u>DESCRIPTION</u>	<u>LOAN NO. #1</u>	<u>LOAN NO. #2</u>
Principal	\$ 147,000.00	\$ 1,800,003.00
Interest Rate	2.51%	2.57%
Term	Three (3) years	Five (5) years
Payment	Twelve (12) Quarterly	Twenty (20) Quarterly
Equipment	Purchase of Various Vehicles	Purchase of Various Heavy Vehicles and Small Equipment

Robertson Banking Company (“Lender”) submitted to the City (“Borrower”) a recommended “Resolution Approving Financing Terms” for both financing Proposals. City Clerk Rebecca Leavings incorporated the two Proposals and resolutions into Resolution Number 5411 that will be considered by the City Council at its meeting on September 12, 2022.

Resolution Number 5411 represents that:

- A. The interest to be paid by the City is tax-exempt; and
- B. The Borrower hereby designates its obligations to make principal and interest payments under the Financing Documents as “qualified tax-exempt obligations” for the purpose of *Internal Revenue Code* Section 265(b)(3).

III. LEGAL OPINIONS

My legal opinions are based upon the following:

- A. Municipalities may borrow money (Title 11-47-2, *Code of Alabama, 1975*).
- B. Contracts for financing must be approved by resolution or ordinance enacted by the City Council (Title 11-40-1, *Code of Alabama, 1975*, and *Van Antwerp, et al v. Board of Commissioners of City of Mobile, et al*, 217 Ala. 201 (1928)).
- C. The Mayor (Title 11-43-83, *Code of Alabama, 1975*) and the City Manager (Title 11-43-21(7), *Code of Alabama, 1975*) must sign the closing documents.
- D. Municipalities in Alabama may enter into a Lease-Purchase Agreement for a term of ten (10) years (Title 41-16-57(f), *Code of Alabama, 1975*).
- E. The interest portion of the lease payments shall be excluded from gross income for federal income tax purposes (Section 103 of the *Internal Revenue Code* (26 USC §103(a) and (c))).
- F. The interest paid by the City on the two loans will be “qualified tax-exempt obligations” for the purpose of *Internal Revenue Code* Section 265(b)(3) provided the City does not issue obligations during the calendar year of 2022 that exceed \$10,000,000.00.

IV. MY RECOMMENDATIONS

- A. I recommend that the you check City records to make certain that the City will not have issued more than \$10,000,000.00 tax-exempt obligations in calendar year 2022 if it completes the two loans with Robertson Banking Company.

September 9, 2022

Page 3

B. If the total amount of issued obligations (including the \$1,800,003.00 and the \$147,000.00) is less than \$10,000,000.00, then in such event I recommend approval of Resolution Number 5411.

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

Sincerely,

A handwritten signature in blue ink that reads "Patrick H. Boone". The signature is cursive and includes a long horizontal flourish at the end.

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)
Umang Patel (by e-mail)
Assistant to City Manager Melissa Hipp (by e-mail)

CITY OF VESTAVIA HILLS
VEHICLES and EQUIPMENT
"LEASE/PURCHASE PROPOSALS"
FISCAL 2022-2023

Bank No.	Description	Loan Amount	Terms	Bancorp South Bank	Community Bank	PNC/BBVA Bank	Regions Bank	Robertson Bank Co.
	Vehicles	\$147,000	Rates - 3 yrs	4.09%	3.36%	3.10%	3.79%	2.51%
	Patrol Vehicles & Equipment	\$1,800,003	Rates - 5 yrs	4.28%	3.36%	3.24%	3.44%	2.57%
	Heavy Equipment	n/a	Rates - 7 yrs	n/a	n/a	n/a	n/a	n/a
	TOTAL LEASE/LOAN AMOUNT	\$1,947,003						
	Fees			none	none	\$3,000.00	\$1,000.00	\$300.00
	Combined Percentage Total			8.37%	6.72%	6.34%	7.23%	5.08%
	Rankings			8	4	3	5	1
Bank No.	Description	Loan Amount	Terms	Signature Public Funding	The Bancorp Bank	Truist Bank/BB&T		
	Vehicles	\$147,000	Rates - 3 yrs	3.93%	4.17%	3.09%		
	Heavy Vehicles & Equipment	\$1,800,003	Rates - 5 yrs	3.77%	4.17%	3.14%		
	Heavy Equipment	n/a	Rates - 7 yrs	n/a	n/a	n/a		
	TOTAL LEASE/LOAN AMOUNT	\$1,947,003						
	Fees			none	none	none		
	Combined Percentage Total			7.70%	8.34%	6.23%		
	Rankings			6	7	2		
Financial Institutions/Banks - Submitted Proposals				PROPOSALS				
Highlighted - Didn't Submit Proposals:				RATE RANKINGS				
Total Banks				Robertson Bank Co.		1		5.08%
				Truist Bank/BB&T		2		6.23%
				PNC/BBVA Bank		3		6.34%
				Community Bank		4		6.72%
				Regions Bank		5		7.23%
				Signature Public Funding		6		7.70%
				The Bancorp Bank		7		8.34%
				Bancorp South Bank		8		8.37%
				FISCAL YEAR 2022-2023				
				BUDGETED RATES				
				Rates - 3 yrs		3.00%		
				Rates - 5 yrs		3.50%		
				Rates - 7 yrs		n/a		
				Total		6.50%		
	17 Trustmark Bank							

ROBERTSON

BANKING COMPANY



September 6, 2022

Mr. Melvin Turner
 Director, Finance Department
 City of Vestavia Hills Alabama

Via: Email

Dear Mr. Turner:

Robertson Banking Company ("Lender") is pleased to offer this proposal for the financing requested by the City of Vestavia Hills, Alabama ("Borrower"). **Robertson Banking Company has not yet approved this loan; however, these are the terms that can reasonably be expected.**

Project:	Purchase of Various Heavy Vehicles and Small Equipment
Loan Amount:	\$1,800,003.00. The loan amount will be subject to the Bank's satisfactory review of collateral assigned to the Bank.
Term/Maturity:	Five (5) years
Interest rate:	Tax exempt rate of 2.57%
Repayment:	Twenty (20) quarterly payments of principal and interest based on a 60-month amortization.
Interest Rate Calculation:	30/360
Collateral:	First lien security interest in vehicles and equipment purchased with loan proceeds.
Prepayment Terms:	Loan may be repaid at any time without penalty.
Rate Expiration:	9/30/2022
Documentation/ Legal Review Fee:	\$150.00

- Funding: Proceeds will be deposited into an account held with Lender pending disbursement unless equipment is delivered prior to closing.
- Documentation: Lender proposes to use its standard form financing contracts and related documents for this installment financing. We shall provide a sample of those documents to you should Lender be the successful proposer.
- Reporting Requirements: Lender will require financial statements to be delivered within 270 days after the conclusion of each fiscal year end throughout the term of the financing.
- Closing costs: Borrower agrees to pay all costs related to the documentation, preparation and closing of subject loan.

Should we become the successful proposer, we have attached the form of a resolution that your governing board can use to award the financing to Lender. If your board adopts this resolution, then Lender shall not require any further board action prior to closing the transaction.

Lender shall have the right to cancel this proposal by notifying the Borrower of its election to do so (whether this proposal has previously been accepted by Borrower) if at any time prior to closing there is a material adverse change in Borrower's financial condition, if we discover adverse circumstances of which we are currently unaware, if we are unable to agree on acceptable documentation with the Borrower or if there is a change in law (or proposed change in law) that changes the economic effect of this financing to Lender.

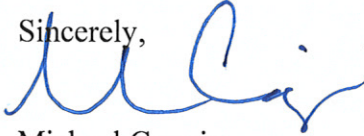
The stated interest rate assumes the Borrower expects to borrow less than \$10,000,000 in the current calendar year and that the financing will be bank qualified and tax exempt under the Internal Revenue Code. Lender reserves the right to terminate this bid or to negotiate a mutually acceptable interest rate if the financing is not bank qualified and tax exempt.

All terms and conditions summarized above are given without limitation and other material terms may be added at the Lender's sole discretion, subject to acceptance by the Borrower. The terms and conditions above may be partial and are not intended to be exhaustive. Whether or not the loan is closed, all expenses incurred by the Lender will be paid by the borrower.

While this is not a commitment to finance this project, the terms above are what the borrower can reasonably expect the bank to offer.

Thank you so much for the opportunity you have given us at Robertson Banking Company to make this proposal. If I can answer any questions for you or provide you with further information, please feel free to call me at (205) 582-1461.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Michael Coggin', with a stylized flourish at the end.

Michael Coggin

SVP

Robertson Banking Company

Resolution Approving Financing Terms

WHEREAS: The City of Vestavia Hills, Alabama (the "Borrower") has previously determined to undertake a project for the financing of various vehicles (the "Project"), and the finance director ("Finance Director") has now presented a proposal for the financing of such Project.

BE IT THEREFORE RESOLVED, as follows:

1. The Borrower hereby determines to finance the Project through Robertson Banking Company ("Lender") in accordance with the proposal dated September 6, 2022. The amount financed shall not exceed \$1,800,003, the annual interest rate (in the absence of default of change in tax status) shall not exceed 2.57%, and the financing term shall not exceed five (5) years from closing.
2. All financing contracts and related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the Borrower are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution.
3. The Finance Director is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Director is authorized to approve changes to any Financing Documents previously signed by Borrower officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Director shall approve, with the Finance Director's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Financing Document's final form.
4. The Borrower shall not take or omit to take any action the taking of omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The Borrower hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3).

5. The Borrower intends that the adoption of this resolution will be a declaration of the Borrower's official intent to reimburse expenditures for the Project that are to be financed from the proceeds of the Lender financing described above. The Borrower intends that funds that have been advanced, or that may be advanced, from the Borrower's general fund or any other Borrower fund related to the Project, for project costs may be reimbursed from the financing proceeds.

6. All prior actions of Borrower officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Approved this _____ day of _____, 2022.

By: _____

By: _____

Title: _____

Title: _____

SEAL

Date: 9/2/2022

Rate: 2.57% Payment: \$96,194.89 Term: 60 APR: 2.570001%

Interest: \$123,894.80 Credit Life: \$0.00 A/H: \$0.00

Original Balance: \$1,800,003.00

Amortization Schedule

Date	Number	MOB	Interest	Principal	Payment	Balance
12/15/2022	1	\$0.00	\$11,565.02	\$84,629.87	\$96,194.89	\$1,715,373.13
Year 2022		\$0.00	\$11,565.02	\$84,629.87	\$96,194.89	
03/15/2023	2	\$0.00	\$11,021.27	\$85,173.62	\$96,194.89	\$1,630,199.51
06/15/2023	3	\$0.00	\$10,474.03	\$85,720.86	\$96,194.89	\$1,544,478.65
09/15/2023	4	\$0.00	\$9,923.28	\$86,271.61	\$96,194.89	\$1,458,207.04
12/15/2023	5	\$0.00	\$9,368.98	\$86,825.91	\$96,194.89	\$1,371,381.13
Year 2023		\$0.00	\$40,787.56	\$343,992.00	\$384,779.56	
03/15/2024	6	\$0.00	\$8,811.12	\$87,383.77	\$96,194.89	\$1,283,997.36
06/15/2024	7	\$0.00	\$8,249.68	\$87,945.21	\$96,194.89	\$1,196,052.15
09/15/2024	8	\$0.00	\$7,684.64	\$88,510.25	\$96,194.89	\$1,107,541.90
12/15/2024	9	\$0.00	\$7,115.96	\$89,078.93	\$96,194.89	\$1,018,462.97
Year 2024		\$0.00	\$31,861.40	\$352,918.16	\$384,779.56	
03/15/2025	10	\$0.00	\$6,543.62	\$89,651.27	\$96,194.89	\$928,811.70
06/15/2025	11	\$0.00	\$5,967.62	\$90,227.27	\$96,194.89	\$838,584.43
09/15/2025	12	\$0.00	\$5,387.90	\$90,806.99	\$96,194.89	\$747,777.44
12/15/2025	13	\$0.00	\$4,804.47	\$91,390.42	\$96,194.89	\$656,387.02
Year 2025		\$0.00	\$22,703.61	\$362,075.95	\$384,779.56	
03/15/2026	14	\$0.00	\$4,217.29	\$91,977.60	\$96,194.89	\$564,409.42
06/15/2026	15	\$0.00	\$3,626.33	\$92,568.56	\$96,194.89	\$471,840.86
09/15/2026	16	\$0.00	\$3,031.58	\$93,163.31	\$96,194.89	\$378,677.55
12/15/2026	17	\$0.00	\$2,433.00	\$93,761.89	\$96,194.89	\$284,915.66

Date	Number	MOB	Interest	Principal	Payment	Balance
Year 2026						
		\$0.00	\$13,308.20	\$371,471.36	\$384,779.56	
03/15/2027	18	\$0.00	\$1,830.58	\$94,364.31	\$96,194.89	\$190,551.35
06/15/2027	19	\$0.00	\$1,224.29	\$94,970.60	\$96,194.89	\$95,580.75
09/15/2027	20	\$0.00	\$614.11	\$95,580.75	\$96,194.86	\$0.00
Year 2027		\$0.00	\$3,668.98	\$284,915.66	\$288,584.64	
Grand Total		\$0.00	\$123,894.77	\$1,800,003.00	\$1,923,897.77	

ROBERTSON

BANKING COMPANY



September 6, 2022

Mr. Melvin Turner
 Director, Finance Department
 City of Vestavia Hills Alabama

Via: Email

Dear Mr. Turner:

Robertson Banking Company (“Lender”) is pleased to offer this proposal for the financing requested by the City of Vestavia Hills, Alabama (“Borrower”). **Robertson Banking Company has not yet approved this loan; however, these are the terms that can reasonably be expected.**

Project:	Purchase of Various Vehicles
Loan Amount:	\$147,000.00. The loan amount will be subject to the Bank’s satisfactory review of collateral assigned to the Bank.
Term/Maturity:	Three (3) years
Interest rate:	Tax exempt rate of 2.51%
Repayment:	Twelve (12) quarterly payments of principal and interest based on a 36-month amortization.
Interest Rate Calculation:	30/360
Collateral:	First lien security interest in vehicles purchased with loan proceeds.
Prepayment Terms:	Loan may be repaid at any time without penalty.
Rate Expiration:	9/30/2022
Documentation/ Legal Review Fee:	\$150.00

- Funding: Proceeds will be deposited into an account held with Lender pending disbursement unless equipment is delivered prior to closing.
- Documentation: Lender proposes to use its standard form financing contracts and related documents for this installment financing. We shall provide a sample of those documents to you should Lender be the successful proposer.
- Reporting Requirements: Lender will require financial statements to be delivered within 270 days after the conclusion of each fiscal year end throughout the term of the financing.
- Closing costs: Borrower agrees to pay all costs related to the documentation, preparation and closing of subject loan.

Should we become the successful proposer, we have attached the form of a resolution that your governing board can use to award the financing to Lender. If your board adopts this resolution, then Lender shall not require any further board action prior to closing the transaction.

Lender shall have the right to cancel this proposal by notifying the Borrower of its election to do so (whether this proposal has previously been accepted by Borrower) if at any time prior to closing there is a material adverse change in Borrower's financial condition, if we discover adverse circumstances of which we are currently unaware, if we are unable to agree on acceptable documentation with the Borrower or if there is a change in law (or proposed change in law) that changes the economic effect of this financing to Lender.

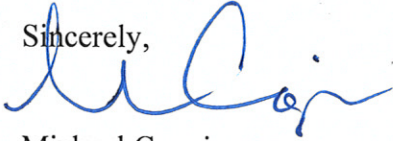
The stated interest rate assumes the Borrower expects to borrow less than \$10,000,000 in the current calendar year and that the financing will be bank qualified and tax exempt under the Internal Revenue Code. Lender reserves the right to terminate this bid or to negotiate a mutually acceptable interest rate if the financing is not bank qualified and tax exempt.

All terms and conditions summarized above are given without limitation and other material terms may be added at the Lender's sole discretion, subject to acceptance by the Borrower. The terms and conditions above may be partial and are not intended to be exhaustive. Whether or not the loan is closed, all expenses incurred by the Lender will be paid by the borrower.

While this is not a commitment to finance this project, the terms above are what the borrower can reasonably expect the bank to offer.

Thank you so much for the opportunity you have given us at Robertson Banking Company to make this proposal. If I can answer any questions for you or provide you with further information, please feel free to call me at (205) 582-1461.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael Coggin". The signature is fluid and cursive, with a large initial "M" and a distinct "C" at the end.

Michael Coggin

SVP

Robertson Banking Company

Resolution Approving Financing Terms

WHEREAS: The City of Vestavia Hills, Alabama (the "Borrower") has previously determined to undertake a project for the financing of various vehicles (the "Project"), and the finance director ("Finance Director") has now presented a proposal for the financing of such Project.

BE IT THEREFORE RESOLVED, as follows:

1. The Borrower hereby determines to finance the Project through Robertson Banking Company ("Lender") in accordance with the proposal dated September 6, 2022. The amount financed shall not exceed \$147,000, the annual interest rate (in the absence of default of change in tax status) shall not exceed 2.51%, and the financing term shall not exceed three (3) years from closing.
2. All financing contracts and related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the Borrower are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution.
3. The Finance Director is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Director is authorized to approve changes to any Financing Documents previously signed by Borrower officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Director shall approve, with the Finance Director's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Financing Document's final form.
4. The Borrower shall not take or omit to take any action the taking of omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The Borrower hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3).

5. The Borrower intends that the adoption of this resolution will be a declaration of the Borrower's official intent to reimburse expenditures for the Project that are to be financed from the proceeds of the Lender financing described above. The Borrower intends that funds that have been advanced, or that may be advanced, from the Borrower's general fund or any other Borrower fund related to the Project, for project costs may be reimbursed from the financing proceeds.

6. All prior actions of Borrower officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Approved this _____ day of _____, 2022.

By: _____

By: _____

Title: _____

Title: _____

SEAL

Date: 9/2/2022

Rate: 2.51% Payment: \$12,755.38 Term: 36 APR: 2.510018%
 Interest: \$6,064.56 Credit Life: \$0.00 A/H: \$0.00 Original Balance: \$147,000.00

Amortization Schedule

Date	Number	MOB	Interest	Principal	Payment	Balance
12/15/2022	1		\$922.43	\$11,832.95	\$12,755.38	\$135,167.05
Year 2022			\$922.43	\$11,832.95	\$12,755.38	
03/15/2023	2		\$848.17	\$11,907.21	\$12,755.38	\$123,259.84
06/15/2023	3		\$773.46	\$11,981.92	\$12,755.38	\$111,277.92
09/15/2023	4		\$698.27	\$12,057.11	\$12,755.38	\$99,220.81
12/15/2023	5		\$622.61	\$12,132.77	\$12,755.38	\$87,088.04
Year 2023			\$2,942.51	\$48,079.01	\$51,021.52	
03/15/2024	6		\$546.48	\$12,208.90	\$12,755.38	\$74,879.14
06/15/2024	7		\$469.87	\$12,285.51	\$12,755.38	\$62,593.63
09/15/2024	8		\$392.78	\$12,362.60	\$12,755.38	\$50,231.03
12/15/2024	9		\$315.20	\$12,440.18	\$12,755.38	\$37,790.85
Year 2024			\$0.00	\$1,724.33	\$49,297.19	\$51,021.52
03/15/2025	10		\$237.14	\$12,518.24	\$12,755.38	\$25,272.61
06/15/2025	11		\$158.59	\$12,596.79	\$12,755.38	\$12,675.82
09/15/2025	12		\$79.54	\$12,675.82	\$12,755.36	\$0.00
Year 2025			\$0.00	\$475.27	\$37,790.85	\$38,266.12
Grand Total			\$0.00	\$6,064.54	\$147,000.00	\$153,064.54

RESOLUTION NUMBER 5406

**A RESOLUTION DEDICATING THE EXISTING VESTLAKE ROADS
(DEFINED HEREIN) TO THE CITY OF VESTAVIA HILLS, ALABAMA**

WHEREAS, on April 15, 1985, the City Council of the City of Vestavia Hills, Alabama (the “City”) approved and adopted Ordinance Number 751, which in substance, and in very general terms, provides that an acceptance of a dedication can only be accomplished by the approval by the City Council of a formal resolution adopted at a regularly scheduled meeting or a special meeting called for that specific purpose and that the developer who offers dedication of land for public streets and roads must execute and deliver an agreement guarantying that all improvements for construction of public streets and roads will meet city requirements; and

WHEREAS, Ordinance Number 751 provides, among other things as follows:

“The City shall not accept the dedication until such time as every lot in the subdivision as shown on the plat has been developed with the construction of a home or other building;” and

WHEREAS, Vestlake Communities Properties Owners’ Association, Inc., an Alabama nonprofit corporation (the “Association”) is the owner of the roads listed on Exhibit “A” attached hereto and depicted on Exhibit “B” attached hereto (collectively, the “Existing Vestlake Roads”) located within the municipal city limits of the City; and

WHEREAS, the Association has established a reserve fund for the repair and maintenance of the Existing Vestlake Roads, the balance of which, as of December 31, 2021, was \$2,660,899.00 (the “Road Reserve Funds”); and

WHEREAS, the Association has offered to the City dedication of the Existing Vestlake Roads (including all improvements within the right-of-way of the Existing Vestlake Roads other than pedestrian ways (sidewalks/multi-use trails)) as a public road in its current condition, AS IS WHERE IS, in order that (i) the City, through its Public Service department, will be responsible for the maintenance and repair of the Existing Vestlake Roads in perpetuity; (ii) the Existing Vestlake Roads will become subject to the jurisdiction of the Vestavia Hills Police Department; and (iii) the Existing Vestlake Roads will become exempt from all ad valorem taxes as the same will be owned in fee simple by the City upon completion of the dedication process; and

WHEREAS, as a condition to accepting the Existing Vestlake Roads as public roads in their current condition, AS IS WHERE IS, the City requires that the Road Reserve Funds in the amount of \$2,660,899.00 be transferred to the City in order to offset the City's cost in performing any and all work that may be required to bring the Existing Vestlake Roads into compliance with the City's specifications for public roads and the City's cost of maintaining and repairing the Existing Vestlake Roads in perpetuity;

WHEREAS, subject to the transfer of the Road Reserve Funds to the City, the City has agreed to accept dedication of the Existing Vestlake Roads subject to the terms, provisions and conditions of that certain the Existing Vestlake Roads Maintenance Agreement (the "Maintenance Agreement") attached hereto as Exhibit "C" between the City and the Association which sets forth, among other things, (i) the City's responsibilities for maintaining and repairing the rights-of way of the Existing Vestlake Roads and certain improvements located within such rights-of-way; and (ii) the Association's responsibilities for maintaining and repairing certain other improvements located within such rights-of-way, all as is more particularly set forth in the Maintenance Agreement; said Maintenance Agreement is incorporated into this Resolution Number 5406 by reference as though set out fully herein; and

WHEREAS, the City finds and determines that the acceptance of the offer of dedication of the Existing Vestlake Roads by the Association, subject to the terms, provisions and conditions of the Maintenance Agreement, will provide for the safety, preserve the health, promote the prosperity and improve the morals, order, comfort and convenience of the inhabitants of the City of Vestavia Hills, Alabama.

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

1. The Existing Vestlake Roads are hereby dedicated; and
2. Said dedication is subject to the terms, provisions and conditions of the Maintenance Agreements; and
3. This Resolution shall become effective immediately upon adoption and approval.

ADOPTED and APPROVED this the 26th day of September, 2022.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

EXHIBIT A

EXISTING VESTLAKE ROADS

1. Lake Run Drive	36. Galen Court
2. Lake Run Circle	37. Galen Cove
3. Vestview Drive	38. Galen Way
4. Vestview Circle	39. Paxton Place
5. Vestview Lane	40. Paxton Way
6. Park Crest Road	41. Paxton Park
7. Park Crest Circle	42. Lambert Terrace
8. Park Hill Drive	43. Lambert Cove
9. Park Hill Circle	44. Lambert Trail
10. Park Ridge Circle	45. Boulder Lake Circle
11. Park View Circle	46. Boulder Lake Drive
12. Park Lake Circle	47. Boulder Lake Way
13. Lake Vista Circle	48. Boulder Lake Lane
14. Vestlake Hollow Circle	49. Boulder Lake Court
15. Lake Colony	50. Marden Drive
16. Lake Colony Drive	51. Marden Way
17. Lake Colony Trail	52. Ternview Road
18. Lake Colony Circle	53. Hamlin Place
19. Lake Colony Pointe	54. Hampden Place Court
20. Lake Colony Lane	55. Hampden Place Circle
21. Lake Colony Run	56. Vestlake Cove Drive
22. Lake Colony Way	57. Landon Cove
23. Alston Park Drive	58. Landon Court
24. Alston Way	59. Vestlake Ridge Drive
25. Alston Lane	60. Vestlake Ridge Way
26. Alston Trail	61. Vestlake Ridge Alley
27. Alston Place	62. Liberty Park Lane
28. Alston Court	63. Heritage Hills Way
29. Reynolds Lane	64. Provence Drive
30. Reynolds Way	65. Provence Circle
31. Reynolds Place	66. Jackson Loop
32. Reynolds Circle	67. Reflection Cove
33. Reynolds Crest	68. Reflection Drive
34. Reynolds Cove	69. Reflection Alley
35. Reynolds Trail	70. Stonecrest Court
	71. Stonecrest Alley
	72. Enclave Court

EXHIBIT B

DEPICTION OF EXISTING VESTLAKE ROADS

[See attached]

EXHIBIT “C”

Existing Vestlake Roads Maintenance Agreement

Notwithstanding any provision in the Resolution to which this Exhibit “C” is attached to the contrary, the City has agreed to accept dedication of the Existing Vestlake Roads and the maintenance and repair of only those improvements set forth in Section I below which are located within the rights-of-way of the Existing Vestlake Roads. The Association shall remain solely responsible for those improvements located within the rights-of-way of the Existing Vestlake Roads that are set forth in Section II below. *Capitalized terms used in this Exhibit “C” without definition shall have the meanings set forth in the Resolution to which this Exhibit “C” is attached.*

I. City’s Responsibilities and Agreements:

1. Maintenance and Repair. The City, through its Public Services/Public Works Department, shall be responsible for maintaining and repairing the rights-of-way of the Existing Vestlake Roads and the following improvements located within such rights-of-way:

- a. Roads: Roadway surfaces and roadbed repairs, including the repair of all potholes and periodic resurfacing/paving (note: the City’s road paving needs are evaluated annually);
- b. Curb and Gutter: Curb and gutter; drainage inlet tops, grates, and covers; manhole and other utility covers;
- c. Traffic Control: Striping, markings, signals, traffic control signage, and associated items serving side road connections; and
- d. Drainage: All drainage systems, including but not limited to drainage inlets, catch basins, manholes, storm drain pipe and drainage swales.

The timing of such maintenance and repair shall be at the direction and discretion of the City Manager/City Engineer. The Association and residents of Vestlake Village are directed to the City’s website (www.vhal.org/departments/public-services/public-works.org) for information regarding City owned roads.

2. Utilities. The City will review applications for permits and, if approved, will direct and inspect all utilities to be placed, repaired, or otherwise altered within the rights-of-way of the Existing Vestlake Roads in accordance with City requirements and regulations.

3. Roadside Hazard Determination. The City has review and permitting authority for any encroachments of the Existing Vestlake Roads that could be considered a safety hazard per ALDOT specifications (for example, illegal signs, fences, retaining walls, headwalls, non-breakaway mailboxes, etc.). The City recognizes its review and approval of such hazardous conditions will be in coordination with the Liberty Park Architectural Review Committee or other Association design review approvals.

4. Access Permits: The City shall have review and permitting authority for any requests for side road or driveway access to the Existing Vestlake Roads. This will be reviewed and permitted per City Engineering standards. The City recognizes its review and approval of such access will be in coordination with the Liberty Park Architectural Review Committee or other Association design review approvals.

5. Other:

- a. The City has the authority to perform services within the rights-of-way of the Existing Vestlake Roads which are not expressly named in this Exhibit "C" that are considered to be in the best interest of public safety (including, but not limited to, application of sand during an ice or snow event).
- b. No denied access to the public rights-of-way of the Existing Vestlake Roads will be allowed.

II. The Associations' Responsibilities and Agreements:

1. Maintenance and Repair. The Association shall be responsible for maintaining and repairing the following improvements located within the rights-of-way of the Existing Vestlake Roads:

- a. Vegetation: all vegetation, landscaping, lighting, and irrigation along the rights-of-way, including roadside, medians, and roundabout areas;
- b. Pedestrian Ways: all sidewalks/multi-use trails;
- c. Guardrails;
- d. Street and directional signage, subject, however, to the City's review and approval for any potential road side hazard considerations; and
- e. Dam and Lake Embankments: all dam and lake embankment maintenance, including periodic inspections and routine maintenance on outlet controls, erosion stabilization, and vegetation management. This shall include management of water levels to minimize impact to the roadway.

2. Other:

a. The City hereby grants the Association and its contractors, subcontractors, and agents, a license to enter upon the right-of-way of the Existing Vestlake Roads in order to perform the work specified in Section 1 above.

b. The Association shall notify the City of any proposed work within the rights-of-way of the Existing Vestlake Roads. All work shall be reviewed and inspected by the City Engineer and his/her staff and determined to meet City specifications as determined by the City Engineer.

c. The Association shall perform all Association responsibilities set forth in this Exhibit "C." Should the Association fail to perform these responsibilities within 30 days of the City's written demand, the City is authorized to perform the work that must be done in the interest of public safety and/or improving any situation that without attention would adversely impact the roadway. The City may bill the Association for the actual costs incurred by the City for labor, equipment, and materials for the said work.

[Remainder of Page Intentionally Deleted]

d.

Agreed to and accepted this ___ day of September, 2022

VESTLAKE COMMUNITIES PROPERTY OWNERS' ASSOCIATION, INC.,
an Alabama non-profit corporation

By: _____
Name: _____
Title: _____

THE CITY OF VESTAVIA HILLS,
an Alabama municipal corporation

By: _____
Ashley Curry
Its: Mayor

By: _____
Jeffrey Downes

RESOLUTION NUMBER 5407

**A RESOLUTION DEDICATING CORPORATE WOODS DRIVE (DEFINED
HEREIN) TO THE CITY OF VESTAVIA HILLS, ALABAMA**

WHEREAS, on April 15, 1985, the City Council of the City of Vestavia Hills, Alabama (the “City”) approved and adopted Ordinance Number 751, which in substance, and in very general terms, provides that an acceptance of a dedication can only be accomplished by the approval by the City Council of a formal resolution adopted at a regularly scheduled meeting or a special meeting called for that specific purpose and that the developer who offers dedication of land for public streets and roads must execute and deliver an agreement guarantying that all improvements for construction of public streets and roads will meet city requirements; and

WHEREAS, Ordinance Number 751 provides, among other things as follows:

“The City shall not accept the dedication until such time as every lot in the subdivision as shown on the plat has been developed with the construction of a home or other building;” and

WHEREAS, Liberty Park Commercial Development Area Owners’ Association, Inc., an Alabama nonprofit corporation (the “Association”) is the owner of the road listed on Exhibit “A” attached hereto and depicted on Exhibit “B” attached hereto (“Corporate Woods Drive”) located within the municipal city limits of the City; and

WHEREAS, the Association has established a reserve fund for the repair and maintenance of Corporate Woods Drive, the balance of which, as of December 31, 2021, was \$10,616.00 (the “Road Reserve Funds”); and

WHEREAS, the Association has offered to the City dedication of Corporate Woods Drive (including all improvements within the right-of-way of Corporate Woods Drive other than pedestrian ways (sidewalks/multi-use trails)) as a public road in its current condition, AS IS WHERE IS, in order that (i) the City, through its Public Service department, will be responsible for the maintenance and repair of Corporate Woods Drive in perpetuity; (ii) Corporate Woods Drive will become subject to the jurisdiction of the Vestavia Hills Police Department; and (iii) Corporate Woods Drive will become exempt from all ad valorem taxes as the same will be owned in fee simple by the City upon completion of the dedication process; and

WHEREAS, as a condition to accepting Corporate Woods Drive as a public road in its current condition, AS IS WHERE IS, the City requires that the Road Reserve Funds in the amount of \$10,616.00 be transferred to the City in order to offset the City's cost in performing any and all work that may be required to bring Corporate Woods Drive into compliance with the City's specifications for public roads and the City's cost of maintaining and repairing Corporate Woods Drive in perpetuity;

WHEREAS, subject to the transfer of the Road Reserve Funds to the City, the City has agreed to accept dedication of Corporate Woods Drive subject to the terms, provisions and conditions of that certain Corporate Woods Drive Maintenance Agreement (the "Maintenance Agreement") attached hereto as Exhibit "C" between the City and the Association which sets forth, among other things, (i) the City's responsibilities for maintaining and repairing the rights-of way of Corporate Woods Drive and certain improvements located within such right-of-way; and (ii) the Association's responsibilities for maintaining and repairing certain other improvements located within such right-of-way, all as is more particularly set forth in the Maintenance Agreement; said Maintenance Agreement is incorporated into this Resolution Number 5407 by reference as though set out fully herein; and

WHEREAS, the City finds and determines that the acceptance of the offer of dedication of Corporate Woods Drive by the Association, subject to the terms, provisions and conditions of the Maintenance Agreement, will provide for the safety, preserve the health, promote the prosperity and improve the morals, order, comfort and convenience of the inhabitants of the City of Vestavia Hills, Alabama.

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

1. Corporate Woods Drive is hereby dedicated; and
2. Said dedication is subject to the terms, provisions and conditions of the Maintenance Agreements; and
3. This Resolution shall become effective immediately upon adoption and approval.

ADOPTED and APPROVED this the 26th day of September, 2022.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

EXHIBIT A

CORPORATE WOODS DRIVE

That road identified as Corporate Woods Drive on the following surveys: (i) Corporate Woods Addition to Liberty Park Resurvey No. 2, as recorded in Map Book 204, page 87 in the Office of the Judge of Probate of Jefferson County, Alabama and (ii) Corporate Woods Addition to Liberty Park Resurvey No. 3, as recorded in Map Book 206, page 51 in the Office of the Judge of Probate of Jefferson County, Alabama.

EXHIBIT B

DEPICTION OF CORPORATE WOODS DRIVE

[See attached]

CORPORATE WOODS ADDITION TO LIBERTY PARK

RESURVEY NO. 2

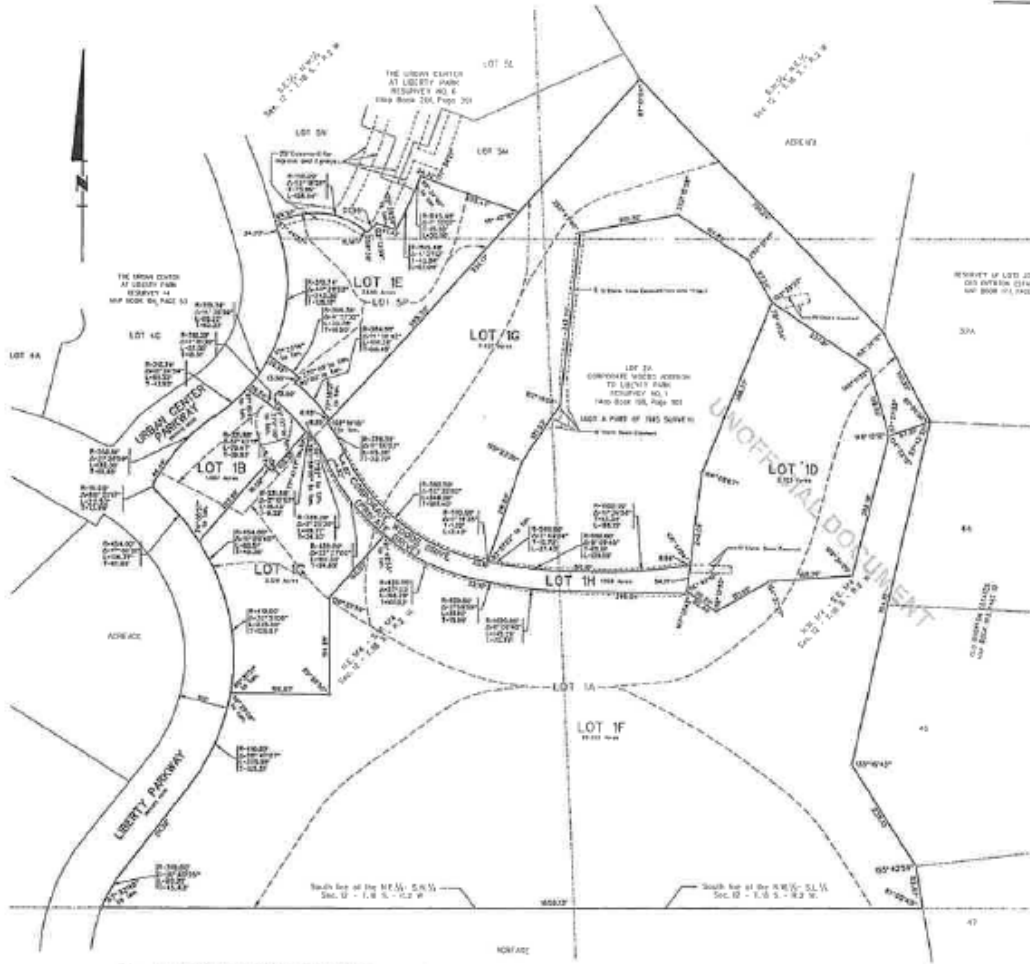
BEING A RESURVEY OF LOT 1A, CORPORATE WOODS ADDITION TO LIBERTY PARK, RESURVEY NO. 1
 (AS RECORDED IN MAP BOOK 20, PAGE 30)
 AND LOT 29, THE URBAN CENTER AT LIBERTY PARK, RESURVEY NO. 4
 (AS RECORDED IN MAP BOOK 20, PAGE 30)
 SITUATED IN THE SE1/4 OF THE NW1/4, TOWNSHIP 20S, RANGE 1 WEST, JEFFERSON COUNTY, ALABAMA
 SCALE: 1"=66'

AUGUST, 2001

WALTER SCHOEL ENGINEERING COMPANY, INC.

1100 SOUTH STATE STREET
JEFFERSONVILLE, ALABAMA 36262
205-836-5000

GRAPHIC SCALE



STATE OF ALABAMA
 COUNTY OF JEFFERSON

I, Walter Schoel, being duly sworn, depose and say that the within and foregoing is a true and correct map of CORPORATE WOODS ADDITION TO LIBERTY PARK, RESURVEY NO. 2, prepared in and to the order of the Board of Directors of Liberty Park, Inc., a corporation organized under the laws of the State of Alabama, and that the same has been read and approved by me.

WITNESSED MY HAND AND SEAL OF OFFICE this 17th day of August, 2001.

WALTER SCHOEL, ENGINEER IN CHARGE, INC.

LIBERTY PARK HOMEOWNERS, LLP
 1100 SOUTH STATE STREET
 JEFFERSONVILLE, ALABAMA 36262
 ATTEST: Walter Schoel, Secretary

LIBERTY NATIONAL LIFE INSURANCE COMPANY
 1100 SOUTH STATE STREET
 JEFFERSONVILLE, ALABAMA 36262
 ATTEST: Walter Schoel, Secretary

STATE OF ALABAMA
 COUNTY OF JEFFERSON

I, Dennis D. Simpson, being duly sworn, depose and say that I am a duly qualified and licensed Surveyor in the State of Alabama, and that I am a member in good standing of the Alabama Surveyors Association, and that I have personally surveyed the above and foregoing map, and that the same is a true and correct map of CORPORATE WOODS ADDITION TO LIBERTY PARK, RESURVEY NO. 2, prepared in and to the order of the Board of Directors of Liberty Park, Inc., a corporation organized under the laws of the State of Alabama, and that the same has been read and approved by me.

WITNESSED MY HAND AND SEAL OF OFFICE this 17th day of October, 2001.

Dennis D. Simpson
 Surveyor

STATE OF ALABAMA
 COUNTY OF JEFFERSON

I, Angela S. Clayborne, being duly sworn, depose and say that I am a duly qualified and licensed Surveyor in the State of Alabama, and that I am a member in good standing of the Alabama Surveyors Association, and that I have personally surveyed the above and foregoing map, and that the same is a true and correct map of CORPORATE WOODS ADDITION TO LIBERTY PARK, RESURVEY NO. 2, prepared in and to the order of the Board of Directors of Liberty Park, Inc., a corporation organized under the laws of the State of Alabama, and that the same has been read and approved by me.

WITNESSED MY HAND AND SEAL OF OFFICE this 17th day of October, 2001.

Angela S. Clayborne
 Surveyor

NOTES: 1.1 Liberty Park, Inc. is a private development and subdivision. All easements and interests are owned by the developer or its assignees. All easements may only be exercised in whole and their termination is subject to private agreement.

2.1 The shown street and utility easements shown on this map are intended for the future construction of these streets and utilities and the location of these utilities are indicated on the appropriate plan or plat and will be the responsibility of the easements shown thereon.



APPROVED: Walter Schoel DATE: 10/20/01
 Surveyor

APPROVED: John R. Smith DATE: 10/20/01
 City Engineer

APPROVED: Walter Schoel DATE: 10/20/01
 Secretary

CORPORATE WOODS ADDITION TO LIBERTY PARK

RESURVEY NO. 3

BEING A RESURVEY OF LOT IF, CORPORATE WOODS ADDITION TO LIBERTY PARK RESURVEY NO. 2 (AS RECORDED IN MAP BOOK 204, PAGE 87) SITUATED IN THE NE1/4 OF THE SW1/4 AND THE NW1/4 OF THE SE1/4 OF SECTION 12, TOWNSHIP 18 SOUTH, RANGE 2 WEST JEFFERSON COUNTY, ALABAMA. SCALE 1" = 400'

WALTER SCHOEL ENGINEERING COMPANY, INC.

2800 SOUTH JEFFERSON ALABAMA 36006

DRAWN BY

CHECKED BY

GRAPHIC SCALE



STATE OF ALABAMA

JEFFERSON COUNTY

We, the undersigned, Joseph F. Bralower, Jr., a licensed land surveyor, Liberty Park, Joint Venture, LP, in witness hereof, certify that the foregoing is a true and correct map of CORPORATE WOODS ADDITION TO LIBERTY PARK, RESURVEY NO. 3, showing the number of acres and areas, and showing the location of the land to Corporate Woods Addition to Liberty Park Resurvey No. 2, as recorded in Map Book 204, Page 87, and the location of the corners of the lots of land as shown by the Surveyor in the field with an iron pin and cap or other appropriate means and are delineated on the map in conformity with the requirements of the Uniform National Standards for the Practice of Land Surveying in the State of Alabama.

IN WITNESS WHEREOF, we have hereunto set our hands this 18th day of APRIL, 2002.



WALTER SCHOEL ENGINEERING COMPANY, INC.

In witness hereof, I, Walter Schoel, Engineer No. 19817, State of Alabama, do hereby certify that the foregoing is a true and correct map of CORPORATE WOODS ADDITION TO LIBERTY PARK, RESURVEY NO. 3, showing the number of acres and areas, and showing the location of the land to Corporate Woods Addition to Liberty Park Resurvey No. 2, as recorded in Map Book 204, Page 87, and the location of the corners of the lots of land as shown by the Surveyor in the field with an iron pin and cap or other appropriate means and are delineated on the map in conformity with the requirements of the Uniform National Standards for the Practice of Land Surveying in the State of Alabama.

LIBERTY PARK JOINT VENTURE, LP
In witness hereof, I, Walter Schoel, Engineer No. 19817, State of Alabama, do hereby certify that the foregoing is a true and correct map of CORPORATE WOODS ADDITION TO LIBERTY PARK, RESURVEY NO. 3, showing the number of acres and areas, and showing the location of the land to Corporate Woods Addition to Liberty Park Resurvey No. 2, as recorded in Map Book 204, Page 87, and the location of the corners of the lots of land as shown by the Surveyor in the field with an iron pin and cap or other appropriate means and are delineated on the map in conformity with the requirements of the Uniform National Standards for the Practice of Land Surveying in the State of Alabama.

STATE OF ALABAMA

JEFFERSON COUNTY

I, Dennis D. Hanson, do hereby certify that Joseph F. Bralower, Jr., a licensed land surveyor, Liberty Park, Joint Venture, LP, in witness hereof, certify that the foregoing is a true and correct map of CORPORATE WOODS ADDITION TO LIBERTY PARK, RESURVEY NO. 3, showing the number of acres and areas, and showing the location of the land to Corporate Woods Addition to Liberty Park Resurvey No. 2, as recorded in Map Book 204, Page 87, and the location of the corners of the lots of land as shown by the Surveyor in the field with an iron pin and cap or other appropriate means and are delineated on the map in conformity with the requirements of the Uniform National Standards for the Practice of Land Surveying in the State of Alabama.

Given under my hand and seal this 18th day of APRIL, 2002.

STATE OF ALABAMA

JEFFERSON COUNTY

I, Dennis D. Hanson, do hereby certify that Joseph F. Bralower, Jr., a licensed land surveyor, Liberty Park, Joint Venture, LP, in witness hereof, certify that the foregoing is a true and correct map of CORPORATE WOODS ADDITION TO LIBERTY PARK, RESURVEY NO. 3, showing the number of acres and areas, and showing the location of the land to Corporate Woods Addition to Liberty Park Resurvey No. 2, as recorded in Map Book 204, Page 87, and the location of the corners of the lots of land as shown by the Surveyor in the field with an iron pin and cap or other appropriate means and are delineated on the map in conformity with the requirements of the Uniform National Standards for the Practice of Land Surveying in the State of Alabama.

Given under my hand and seal this 18th day of APRIL, 2002.

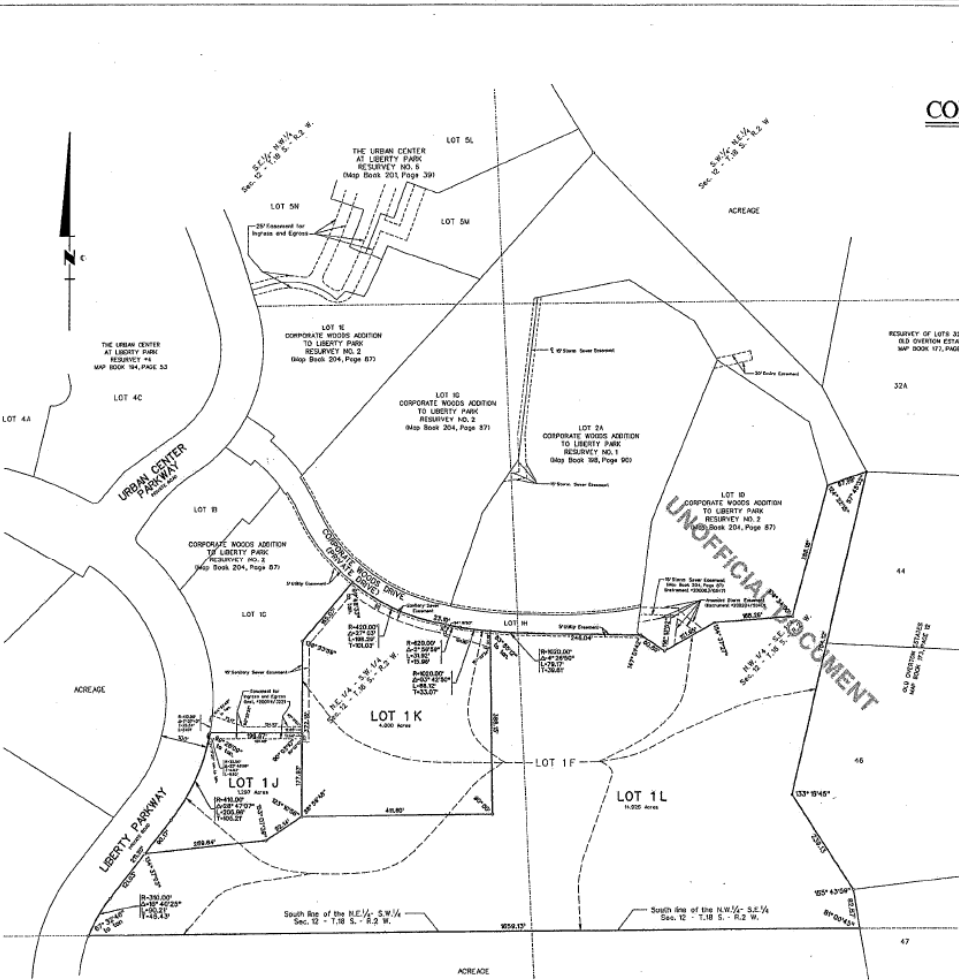
APPROVED: [Signature] DATE: 4/24/02
Jefferson Hills Planning and Zoning Commission

APPROVED: [Signature] DATE: 04/24/02
Jefferson Hills City Engineer

ATTEST: [Signature] DATE: 4/1/02
Jefferson Hills City Clerk

0206 / 0081

Jefferson Hills Planning and Zoning Commission
2800 SOUTH JEFFERSON ALABAMA 36006
RECEIVED: [Date]
2002 APR 24 14:00
0206 / 0081
WTH3



- 1. Liberty Park is a private development and subdivision. All roadway are private and owned by the developer, or its owner associations. All easements that do not affect a private, and their allocations of use are by private easement.
- 2. All utility sewer easements shown hereon are in favor of the Liberty Park Home Owners Association, Inc.
- 3. All utility sewer easements shown hereon are in favor of Enviro Services, LLC.

THIS MAP IS THE PROPERTY OF WALTER SCHOEL ENGINEERING COMPANY, INC. AND MUST BE RETURNED ONLY TO SAME. PLEASE CALL 323-6166.

EXHIBIT “C”

Corporate Woods Drive Maintenance Agreement

Notwithstanding any provision in the Resolution to which this Exhibit “C” is attached to the contrary, the City has agreed to accept dedication of Corporate Woods Drive and the maintenance and repair of only those improvements set forth in Section I below which are located within the right-of-way of Corporate Woods Drive. The Association shall remain solely responsible for those improvements located within the right-of-way of Corporate Woods Drive that are set forth in Section II below. *Capitalized terms used in this Exhibit “C” without definition shall have the meanings set forth in the Resolution to which this Exhibit “C” is attached.*

I. City’s Responsibilities and Agreements:

1. Maintenance and Repair. The City, through its Public Services/Public Works Department, shall be responsible for maintaining and repairing the rights-of-way of Corporate Woods Drive and the following improvements located within such right-of-way:

- a. Roads: Roadway surfaces and roadbed repairs, including the repair of all potholes and periodic resurfacing/paving (note: the City’s road paving needs are evaluated annually);
- b. Curb and Gutter: Curb and gutter; drainage inlet tops, grates, and covers; manhole and other utility covers;
- c. Traffic Control: Striping, markings, signals, traffic control signage, and associated items serving side road connections; and
- d. Drainage: All drainage systems, including but not limited to drainage inlets, catch basins, manholes, storm drain pipe and drainage swales.

The timing of such maintenance and repair shall be at the direction and discretion of the City Manager/City Engineer. The Association is directed to the City’s website (www.vhal.org/departments/public-services/public-works.org) for information regarding City owned roads.

2. Utilities. The City will review applications for permits and, if approved, will direct and inspect all utilities to be placed, repaired, or otherwise altered within the rights-of-way of Corporate Woods Drive in accordance with City requirements and regulations.

3. Roadside Hazard Determination. The City has review and permitting authority for any encroachments of Corporate Woods Drive that could be considered a safety hazard per ALDOT specifications (for example, illegal signs, fences, retaining walls, headwalls, non-breakaway mailboxes, etc.). The City recognizes its review and approval of such hazardous conditions will be in coordination with the Liberty Park Architectural Review Committee or other Association design review approvals.

4. Access Permits: The City shall have review and permitting authority for any requests for side road or driveway access to Corporate Woods Drive. This will be reviewed and permitted per City Engineering standards. The City recognizes its review and approval of such access will be in coordination with the Liberty Park Architectural Review Committee or other Association design review approvals.

5. Other:

a. The City has the authority to perform services within the rights-of-way of Corporate Woods Drive which are not expressly named in this Exhibit "C" that are considered to be in the best interest of public safety (including, but not limited to, application of sand during an ice or snow event).

b. No denied access to the public rights-of-way of Corporate Woods Drive will be allowed.

II. The Associations' Responsibilities and Agreements:

1. Maintenance and Repair. The Association shall be responsible for maintaining and repairing the following improvements located within the rights-of-way of Corporate Woods Drive:

- a. Vegetation: all vegetation, landscaping, lighting, and irrigation along the rights-of-way, including roadside, medians, and roundabout areas;
- b. Pedestrian Ways: all sidewalks/multi-use trails;
- c. Guardrails;
- d. Street and directional signage, subject, however, to the City's review and approval for any potential road side hazard considerations; and
- e. Dam and Lake Embankments: all dam and lake embankment maintenance, including periodic inspections and routine maintenance on outlet controls, erosion stabilization, and vegetation management. This shall include management of water levels to minimize impact to the roadway.

2. Other:

a. The City hereby grants the Association and its contractors, subcontractors, and agents, a license to enter upon the right-of-way of Corporate Woods Drive in order to perform the work specified in Section 1 above.

b. The Association shall notify the City of any proposed work within the rights-of-way of Corporate Woods Drive. All work shall be reviewed and inspected by the City Engineer and his/her staff and determined to meet City specifications as determined by the City Engineer.

c. The Association shall perform all Association responsibilities set forth in this Exhibit "C." Should the Association fail to perform these responsibilities within 30 days of the City's written demand, the City is authorized to perform the work that must be done in the interest of public safety and/or improving any situation that without attention would adversely impact the roadway. The City may bill the Association for the actual costs incurred by the City for labor, equipment, and materials for the said work.

[Remainder of Page Intentionally Deleted]

d.

Agreed to and accepted this ___ day of September, 2022

LIBERTY PARK COMMERCIAL DEVELOPMENT AREA OWNERS' ASSOCIATION, INC.,
an Alabama non-profit corporation

By: _____
Name: _____
Title: _____

THE CITY OF VESTAVIA HILLS,
an Alabama municipal corporation

By: _____
Ashley Curry
Its: Mayor

By: _____
Jeffrey Downes

ORDINANCE NUMBER 3111

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

WHEREAS, on the 27th day of June, 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:

3516 and 3524 Ridgedale Drive
Lots 27 and 33, Rocky Ridge Estates
Patricia Lucas, John and Helen White, 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 26th day of September, 2022.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

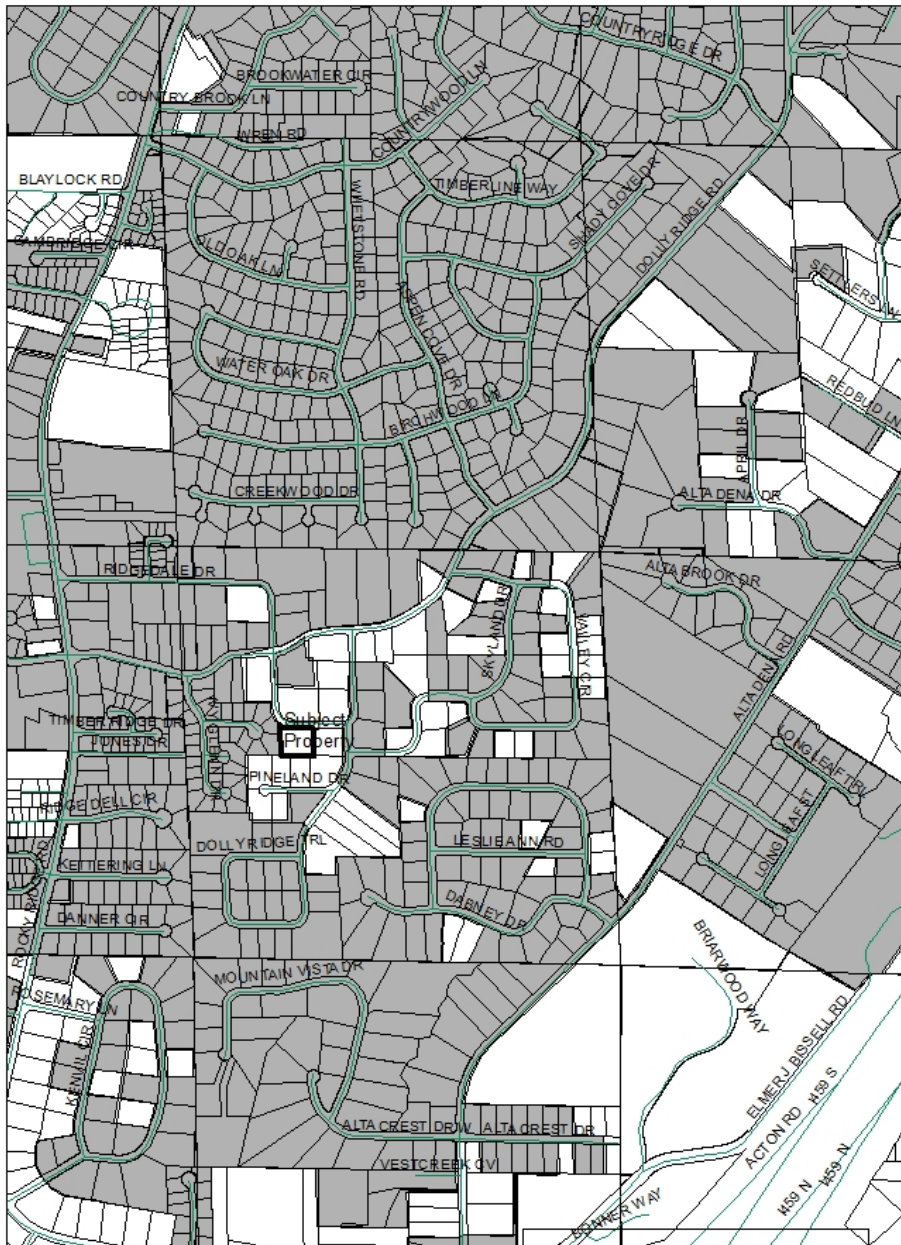
CERTIFICATION:

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 # 3111 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 26th day of September, 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

3516 Ridgedale Drive



Legend

 Vestavia_Hills_City_Limits

3524 Ridgedale Drive



PARCEL #: 28 00 32 4 001 049.000	[111-C-] Baths: 2.0 H/C Sqft: 2,692
OWNER: WHITE JOHN PARKER & HELEN NORTHCUTT	18-034.0 Bed Rooms: 4 Land Sch: G1
ADDRESS: 3524 RIDGEDALE DR VESTAVIA HILLS AL 35243	Land: 154,000 Imp: 187,500 Total: 341,500
LOCATION: 3524 RIDGEDALE DR BHAM AL 35243	Acres: 0.000 Sales Info: 07/31/2019 \$293,000

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

Tax Year : 2021 ▼

SUMMARY LAND BUILDINGS SALES PHOTOGRAPHS MAPS

SUMMARY

ASSESSMENT

PROPERTY CLASS: 3 OVER 65 CODE:
 EXEMPT CODE: 2-2 DISABILITY CODE:
 MUN CODE: 02 COUNTY HS YEAR: 2020
 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: \$313,000.00 BOE VALUE: 0

VALUE

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

CLASS 2

CLASS 3

BLDG 001 111 \$187,500

TOTAL MARKET VALUE [APPR. VALUE: \$341,500]: \$341,500

Assesment Override:
 MARKET VALUE:
 CU VALUE:
 PENALTY:
 ASSESSED VALUE:

TAX INFO

	CLASS	MUNCODE	ASSD. VALUE	TAX	EXEMPTION	TAX EXEMPTION	TOTAL TAX
STATE	3	2	\$34,160	\$222.04	\$4,000	\$26.00	\$196.04
COUNTY	3	2	\$34,160	\$461.16	\$2,000	\$27.00	\$434.16
SCHOOL	3	2	\$34,160	\$280.11	\$0	\$0.00	\$280.11
DIST SCHOOL	3	2	\$34,160	\$0.00	\$0	\$0.00	\$0.00
CITY	3	2	\$34,160	\$0.00	\$0	\$0.00	\$0.00
FOREST	3	2	\$0	\$0.00	\$0	\$0.00	\$0.00
SPC SCHOOL1	3	2	\$34,160	\$174.22	\$0	\$0.00	\$174.22
SPC SCHOOL2	3	2	\$34,160	\$573.89	\$0	\$0.00	\$573.89
ASSD. VALUE: \$34,160.00				\$1,711.42		GRAND TOTAL: \$1,658.42	
							FULLY PAID

DEEDS

INSTRUMENT NUMBER	DATE
2019079233	7/31/2019
1058-237	04/17/1974

PAYMENT INFO

PAY DATE	TAX YEAR	PAID BY	AMOUNT
12/25/2021	2021	CORELOGIC	\$1,658.42
1/12/2021	2020	CORELOGIC	\$1,515.13
12/10/2019	2019	SLS	\$1,298.44
2/15/2019	2018	NORMA JEAN NICHOLSON	\$1,257.18
10/18/2017	2017	NORMA NICHOLSON	\$1,191.18
10/7/2016	2016	-	\$1,094.39
11/2/2015	2015	-	\$1,094.39
10/24/2014	2014	-	\$1,081.31
11/20/2013	2013	-	\$1,081.31
11/15/2012	2012	NICHOLSON NORMA JEAN	\$1,080.88

PARCEL #: 28 00 32 4 001 050.001	[111-C-] Baths: 2.0 H/C Sqft: 2,231
OWNER: LUCAS PATRICIA L	18-034.0 Bed Rooms: 3 Land Sch: G1
ADDRESS: 3516 RIDGEDALE DR VESTAVIA AL 35243-4633	Land: 154,000 Imp: 163,200 Total: 317,200
LOCATION: 3516 RIDGEDALE DR BHAM AL 35243	Acres: 0.000 Sales Info: 05/24/2013 \$310,000

<< 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: 2014	CURRENT USE VALUE	[DEACTIVATED] \$0
SCHOOL DIST:	EXM OVERRIDE AMT: \$0.00	CLASS 2	
OVR ASD VALUE: \$0.00	TOTAL MILLAGE: 50.1	CLASS 3	
CLASS USE:		UTILITY WOOD OR	26WCCA V \$1,500
FOREST ACRES: 0	TAX SALE:	BLDG 001	111 \$161,700
PREV YEAR VALUE: \$292,600.00	BOE VALUE: 0	TOTAL MARKET VALUE [APPR. VALUE: \$317,200]: \$317,200	
		Assesment Override:	
		MARKET VALUE:	
		CU VALUE:	
		PENALTY:	
		ASSESSED VALUE:	

TAX INFO							
	CLASS	MUNCODE	ASSD. VALUE	TAX	EXEMPTION	TAX EXEMPTION	TOTAL TAX
STATE	3	2	\$31,720	\$206.18	\$4,000	\$26.00	\$180.18
COUNTY	3	2	\$31,720	\$428.22	\$2,000	\$27.00	\$401.22
SCHOOL	3	2	\$31,720	\$260.10	\$0	\$0.00	\$260.10
DIST SCHOOL	3	2	\$31,720	\$0.00	\$0	\$0.00	\$0.00
CITY	3	2	\$31,720	\$0.00	\$0	\$0.00	\$0.00
FOREST	3	2	\$0	\$0.00	\$0	\$0.00	\$0.00
SPC SCHOOL1	3	2	\$31,720	\$161.77	\$0	\$0.00	\$161.77
SPC SCHOOL2	3	2	\$31,720	\$532.90	\$0	\$0.00	\$532.90
TOTAL FEE & INTEREST: (Detail)							\$5.00
ASSD. VALUE: \$31,720.00			\$1,589.17		GRAND TOTAL: \$1,541.17		
FULLY PAID							

DEEDS		PAYMENT INFO			
INSTRUMENT NUMBER	DATE	PAY DATE	TAX YEAR	PAID BY	AMOUNT
201314-14780	5/24/2013	11/27/2021	2021		\$1,541.17
201063-6029	09/03/2010	10/28/2020	2020	LUCAS PATRICIA L	\$1,892.61
200508-9698	06/09/2005	12/10/2019	2019	CORELOGIC	\$1,379.85
200316-9293	10/15/2003	12/7/2018	2018	CORELOGIC INC	\$1,189.47
2734-307	07/02/1985	11/17/2017	2017	CORE LOGIC INC	\$1,152.40
		11/21/2016	2016	CORELOGIC	\$1,076.24
		12/1/2015	2015	CORELOGIC INC	\$1,076.24
		12/2/2014	2014	CORELOGIC INC	\$1,064.22
		11/19/2013	2013	CORELOGIC INC	\$1,064.22

Annexation Committee Petition Review

Property: 3524 Ridgedale Drive

Owners: John and Helen White

Date: 4-20-22

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 \$341,500. 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 20 Number in city 14
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: 3524 Ridgedale Drive


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

9. Property is ~~free~~ and clear of hazardous waste, debris and materials.
Yes No _____ Comment _____

10. Are there any concerns from city departments?
Yes _____ No Comments: _____

11. Information on children: Number in family 2; Plan to enroll in VH schools Yes No _____ Comments: _____

Other Comments: _____


George Pierce
Chairman 4-24-22

Annexation Committee Petition Review

Property: 3516 Ridgedale Drive

Owners: Patricia Lucas

Date: 4-20-22

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 \$1317,200. 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 20 Number in city 14
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: 3516 Ridgedale Drive


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

9. Property is ~~free~~ and clear of hazardous waste, debris and materials.
Yes No _____ Comment _____

10. Are there any concerns from ~~city~~ departments?
Yes _____ No Comments: _____

11. Information on children: Number in family 2; Plan to enroll in VH schools Yes _____ No _____ Comments: _____

Other Comments: _____



George Pierce
Chairman 4-24-22

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

AD VALOREM TAX MILLAGE

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

ASSESSED VALUE

		Citizen Access Portal Descriptor	Notes
====>	3524 Ridgedale Drive	Property Address	
====>	\$ 341,500	Appraised Value of Property	TOTAL MARKET VALUE
	10%	Assessment Homestead Rate	
	\$34,150.00	Assessed Value	ASSD. VALUE

AD VALOREM REVENUE

		Citizen Access Portal Descriptor	Notes
\$701.78	City portion of ad valorem	(Subset of CITY)	(20.55 mills rate)
\$981.81	BOE portion of ad valorem	(Subset of CITY)	(28.75 mills rate)
\$1,683.60	Total County remits to City for split with BOE	CITY	
\$515.67	SPC DIST1 BOE local rev (County gives directly to BOE)	SPC SCHOOL1	(15.1 mills rate)
\$280.03	Countywide School Tax to VH	SCHOOL	(8.2 mills rate)

TOTAL AD VALOREM REVENUE

\$701.78	Annexation Revenue to CITY	CITY (General Fund portion)	(20.55 mills)
\$1,777.51	Annexation Revenue to BOE	SCHOOL + SPC SCHOOL1 + CITY (BOE portion)	(8.2 mills + 15.1 mills + 28.75 mills)
\$2,479.29	TOTAL ANNEXATION REVENUE BENEFIT		

Legend
City Revenue
BOE Revenue

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

AD VALOREM TAX MILLAGE

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

ASSESSED VALUE

		Citizen Access Portal Descriptor	Notes
====>	3516 Ridgedale Drive	Property Address	
====>	\$ 317,200	Appraised Value of Property	TOTAL MARKET VALUE
	10%	Assessment Homestead Rate	
	\$31,720.00	Assessed Value	ASSD. VALUE

AD VALOREM REVENUE

		Citizen Access Portal Descriptor	Notes
\$651.85	City portion of ad valorem	(Subset of CITY)	(20.55 mills rate)
\$911.95	BOE portion of ad valorem	(Subset of CITY)	(28.75 mills rate)
\$1,563.80	Total County remits to City for split with BOE	CITY	
\$478.97	SPC DIST1 BOE local rev (County gives directly to BOE)	SPC SCHOOL1	(15.1 mills rate)
\$260.10	Countywide School Tax to VH	SCHOOL	(8.2 mills rate)

TOTAL AD VALOREM REVENUE

\$651.85	Annexation Revenue to CITY	CITY (General Fund portion)	(20.55 mills)
\$1,651.03	Annexation Revenue to BOE	SCHOOL + SPC SCHOOL1 + CITY (BOE portion)	(8.2 mills + 15.1 mills + 28.75 mills)
\$2,302.87	TOTAL ANNEXATION REVENUE BENEFIT		

Legend
City Revenue
BOE Revenue

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: 3524 Ridgedale Drive

Engineering; Public Services

Date: 4/07/2022 Initials: CB/ra

3524 Ridgedale Drive -- no significant concerns noted; roadway is narrow and no curb or gutter, so does not meet current City subdivision standards; as neighboring properties remain in Jefferson County, this neighborhood would continue to have split maintenance responsibilities.

Police Department:

Date: 03-28-22 Initials: JGG

Comments: NONE

Fire Department:

Date: _____ Initials: _____

Comments: _____

Board of Education:

Date: 4/11/2022 Initials: SB/ra

Comments: _____
O/P

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: 3516 Ridgedale Drive

Engineering; Public Services

Date: 4/07/2022 Initials: CB/r

3516 Ridgedale Drive-- no significant concerns noted; roadway is narrow and no curb or gutter, so does not meet current City subdivision standards; as neighboring properties remain in Jefferson County, this street would continue to have split maintenance responsibilities. _____

Police Department:

Date: 03-28-22 Initials: JGG

Comments: NONE

Fire Department:

Date: _____ Initials: _____

Comments: _____

Board of Education:

Date: 4/11/2022 Initials: SB/r

Comments: _____
n/p

STATE OF ALABAMA

JEFFERSON COUNTY

PETITION FOR ANNEXATION TO THE
CITY OF VESTAVIA HILLS, ALABAMA

Date of Petition: 12-27-21

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.

JOHN.PARKER.WHITE@GMAIL.COM

205-240-0420

EXHIBIT "A"

LOT: 27

BLOCK: N/A

SURVEY: ~~N/A~~ Rocky Ridge Estates

RECORDED IN MAP BOOK 28, PAGE 78 IN THE
PROBATE OFFICE OF JEFFERSON COUNTY, ALABAMA.

COUNTY ZONING: E2 ESTATE 2

COMPATIBLE CITY ZONING: R1

LEGAL DESCRIPTION (METES AND BOUNDS):

LOT 27 - ROCKY RIDGE ESTATES

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>John White</u>	Lot <u>27</u> Block _____ Survey <u>ROCKY RIDGE ESTATES</u>
<u>John Paul White</u>	Lot <u>27</u> Block _____ Survey <u>"</u>
_____	Lot _____ Block _____ Survey _____

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

STATE OF ALABAMA

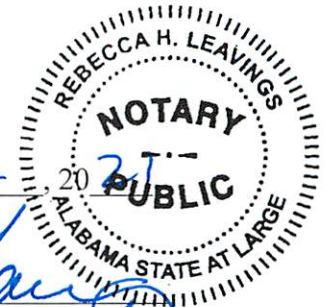
JEFFERSON COUNTY

John White 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.

John Paul White
Signature of Certifier

Subscribed and sworn before me this the 29th day of December

Rebecca H. Leavings
Notary Public



My commission expires: 7/05/2023

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 AND HELEN WHITE
Address: 3924 RIDGEDALE DRIVE
City: BIRMINGHAM State: AL Zip: 35243

Information on Children:

**Plan to Enroll In
Vestavia Hills School?**

	Name(s)	Age	School Grade	Yes	No
1.	IRIS WHITE	3.5	PRESCHOOL	✓	
2.	EADY WHITE	1.5	PRESCHOOL	✓	
3.					
4.					
5.					
6.					

Approximate date for enrolling students in Vestavia Hills City Schools if above response is "yes": AUG. 2023 AND AUG. 2025

STATE OF ALABAMA

JEFFERSON COUNTY

PETITION FOR ANNEXATION TO THE
CITY OF VESTAVIA HILLS, ALABAMA

Date of Petition: March 9, 2022

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.

Roger Lucas: (205) 910-5007

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

Patricia L. Lucas Lot 001 Block 05001 Survey Lot 33 - Rocky Ridge Estates
 _____ Lot _____ Block _____ Survey _____
 _____ Lot _____ Block _____ Survey _____

(Map Book 28, page 78 - Probate Court of Jefferson County, Ala.)

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

STATE OF ALABAMA

JEFFERSON COUNTY

Patricia L. Lucas 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.

Patricia L. Lucas
 Signature of Certifier

Subscribed and sworn before me this 9th day of March, 2022.

Cynthia S. Petty
 Notary Public

My commission expires: 2-11-23

EXHIBIT "A"

LOT: 001

BLOCK: 050.001

SURVEY: Lot 33 - Rocky Ridge Estates

RECORDED IN MAP BOOK 28, PAGE 78 IN THE
PROBATE OFFICE OF Jefferson COUNTY, ALABAMA.

COUNTY ZONING: E-2 - Estate 2

COMPATIBLE CITY ZONING: VH R-1

LEGAL DESCRIPTION (METES AND BOUNDS):

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): Patricia L. Lucas

Address: 3516 Ridgedale Drive ~~_____~~

City: Birmingham State: AL Zip: 35243

(unincorporated)
Information on Children:

**Plan to Enroll In
Vestavia Hills School?**

	Name(s)	Age	School Grade	Yes	No
1.	Heath L. Lucas	33			X
2.					
3.					
4.					
5.					
6.					

Approximate date for enrolling students in Vestavia Hills City Schools if above response is "yes": _____

PARCEL #: 28 00 32 4 001 050.001	[111-C-]	Baths: 2.0	H/C Sqft: 2,231
OWNER: LUCAS PATRICIA L	18-034.0	Bed Rooms: 3	Land Sch: G1
ADDRESS: 3516 RIDGEDALE DR VESTAVIA AL 35243-4633	Land: 154,000	Imp: 163,200	Total: 317,200
LOCATION: 3516 RIDGEDALE DR BHAM AL 35243	Acres: 0.000	Sales Info: 05/24/2013	\$310,000

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

Tax Year : 2021 ▼

SUMMARY LAND BUILDINGS SALES PHOTOGRAPHS MAPS

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

ROLLBACK/HOMESITE/MISCELLANEOUS

LEGAL DESCRIPTION
SUB DIVISON1: ROCKY RIDGE EST
SUB DIVISON2:
MAP BOOK: 28 PAGE: 78
MAP BOOK: 0 PAGE: 0
PRIMARY BLOCK:
SECONDARY BLOCK: 0
PRIMARY LOT: 33
SECONDARY LOT: 0
METES AND BOUNDS: LOT 33 ROCKY RIDGE ESTS 28/78

SALES INFORMATION		
5/24/2013 \$310,000.00 1 BOOK: 201314 PAGE: 14780	Land & Building	LUCAS PATRICIA L
9/1/2010 \$218,000.00 1 BOOK: 201063 PAGE: 006029	Land & Building	
6/1/2005 \$226,850.00 1 BOOK: 200508 PAGE: 009698	Land & Building	
11/1/2003 \$145,000.00 1 BOOK: 200316 PAGE: 009293	Land & Building	

ORDINANCE NUMBER 3112

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-2 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 district) to Vestavia Hills R-1 (low density residential district):

3524 and 3516 Ridgedale Drive
Lots 27 and 33, Rocky Ridge Estates
Patricia Lucas and John & Helen White, Owner(s)

APPROVED and ADOPTED this the 26th day of September, 2022.

Ashley C. Curry
Mayor

ATTESTED BY:

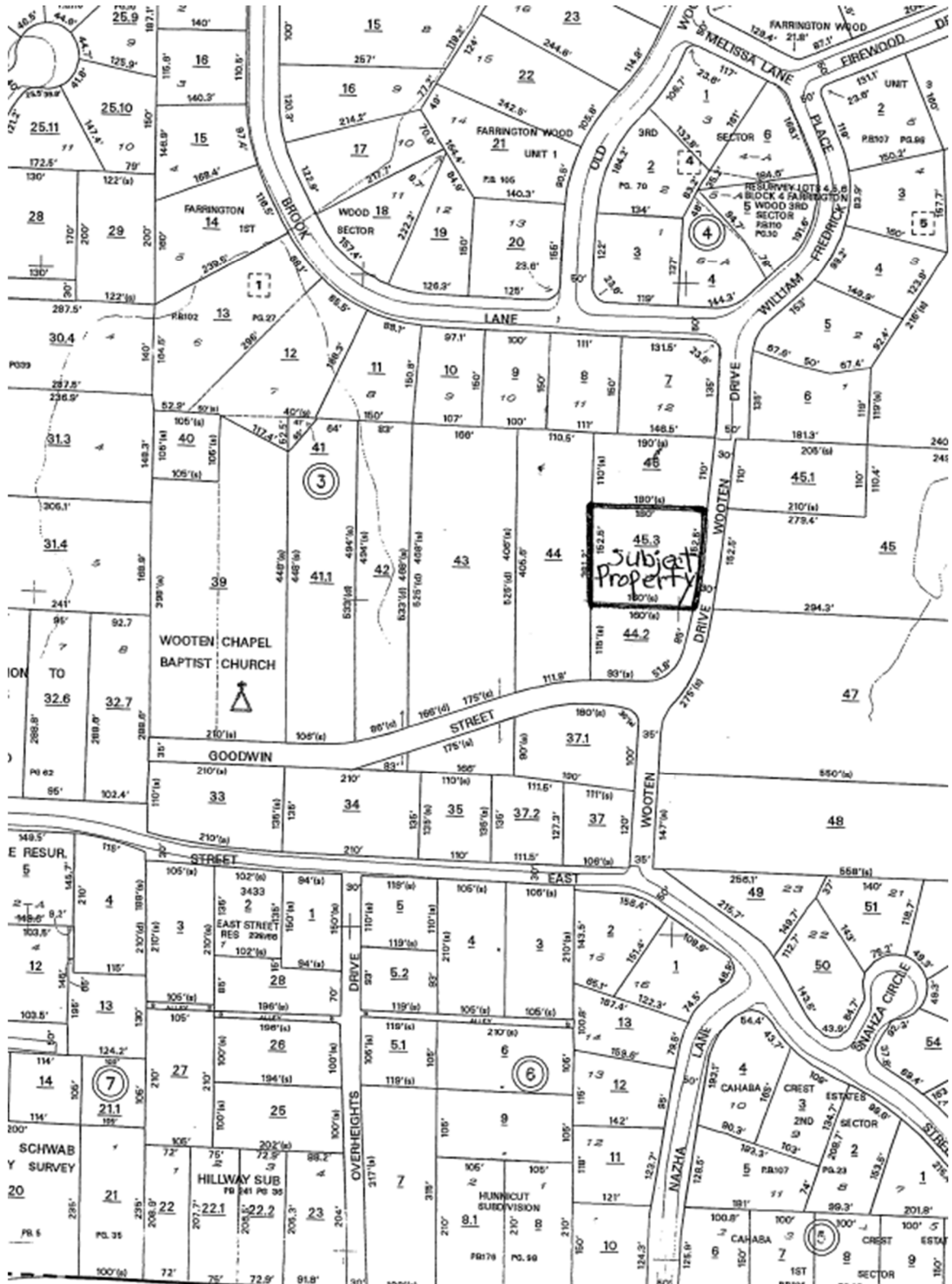
Rebecca Leavings
City Clerk

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 # 3112 is a true and correct copy of such 26th day of September, 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





City of Vestavia Hills

Planning and Zoning Commission Review and Recommendation



Case Number: RZ-22-3

Representative: John White

Owner Name: John White & Patty Lucas

Rep. Address:

Owner Address: 3524 & 3516 Ridgedale Dr, Vestavia Hills, AL 35243

Project Address: 3524 & 3516 Ridgedale Dr

Legal Description: Lots 27 and 33 Rocky Ridge Estates

Parcel ID Number: 28-32-4-001-49.000 & 50.001

Current Zoning: JC E-2

Requested Zoning: VH R-1

Intended Purpose: annexation

MOTION Mr. Farrell made a motion to recommend Compatible Rezoning from JC E-2 to Vestavia Hills R-1 for the property located at 2516 & 2534 Ridgedale Dr. Second was by Mr. Larson. Motion was carried on a roll call; vote as follows:

P&Z Recommendation :	Mr. Maloof– yes	Mr. Farrell – yes
	Mr. Honeycutt– yes	Mr. Sykes – yes
	Mr. Larson – yes	Ms. Vercher – yes

Motion carried.

Date of P&Z Meeting: August 11, 2022



Authorized by:

Vestavia Hills Planning and Zoning Commission, Michael
Vercher, Chair

Issued by:




Conrad Garrison, City Planner

Rezoning Application

RZ-22-3

Submitted On: Jul 6, 2022

Applicant

 John White
 205-240-0420
 john.parker.white@gmail.com

Primary Location

3524 RIDGEDALE DR
VESTAVIA HILLS, AL 35243

Property Information

Subject Property Address

3524 & 3516 Ridgedale Dr

Legal Description

Lots 27 and 33 Rocky Ridge Estates

Existing Parking Spaces

--

Submission Date

07/06/2022

Tax Parcel ID Number

--

Proposed Parking Spaces

--

Type of Project

New Residential Subdivision

Action Requested:

From Existing Zoning Classification

JC E-2

For the Intended Purpose of:

annexation

Acreage of Subject Property

N/A

To Requested Zoning Classification

VH R-1

Acreage of Property to be Disturbed

N/A

Setbacks

Front

--

Side

--

Lot Coverage Percentage

--

Back

--

Open Space

--

Tree Save Plan - I acknowledge that a if this is a new non-residential development or is a residential development in excess of 3 units, that I am required to submit a tree save plan concurrent with this application (excludes PUDs).

true

Owner Information

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

Property Owner Name

John White & Patty Lucas

Company Name

--

Owner Address City State Zip

3524 & 3516 Ridgedale Dr, Vestavia Hills, AL 35243

Owner's Phone Number

205-240-0420

By checking this box, I hereby affirm that I am the owner or the representative of the owner duly authorized to represent this petition for rezoning. Simultaneously with this application, I am submitting notarized documentation from the owner which authorizes me to represent this case.

true

Email Address of Owner

john.parker.white@gmail.com

Owner Representative/Responsible Party

John White

Company Name

--

Contact Email of Responsible Party

--

Mailing Address of Responsible Party

--

Phone No. of Responsible Party

--

Email Address of Responsible Party

--

Project Engineer Information (if applicable)

Name

--

Company

--

Mailing Address

--

Phone Number

--

Email

--

ORDINANCE NUMBER 3113

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

WHEREAS, on the 27th day of June, 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:

2632 Rillwood Road
Lot 15, Altadena Park
Jason Womack, 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 26th day of September, 2022.

Ashley C. Curry
Mayor

ATTESTED BY:


Rebecca Leavings
City Clerk

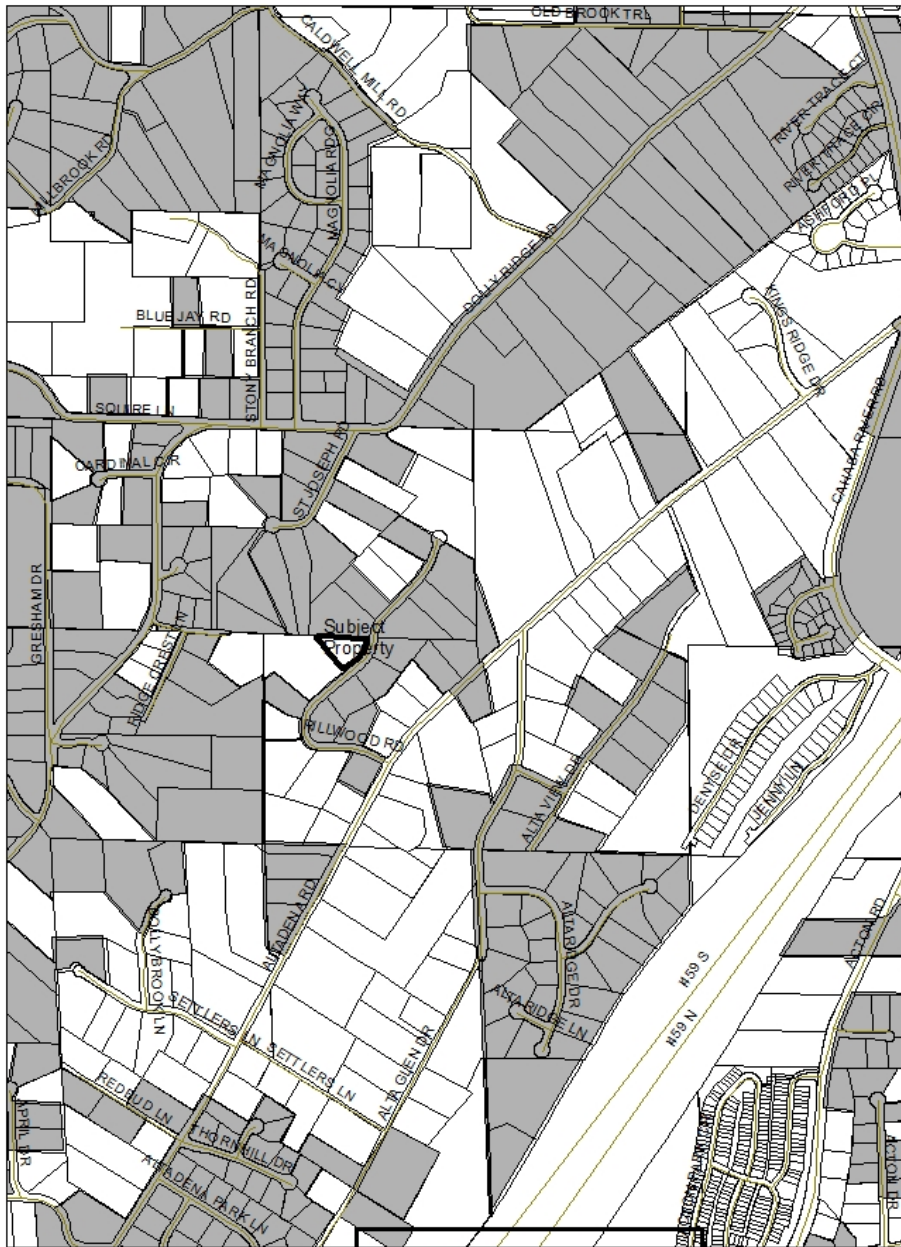
CERTIFICATION:

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 # 3113 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 26th day of September, 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

2632 Rillwood Road 



Legend

 Vestavia_Hills_City_Limits

2632 Rillwood Road

PARCEL #: 28 00 28 4 001 019.000
OWNER: ZALES WILLIAM E JR & EDWINA J
ADDRESS: 68 TIGERS EYE DADEVILLE AL 36853
LOCATION: 2632 RILLWOOD RD BHAM AL 35243

[111-B0] Baths: 3.5 H/C Sqft: 3,082
 18-013.0 Bed Rooms: 4 Land Sch: A114
 Land: 160,000 Imp: 306,200 Total: 466,200
 Acres: 0.000 Sales Info: 05/01/1986 \$135,000

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

Tax Year : 2021 ▼

SUMMARY LAND BUILDINGS SALES PHOTOGRAPHS MAPS

SUMMARY

ASSESSMENT

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

CLASS USE:

FOREST ACRES: 0 TAX SALE:
 PREV YEAR VALUE: \$429,800.00 BOE VALUE: 0

VALUE

LAND VALUE 10% \$160,000
 LAND VALUE 20% \$0
 CURRENT USE VALUE [DEACTIVATED] \$0

CLASS 2

CLASS 3

POOL GUNITE 60 29G0600 \$17,600
 BLDG 001 111 \$288,600

TOTAL MARKET VALUE [APPR. VALUE: \$466,200]: \$466,200

Assesment Override:

MARKET VALUE:
 CU VALUE:
 PENALTY:
 ASSESSED VALUE:

TAX INFO

	CLASS	MUNCODE	ASSD. VALUE	TAX	EXEMPTION	TAX EXEMPTION	TOTAL TAX
STATE	3	2	\$46,620	\$303.03	\$46,620	\$303.03	\$0.00
COUNTY	3	2	\$46,620	\$629.37	\$2,000	\$27.00	\$602.37
SCHOOL	3	2	\$46,620	\$382.28	\$0	\$0.00	\$382.28
DIST SCHOOL	3	2	\$46,620	\$0.00	\$0	\$0.00	\$0.00
CITY	3	2	\$46,620	\$0.00	\$0	\$0.00	\$0.00
FOREST	3	2	\$0	\$0.00	\$0	\$0.00	\$0.00
SPC SCHOOL1	3	2	\$46,620	\$237.76	\$0	\$0.00	\$237.76
SPC SCHOOL2	3	2	\$46,620	\$783.22	\$0	\$0.00	\$783.22

ASSD. VALUE: \$46,620.00

\$2,335.66

GRAND TOTAL: \$2,005.63

FULLY PAID

DEEDS

INSTRUMENT NUMBER	DATE
2022006927	1/12/2022
2906-721	1/1/1900

PAYMENT INFO

PAY DATE	TAX YEAR	PAID BY	AMOUNT
12/30/2021	2021	WILLIAM EDWARD ZALES JR OR EDWINA JOHNSON ZALES	\$2,005.63
1/9/2021	2020	WILLIAM EDWARD ZALES, JR OR EDWINA JOHNSON ZALES	\$1,846.93
12/23/2019	2019	WILLIAM & EDWINA ZALES	\$1,737.93
12/17/2018	2018	WILLIAM EDWARD ZALES, JR OR EDWINA JOHNSON ZALES	\$1,751.01
1/8/2018	2017	-	\$1,719.62
12/27/2016	2016	WILLIAM EDWARD ZALES, JR OR EDWINA JOHNSON ZALES	\$1,656.83
12/9/2015	2015	WILLIAM E. ZALES, JR	\$1,886.86
12/18/2014	2014	WILLIAM E. ZALES, JR	\$1,772.63

2632 Rillwood Road

PARCEL #: 28 00 28 4 001 019.000
OWNER: ZALES WILLIAM E JR & EDWINA J
ADDRESS: 68 TIGERS EYE DADEVILLE AL 36853
LOCATION: 2632 RILLWOOD RD BHAM AL 35243

[111-B0] Baths: 3.5 H/C Sqft: 3,082
 18-013.0 Bed Rooms: 4 Land Sch: A114
 Land: 160,000 Imp: 306,200 Total: 466,200
 Acres: 0.000 Sales Info: 05/01/1986 \$135,000

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

Tax Year : 2021 ▼

SUMMARY LAND BUILDINGS SALES PHOTOGRAPHS MAPS

LAND COMPUTATION

Code	Acerage	Square Foot	Market Value	CU. Value
A114 3 111 HOUSEHOLD UNITS	1	43560	\$160,000.00	

ROLLBACK/HOMESITE/MISCELLANEOUS

--

LEGAL DESCRIPTION

SUB DIVISON1: ALTADENA PK 2ND S 28-28-4 MAP BOOK: 82 PAGE: 18
 SUB DIVISON2: MAP BOOK: 0 PAGE: 0
 PRIMARY BLOCK: SECONDARY BLOCK: 0
 PRIMARY LOT: 15 SECONDARY LOT: 0
METES AND BOUNDS: LOT 15 ALTADENA PARK 2ND SECTOR

SALES INFORMATION

5/1/1986 \$135,000.00 1 **BOOK:**162 **PAGE:**000460 Land & Building

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

2632 Rillwood Road

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
====>	2632 Rillwood Rd	Property Address	
====>	\$ 466,200	Appraised Value of Property	TOTAL MARKET VALUE
	10%	Assessment Homestead Rate	
	\$46,620.00	Assessed Value	ASSD. VALUE

AD VALOREM REVENUE

		Citizen Access Portal Descriptor	Notes
\$958.04	City portion of ad valorem	(Subset of CITY)	(20.55 mills rate)
\$1,340.33	BOE portion of ad valorem	(Subset of CITY)	(28.75 mills rate)
\$2,298.37	Total County remits to City for split with BOE	CITY	
\$703.96	SPC DIST1 BOE local rev (County gives directly to BOE)	SPC SCHOOL1	(15.1 mills rate)
\$382.28	Countywide School Tax to VH	SCHOOL	(8.2 mills rate)

TOTAL AD VALOREM REVENUE

\$958.04	Annexation Revenue to CITY	CITY (General Fund portion)	(20.55 mills)
\$2,426.57	Annexation Revenue to BOE	SCHOOL + SPC SCHOOL1 + CITY (BOE portion)	(8.2 mills + 15.1 mills + 28.75 mills)
\$3,384.61	TOTAL ANNEXATION REVENUE BENEFIT		

Legend
City Revenue
BOE Revenue

STATE OF ALABAMA

Jefferson COUNTY

PETITION FOR ANNEXATION TO THE
CITY OF VESTAVIA HILLS, ALABAMA

Date of Petition: 3/15/22

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.

Jason Womack
256-504-9373
jason.womack@transgloballlc.com

EXHIBIT "A"

LOT: 15

BLOCK: T 18 South Rang 2

SURVEY: ~~Sec 28~~ Altadena Park 2nd 5

RECORDED IN MAP BOOK 42, PAGE 18/Lot 15 IN THE
PROBATE OFFICE OF Jefferson COUNTY, ALABAMA.

COUNTY ZONING: E1

COMPATIBLE CITY ZONING: Vestavia E2

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

<u>[Signature]</u>	Lot <u>15</u> Block _____ Survey _____
_____	Lot _____ Block _____ Survey _____
_____	Lot _____ Block _____ Survey _____

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

STATE OF ALABAMA

Jefferson COUNTY

Jason Womsek 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 15th day of March, 2022



Kay Russom
Notary Public

My Commission Expires
November 8, 2024

My commission expires: _____

ORDINANCE NUMBER 3114

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 E-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 E-1 (estate residential district) to Vestavia Hills E-2 (estate residential district):

2632 Rillwood Road
Lot 15 Altadena Park
Jason Womack, Owner(s)

APPROVED and ADOPTED this the 26th day of September, 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 # 3114 is a true and correct copy of such 26th day of September, 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

2632 Rillwood Road 



Legend

 Vestavia_Hills_City_Limits



City of Vestavia Hills

Planning and Zoning Commission Review and Recommendation



Case Number: RZ-22-4

Owner Name: Jason Womack

Owner Address: 2632 Rillwood Road, Vestavia Hills 35243

Representative:

Rep. Address:

Project Address: 2632 Rillwood Road

Legal Description: Lot 15 Altadena Park 2nd Sector

Parcel ID Number: 28-00-28-4-001-019.000

Current Zoning: Jefferson County E-1

Requested Zoning: Vestavia Hills E-2

Intended Purpose: Annexation

MOTION Mr. Farrell made a motion to recommend Compatible Rezoning from JC E-1 to Vestavia Hills E-2 for the property located at 2632 Rillwood Rd. Second was by Mr. Larson. Motion was carried on a roll call; vote as follows:

P&Z Recommendation:	Mr. Maloof– yes	Mr. Farrell – yes
	Mr. Honeycutt– yes	Mr. Sykes – yes
	Mr. Larson – yes	Ms. Vercher – yes

Motion carried.

Date of P&Z Meeting: August 11, 2022



Authorized by:

Vestavia Hills Planning and Zoning Commission, Michael
Vercher, Chair

Issued by:

Conrad Garrison, City Planner



08/17/2022

RZ-22-4

Rezoning Application

Status: Active

Date Created: Jul 6, 2022

Applicant

Jason Womack
jason@coosaconsulting.com
2632 Rillwood Rd
Vestavia Hills, Alabama 35243
2565049373

Primary Location

2632 RILLWOOD RD
VESTAVIA HILLS, AL 35243

Owner:

Jason Womack
2632 Rillwood rd Vestavia Hills, Alabama 35243

Property Information

Subject Property Address

2632 Rillwood Road

Tax Parcel ID Number

28-00-28-4-001-019.000

Legal Description

Lot 15 Altadena Park 2nd Sector

Existing Parking Spaces

3

Proposed Parking Spaces

--

Submission Date

07/06/2022

Type of Project

New Residential Subdivision

Action Requested:

From Existing Zoning Classification

Jefferson County E-1

To Requested Zoning Classification

Vestavia Hills E-2

For the Intended Purpose of:

Annexation

Acreage of Subject Property

1acre

Acreage of Property to be Disturbed

1acre

Setbacks

Front

--

Back

--

Side

--

Open Space

--

Lot Coverage Percentage

--

Tree Save Plan - I acknowledge that a if this is a new non-residential development or is a residential development in excess of 3 units, that I am required to submit a tree save plan concurrent with this application (excludes PUDs).



Owner Information

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

Property Owner Name

Jason Womack

Company Name

--

Owner Address City State Zip

2632 Rillwood Road, Vestavia Hills 35243

Owner's Phone Number

2565049373

Email Address of Owner

Jason@coosaconsulting.com

By checking this box, I hereby affirm that I am the owner or the representative of the owner duly authorized to represent this petition for rezoning. Simultaneously with this application, I am submitting notarized documentation from the owner which authorizes me to represent this case.



Owner Representative/Responsible Party

--

Company Name

--

Contact Email of Responsible Party

--

Mailing Address of Responsible Party

--

Phone No. of Responsible Party

--

Email Address of Responsible Party

--

Project Engineer Information (if applicable)

Name

--

Company

--

Mailing Address

--

Phone Number

--

Email

--

Internal Reviews

Date of P&Z Meeting

08/11/2022

P&Z Recommendation & Vote

MOTION Mr. Farrell made a motion to recommend Compatible Rezoning from JC E-1 to Vestavia Hills E-2 for the property located at 2632 Rillwood Rd. Second was by Mr. Larson. Motion was carried on a roll call; vote as follows:

Mr. Maloof– yes

Mr. Farrell – yes

Mr. Honeycutt– yes

Mr. Sykes – yes

Mr. Larson – yes

Ms. Vercher – yes

Motion carried.

ORDINANCE NUMBER 3115

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

WHEREAS, on the 27th day of June, 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:

2644 Yorkmont Drive
Lot 16, Chimney Hills
Daniel and Faye Cabron, 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 26th day of September, 2022.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

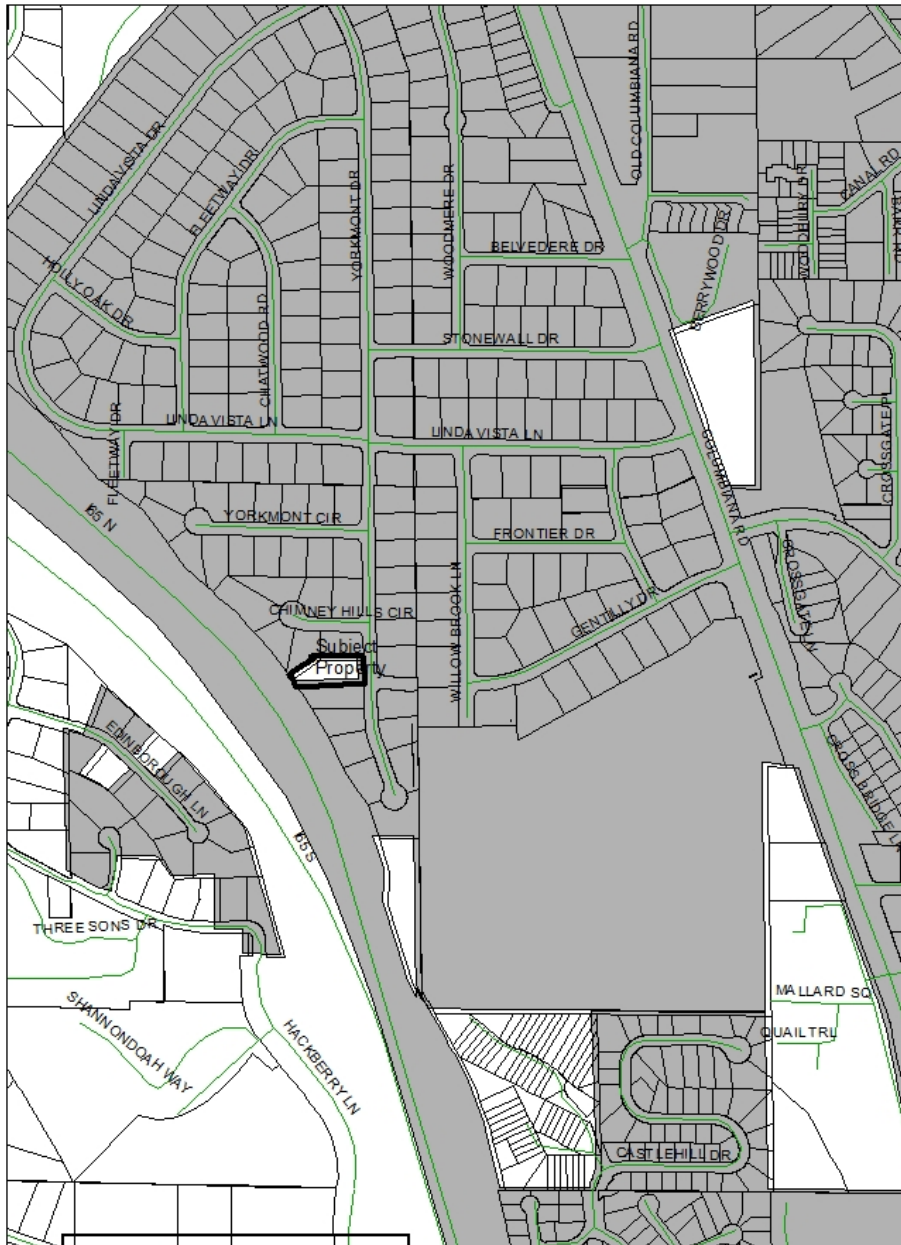
CERTIFICATION:

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 # 3115 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 26th day of September, 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

2644 Yorkmont Drive



Legend

 Vestavia_Hills_City_Limits

Annexation Committee Petition Review

Property: 2644 Yorkmont Drive

Owners: Daniel Cambron

Date: 4-20-22

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 285,800. 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 17 Number in city 16
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: 2644 Yorkmont Drive

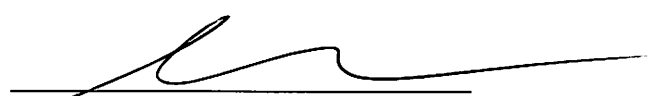
8. A non-refundable administrative fee of \$100 has been paid to the city. Furthermore, voluntary contributions, including an application fee, of \$ _____ will be paid to offset costs associated with the annexation. Yes _____ No _____ Comment _____

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

10. Are there any concerns from city departments? Yes _____ No Comments: _____

11. Information on children: Number in family ~~4~~ 2 ; Plan to enroll in VH schools Yes _____ No Comments: _____

Other Comments: _____


George Pierce
Chairman 4-24-22

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: 2644 Yorkmont Drive

Engineering; Public Services

Date: 4/10/2022 Initials: CB/n

Comments: _____
2644 Yorkmont Drive-- no concerns noted; roadway and valley gutter in good condition; the City currently maintains this section of roadway. _____

Police Department:

Date: 03-28-22 Initials: JGG

Comments: NONE

Fire Department:

Date: _____ Initials: _____

Comments: _____

Board of Education:

Date: 4/11/2022 Initials: SB/n

Comments: _____
n/n

City of Vestavia Hills
Tax Calculator
Homestead Properties

2644 Yorkmont Drive

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
====>	2644 Yorkmont Drive	Property Address		
====>	\$ 285,800	Appraised Value of Property	TOTAL MARKET VALUE	
	10%	Assessment Homestead Rate		
	\$28,580.00	Assessed Value	ASSD. VALUE	

AD VALOREM REVENUE

			Citizen Access Portal Descriptor	Notes
\$587.32	City portion of ad valorem		(Subset of CITY)	(20.55 mills rate)
\$821.68	BOE portion of ad valorem		(Subset of CITY)	(28.75 mills rate)
\$1,408.99	Total County remits to City for split with BOE		CITY	
\$431.56	SPC DIST1 BOE local rev (County gives directly to BOE)		SPC SCHOOL1	(15.1 mills rate)
\$234.36	Countywide School Tax to VH		SCHOOL	(8.2 mills rate)

TOTAL AD VALOREM REVENUE

\$587.32	Annexation Revenue to CITY	CITY (General Fund portion)	(20.55 mills)
\$1,487.59	Annexation Revenue to BOE	SCHOOL + SPC SCHOOL1 + CITY (BOE portion)	(8.2 mills + 15.1 mills + 28.75 mills)
\$2,074.91	TOTAL ANNEXATION REVENUE BENEFIT		

Legend
City Revenue
BOE Revenue

PARCEL #: 29 00 35 4 001 017.000 OWNER: CAMBRON DANIEL & FAYE ADDRESS: 2644 YORKMONT DR VESTAVIA AL 35226-3539 LOCATION: 2644 YORKMONT DR BHAM AL 35226	2644 Yorkmont Drive		
	[111-B0]	Baths: 2.0	H/C Sqft: 2,198
	18-028.0	Bed Rooms: 3	Land Sch: G1
	Land: 112,000	Imp: 173,800	Total: 285,800
	Acres: 0.000	Sales Info: 06/26/2020	\$160,000

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

Tax Year : 2021 ▼

SUMMARY LAND BUILDINGS SALES PHOTOGRAPHS MAPS

SUMMARY

ASSESSMENT		VALUE	
PROPERTY CLASS: 2	OVER 65 CODE:	LAND VALUE 10%	\$0
EXEMPT CODE:	DISABILITY CODE:	LAND VALUE 20%	\$112,000
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	BLDG 001	111 \$173,800
CLASS USE:		<u>CLASS 3</u>	
FOREST ACRES: 0	TAX SALE:	TOTAL MARKET VALUE [APPR. VALUE: \$285,800]:	\$285,800
PREV YEAR VALUE: \$300,000.00	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	2	2	\$57,160	\$371.54	\$0	\$0.00	\$371.54
COUNTY	2	2	\$57,160	\$771.66	\$0	\$0.00	\$771.66
SCHOOL	2	2	\$57,160	\$468.71	\$0	\$0.00	\$468.71
DIST SCHOOL	2	2	\$57,160	\$0.00	\$0	\$0.00	\$0.00
CITY	2	2	\$57,160	\$0.00	\$0	\$0.00	\$0.00
FOREST	2	2	\$0	\$0.00	\$0	\$0.00	\$0.00
SPC SCHOOL1	2	2	\$57,160	\$291.52	\$0	\$0.00	\$291.52
SPC SCHOOL2	2	2	\$57,160	\$960.29	\$0	\$0.00	\$960.29
ASSD. VALUE: \$57,160.00				\$2,863.72		GRAND TOTAL: \$2,863.72	
							FULLY PAID

DEEDS		PAYMENT INFO			
INSTRUMENT NUMBER	DATE	PAY DATE	TAX YEAR	PAID BY	AMOUNT
2020067128	6/26/2020	12/25/2021	2021	CORELOGIC	\$2,863.72
1436-573	04/29/1977	1/12/2021	2020	CORELOGIC	\$1,090.00
		7/9/2020	2019	HALBROOKS & ALLEN, LLC	\$1,061.61
		2/26/2019	2018	HARMON, TIMOTHY OR DANIEL CAMBRON	\$948.62
		2/16/2018	2017	CAMBRON HARMON DEWELL	\$1,110.64
		3/27/2017	2016	HARMON CAMBRON	\$1,162.76
		11/2/2015	2015	H.D. OR BOBBIE V. CAMBRON OR TIMOTHY R. CAMBRON	\$898.16
		10/16/2014	2014	OR TIMOTHY R. CAMBRON	\$800.50
		12/3/2013	2013	H. D. OR BOBBIE V. CAMBRON PHONESZS-TBZS	\$884.21

STATE OF ALABAMA

JEFFERSON COUNTY

PETITION FOR ANNEXATION TO THE
CITY OF VESTAVIA HILLS, ALABAMA

Date of Petition: 01/03/2022

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.

DANIEL . CAMBRON @GMAIL.COM

(205) 542-7674

EXHIBIT "A"

SUBDIVISION: CHIMNEY HILLS 29-35-4
TWN: 18/ RNG: 03/ SEC: 35

LOT: 017.000 16

BLOCK: 001

SURVEY: Chimney Hills

RECORDED IN MAP BOOK 108, PAGE 21 IN THE
PROBATE OFFICE OF JEFFERSON COUNTY, ALABAMA.

COUNTY ZONING: JCR-1



COMPATIBLE CITY ZONING: VN R-2

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

	Lot _____	Block _____	Survey _____
	Lot _____	Block _____	Survey _____
_____	Lot _____	Block _____	Survey _____

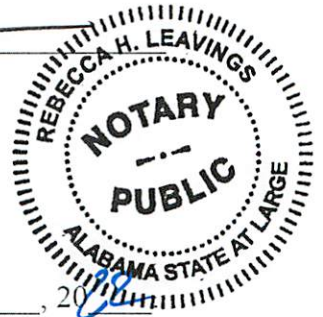
(Use reverse side hereof for additional signatures and property descriptions, if needed).

STATE OF ALABAMA

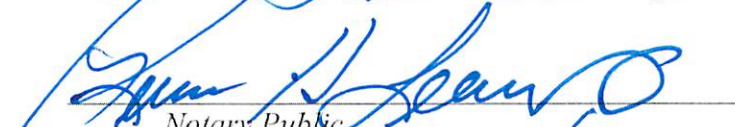
Jefferson COUNTY

Daniel Cambron 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 of Certifier



Subscribed and sworn before me this the 17th day of Feb, 2023


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): DANIEL ? FAYE CAMBRON

Address: 2644 VERMONT DRIVE

City: BIRMINGHAM State: AL Zip: 35226

Information on Children:

Plan to Enroll In
 Vestavia Hills School?

	Name(s)	Age	School Grade	Yes	No
1.	DANIEL CAMBRON JR	2	N/A		X
2.	Avery Cambron	3wks	N/A		X
3.					
4.					
5.					
6.					

Approximate date for enrolling students in Vestavia Hills City Schools if above response is "yes": _____

ORDINANCE NUMBER 3116

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 (low-density residential district) to Vestavia Hills E-2 (low-density residential district):

2644 Yorkmont Drive
Lot 16, Chimney Hills
Daniel and Fay Cambron, Owner(s)

APPROVED and ADOPTED this the 26th day of September, 2022.

Ashley C. Curry
Mayor

ATTESTED BY:


Rebecca Leavings
City Clerk

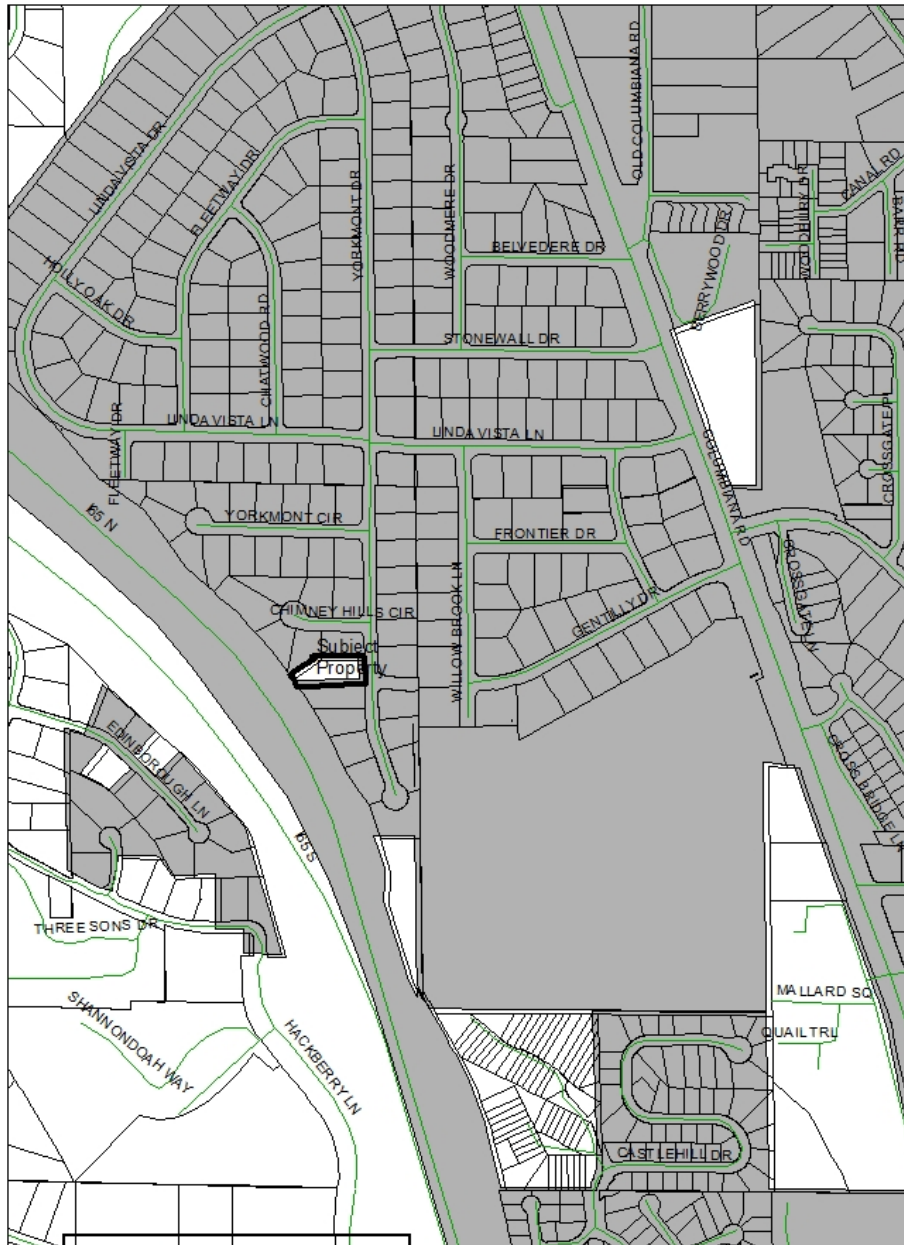
CERTIFICATION:

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 # 3116 is a true and correct copy of such 26th day of September, 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

2644 Yorkmont Drive 



Legend

 Vestavia_Hills_City_Limits



City of Vestavia Hills

Planning and Zoning Commission Review and Recommendation



Case Number: RZ-22-5

Owner Name: Daniel Cambron

Owner Address: 2644 Yorkmont Drive, Vestavia Hills AL 35226

Representative:

Rep. Address:

Project Address: 2644 Yorkmont Drive

Legal Description: Lot 16, Chimney Hills

Parcel ID Number: 29-35-4-001-17.000

Current Zoning: Jefferson County R-1

Requested Zoning: Vestavia Hills R-2

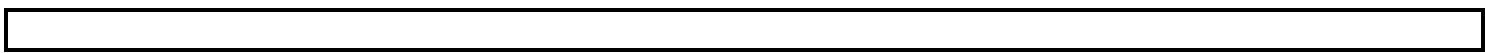
Intended Purpose: Annexation

MOTION Mr. Larson made a motion to recommend Compatible Rezoning from JC R-1 to Vestavia Hills R-2 for the property located at 2644 Yorkmont Dr. Second was by Mr. Honeycutt. Motion was carried on a roll call; vote as follows:

P&Z

Recommendation : Mr. Maloof– yes
Mr. Honeycutt– yes
Mr. Larson – yes
Mr. Farrell – yes
Mr. Sykes – yes
Ms. Vercher – yes
Motion carried.

Date of P&Z Meeting: August 11, 2022



Authorized by:

Vestavia Hills Planning and Zoning Commission, Michael
Vercher, Chair

Issued by:

Conrad Garrison, City Planner



08/18/2022

RZ-22-5

Rezoning Application

Status: Active

Date Created: Jul 13, 2022

Applicant

Daniel Cambron
daniel.cambron@gmail.com
2644 Yorkmont Drive
Vestavia Hills, AL 35226
205-542-7674

Primary Location

2644 YORKMONT DR
VESTAVIA HILLS, AL 35226

Property Information

Subject Property Address

2644 Yorkmont Drive

Tax Parcel ID Number

29-35-4-001-17.000

Legal Description

Lot 16, Chimney Hills

Existing Parking Spaces

--

Proposed Parking Spaces

--

Submission Date

07/07/2022

Type of Project

Annexation of a Single-Family Home

Action Requested:

From Existing Zoning Classification

Jefferson County R-1

To Requested Zoning Classification

Vestavia Hills R-2

For the Intended Purpose of:

Annexation

Acreage of Subject Property

0.5

Acreage of Property to be Disturbed

na

Setbacks

Front

--

Back

--

Side

--

Open Space

--

Lot Coverage Percentage

--

Tree Save Plan - I acknowledge that a if this is a new non-residential development or is a residential development in excess of 3 units, that I am required to submit a tree save plan concurrent with this application (excludes PUDs).



Owner Information

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

Property Owner Name

Daniel Cambron

Company Name

na

Owner Address City State Zip

2644 Yorkmont Drive, Vestavia Hills AL 35226

Owner's Phone Number

205-542-7674

Email Address of Owner

daniel.cambron@gmail.com

By checking this box, I hereby affirm that I am the owner or the representative of the owner duly authorized to represent this petition for rezoning. Simultaneously with this application, I am submitting notarized documentation from the owner which authorizes me to represent this case.



Owner Representative/Responsible Party

--

Company Name

--

Contact Email of Responsible Party

--

Mailing Address of Responsible Party

--

Phone No. of Responsible Party

--

Email Address of Responsible Party

--

Project Engineer Information (if applicable)

Name

--

Company

--

Mailing Address

--

Phone Number

--

Email

--

Internal Reviews

Date of P&Z Meeting

08/11/2022

P&Z Recommendation & Vote

MOTION Mr. Larson made a motion to recommend Compatible Rezoning from JC R-1 to Vestavia Hills R-2 for the property located at 2644 Yorkmont Dr. Second was by Mr. Honeycutt. Motion was carried on a roll call; vote as follows:

- Mr. Maloof – yes
- Mr. Honeycutt – yes
- Mr. Larson – yes
- Mr. Farrell – yes
- Mr. Sykes – yes
- Ms. Vercher – yes
- Motion carried.

Date of City Council Presentation

--

Proposed Ordinance No.

--

City Council Decision, Conditions, Reason for Denial

ORDINANCE NUMBER 3121

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-4, R-T AND R-2 TO VESTAVIA HILLS R-9

BE IT ORDAINED by the City Council of the City of Vestavia Hills, Alabama, as follows: That the Zoning Ordinance and Zoning Map of the City of Vestavia Hills, Alabama, adopted September 16, 1985, and as last amended so as to change the class of district zoning of the following described property from Jefferson County R-4 (multi-family residential), R-T (townhome residential) and R-2 (medium-density residential district) to Vestavia Hills R-9 (planned residential district:

2245 and 2249 Blue Ridge Blvd
Townes Development Group LLP, 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 $\frac{1}{4}$ 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 296.1 feet to the point of beginning.

BE IT FURTHER ORDAINED that this rezoning is conditioned upon the following:

1. That the developer file and record private restrictive covenants that
 - a. Preserves and protects the rear portion of the property left undeveloped pursuant to this preliminary plat to be left primitive and undeveloped with only the removal of diseased or dead trees; and
 - b. That buffering to be provided for the private residence located beside this development pursuant to the buffering requirements of the zoning code; and

- c. For both areas to be maintained and preserved by the proposed homeowner's association; and
- d. That the zoning not become effective until the CC&Rs are filed in the Office of the Judge of Probate with a copy submitted to the City Clerk prior to the effective date of the ordinance

APPROVED and ADOPTED this the 26th day of September, 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 # 3121 is a true and correct copy of such 26th day of September, 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



City of Vestavia Hills

Planning and Zoning Commission Review and Recommendation



Case Number: RZ-22-1

Owner Name: Townes Development Group LLC

Owner Address: 2245 & 2249 Blue Ridge Blvd

Representative: Blake Pittman

Rep. Address:

Project Address: 2245 & 2249 Blue Ridge Blvd

Legal

Description:

Parcel ID

Number:

Current Zoning: JC R-T (Townhomes), JC R-4 (Multi-Family) JC R-2 (Single Family)

Requested Zoning: VH R-9

Intended Purpose: 25 unit townhome development

MOTION Mr. Sykes made a motion to recommend Rezoning from JC R-T, JC R-2, & JC R-4 to Vestavia Hills R-9 for the property located at 2245 & 2249 Blue Ridge Blvd. subject to the following conditions: that the developer file and record private restrictive covenants that (1) preserves and protects the rear portion of the property left undeveloped pursuant to this preliminary plat to be left primitive and undeveloped with only the removal of diseased or dead trees; (2) that buffering to be provided for the private residence located beside this development pursuant to the buffering requirements of the zoning code; (3) for both areas to be maintained and preserved by the proposed homeowner's association; and (4) that the zoning not become effective until the CC&Rs are filed in the Office of the Judge of Probate with a copy submitted to the City Clerk prior to the effective date of the ordinance becoming effective Second was by Mr. Farrell. Motion was carried on a roll call; vote as follows:

P&Z Recommendation :

Mr. Maloof– yes

Mr. Farrell – yes

Mr. Honeycutt– yes

Mr. Sykes – yes

Mr. Larson – yes

Ms. Vercher – yes

Motion carried.

Date of P&Z Meeting:



Authorized by:

Vestavia Hills Planning and Zoning Commission, Michael
Vercher, Chair

Issued by:

Conrad Garrison, City Planner



RZ-22-1

Rezoning Application

Status: Active

Date Created: May 31, 2022

Applicant

Blake Pittman
blake@taylorburton.com
3239 Lorna Rd
Ste.
Birmingham, AL 35216
2058227936

Property Information

Subject Property Address

2245 & 2249 Blue Ridge Blvd

Tax Parcel ID Number

--

Legal Description

--

Existing Parking Spaces

--

Proposed Parking Spaces

--

Submission Date

05/03/2022

Type of Project

New Residential Subdivision

Action Requested:

From Existing Zoning Classification

JC R-T (Townhomes), JC R-4 (Multi-Family)

To Requested Zoning Classification

VH R-9

For the Intended Purpose of:

25 unit townhome development

Acreage of Subject Property

5.50

Acreage of Property to be Disturbed

2.5

Setbacks

Front

15

Back

15

Side

0

Open Space

--

Lot Coverage Percentage

--

Tree Save Plan - I acknowledge that a if this is a new non-residential development or is a residential development in excess of 3 units, that I am required to submit a tree save plan concurrent with this application (excludes PUDs).



Owner Information

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

Property Owner Name

Townes Development Group LLC

Company Name

--

Owner Address City State Zip

2245 & 2249 Blue Ridge Blvd

Owner's Phone Number

2053683007

Email Address of Owner

alciahuey@gmail.com

By checking this box, I hereby affirm that I am the owner or the representative of the owner duly authorized to represent this petition for rezoning. Simultaneously with this application, I am submitting notarized documentation from the owner which authorizes me to represent this case.



Owner Representative/Responsible Party

Blake Pittman

Company Name

--

Contact Email of Responsible Party

--

Mailing Address of Responsible Party

--

Phone No. of Responsible Party

--

Email Address of Responsible Party

--

Project Engineer Information (if applicable)

Name

Bob Easley

Company

Alabama Engineering Company

Mailing Address

--

Phone Number

--

Email

--

Attachments

 app.pdf

Uploaded by Conrad Garrison on May 31, 2022 at 10:27 am

 Blue Ridge Townhomes Annexation and Rezoning Submittal 03102022 (002).pdf

Uploaded by Conrad Garrison on May 31, 2022 at 10:27 am

 Tree Save- Landscaping Plan.pdf

Uploaded by Conrad Garrison on May 31, 2022 at 10:53 am



zoning.jpg

Uploaded by Conrad Garrison on May 31, 2022 at 2:54 pm

History

Date

Activity

May 31, 2022 at 9:57 am

Conrad Garrison started a draft of Record RZ-22-1



City of Vestavia Hills, AL

06/03/2022

RZ-22-1

Planning Review

Rezoning Application

Status: Complete**Became Active:****Assignee:** Conrad Garrison**Completed:** 05/31/2022

Applicant

Blake Pittman
blake@taylorburton.com
3239 Lorna Rd
Ste.
Birmingham, AL 35216
2058227936

Comments

Conrad Garrison, May 31, 2022 at 10:29am

Rezoning not final until final plat CC&R's recorded

Conrad Garrison, Jun 3, 2022 at 9:11am

Applicant is current in the 90 day annexation process for a 25 unit townhome development. The development would be accessed by a center drive with garage and driveway parking in the rear of the units. The undisturbed area will remain so in accordance with the development plans. Applicant will do some minor improvements to Blue Ridge Blvd. to improve curb and gutter and guardrails.

Site plans, renderings, and tree save plans are attached.

Property is zoned for townhomes and multi-family in the county and project could be considered down-zoning in the City. The property is not contemplated on any land use plan. The property is directly across from Hoover city limits and I-65 ROW.

-



City of Vestavia Hills, AL

06/03/2022

RZ-22-1

Engineering Review

Rezoning Application

Status: Complete**Became Active:** 05/31/2022**Assignee:** Christopher Brady**Completed:** 06/02/2022

Applicant

Blake Pittman
blake@taylorburton.com
3239 Lorna Rd
Ste.
Birmingham, AL 35216
2058227936

Comments

Christopher Brady, Jun 2, 2022 at 3:05pm

Engineering has initiated preliminary review of submitted plans and discussed comments with developer and design engineer, including on site visits to review grading and drainage.



City of Vestavia Hills, AL

06/03/2022

RZ-22-1

Fire Marshal Review

Rezoning Application

Status: Complete

Became Active: 05/31/2022

Assignee: Christopher Vines

Completed: 05/31/2022

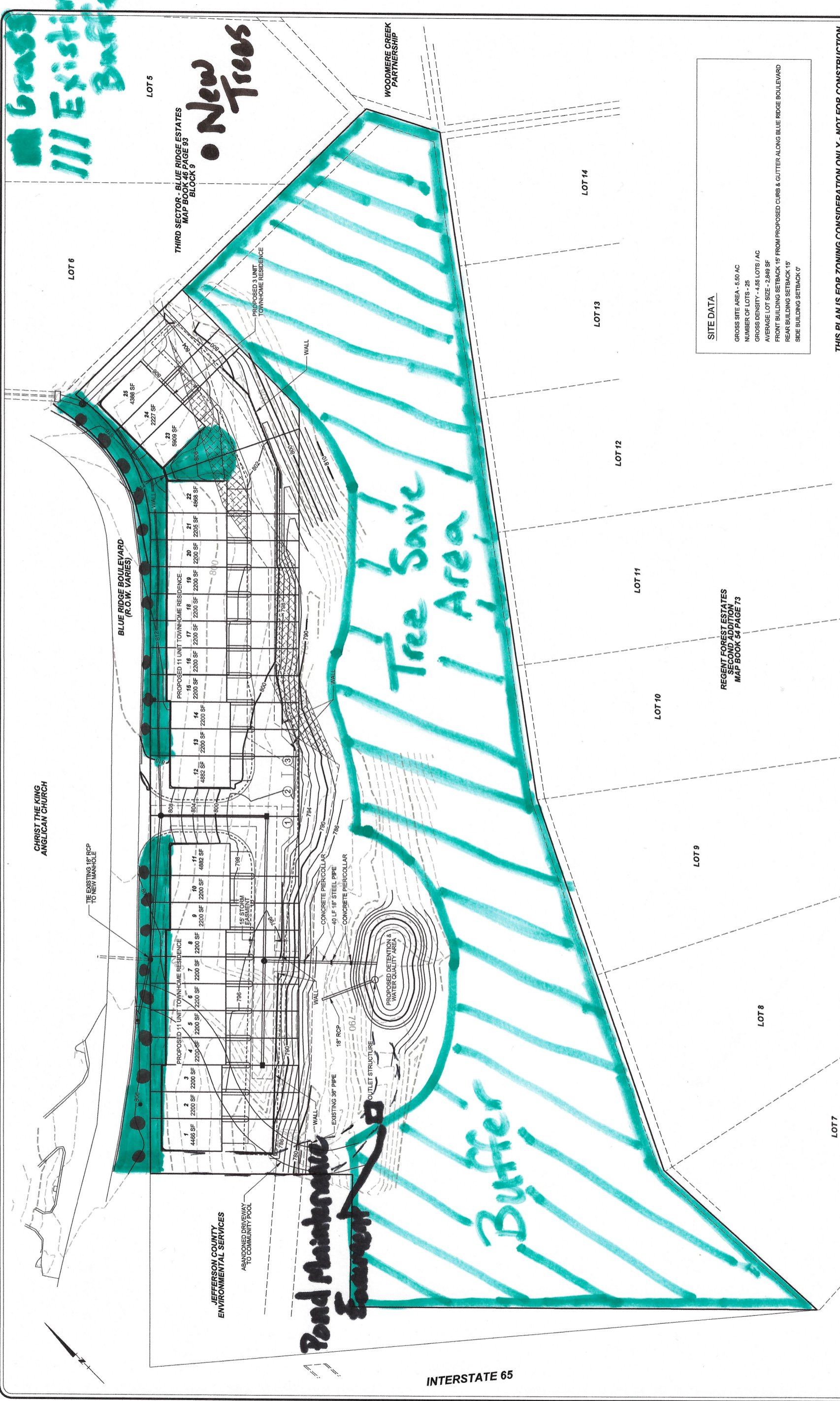
Applicant

Blake Pittman
blake@taylorburton.com
3239 Lorna Rd
Ste.
Birmingham, AL 35216
2058227936

Comments

Christopher Vines, May 31, 2022 at 11:27am

No issues



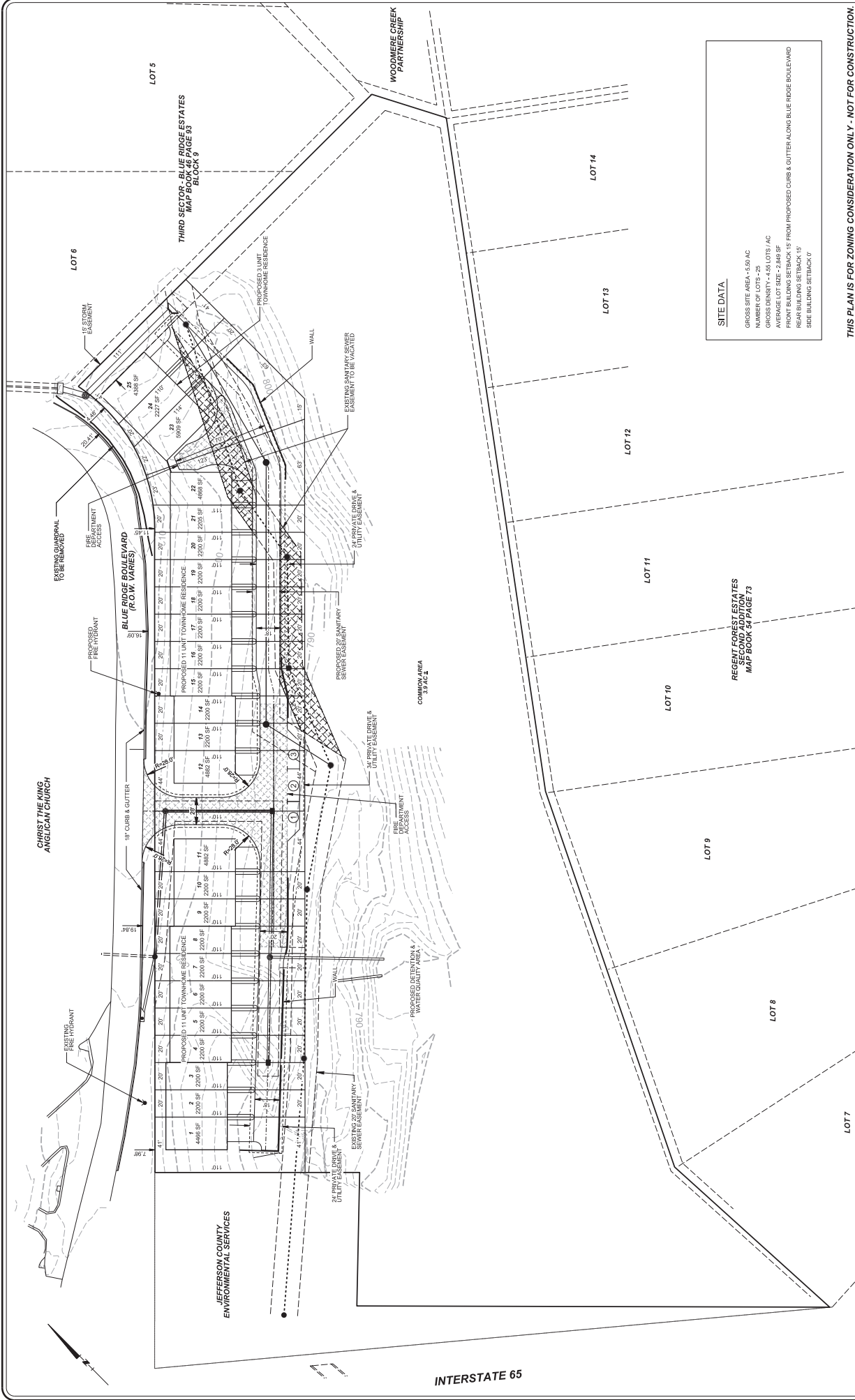
SITE DATA

GROSS SITE AREA - 5.50 AC
 NUMBER OF LOTS - 25
 GROSS DENSITY - 4.55 LOTS / AC
 AVERAGE LOT SIZE - 2,848 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 this block Robert W. Esley, IV, PE Date: _____			Alabama No. 21564 Robert W. Esley, IV, PE
Rezoning Grading & Drainage Plan Blue Ridge Boulevard Taylor Burton Company Jefferson County, Alabama			
Scale	1" = 30'	Date	2/1/2022
Drawn by	RWB	Sheet No.	C2.0
Checked by	RWE	Sequence No.	2 of 2



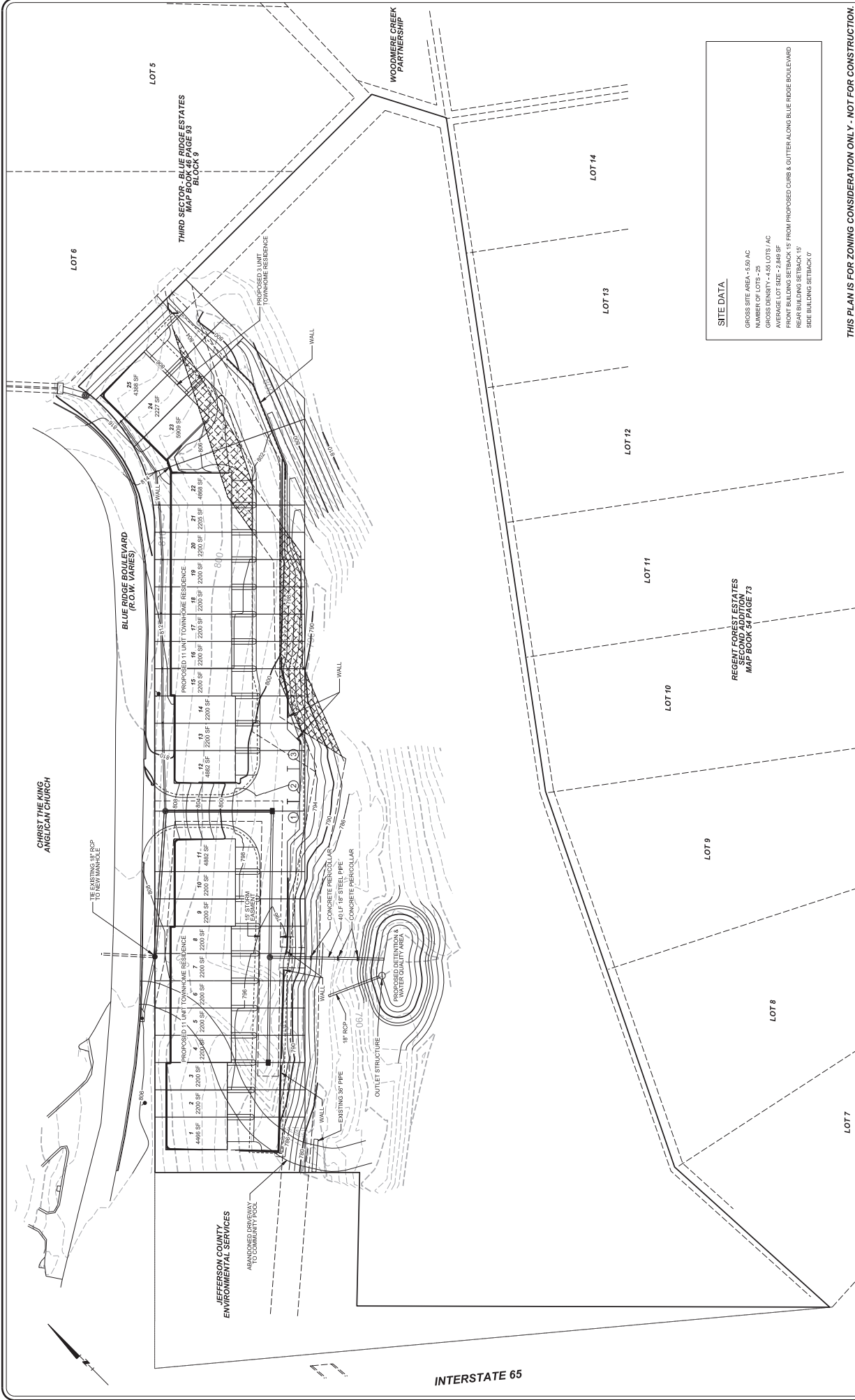
SITE DATA

GROSS SITE AREA - 5.59 AC
 NUMBER OF LOTS - 25
 GROSS DENSITY - 4.53 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

Not valid for construction unless signed in the block Robert W. Emley, IV, PE Date: _____			Scale: 1" = 40' Drawn by: _____ Checked: _____ PPE: _____ File Name: _____ Drawing No.: _____
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



SITE DATA

GROSS SITE AREA - 5.59 AC
 NUMBER OF LOTS - 25
 GROSS DENSITY - 4.58 LOTS / AC
 AVERAGE LOT SIZE - 2,848 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. Emley, IV, PE
 Date



Alabama Engineering Company, Inc.
 1214 Alford Avenue, Suite 200
 Hoover, Alabama 35226
 Phone (205) 803-2161
 Fax (205) 803-2162

Regent Forest Estates
 MAP BOOK 50 PAGE 73

Blue Ridge Estates
 MAP BOOK 46 PAGE 33

Blue Ridge Boulevard
 (R.O.W. VARIES)

Jefferson County Environmental Services
 ABANDONED DRIVEWAY TO COMMUNITY POOL

INTERSTATE 65

ORDINANCE NUMBER 3122

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

WHEREAS, on the 27th day of June, 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:

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 $\frac{1}{4}$ 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 296.1 feet to the point of beginning.

2. **BE IF FURTHER ORDAINED**, that said rezoning is conditioned upon the following conditions:

- a) That private restrictive covenants be filed to preserve and protect the rear portion of the property left undeveloped pursuant to this preliminary plat to be left primitive and undeveloped with only the removal of diseased or dead trees;

- b) That buffering to be provided for the private residence located beside this development pursuant to the buffering requirements of the zoning code;
- c) For both areas to be maintained and preserved by the proposed homeowner's association; and
- d) That the zoning not become effective until the CC&Rs are filed in the Office of the Judge of Probate with a copy submitted to the City Clerk prior to the effective date of the ordinance becoming effective.

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

4. That the City Clerk be and is hereby directed to publish this Ordinance in accordance with the requirements of the law.

ADOPTING and APPROVED this the 26th day of September, 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 # 3122 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 26th day of September, 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



City of Vestavia Hills

Planning and Zoning Commission Review and Recommendation



Case Number: RZ-22-1

Owner Name: Townes Development Group LLC

Owner Address: 2245 & 2249 Blue Ridge Blvd

Representative: Blake Pittman

Rep. Address:

Project Address: 2245 & 2249 Blue Ridge Blvd

Legal Description:
Parcel ID Number:

Current Zoning: JC R-T (Townhomes), JC R-4 (Multi-Family) JC R-2 (Single Family)

Requested Zoning: VH R-9

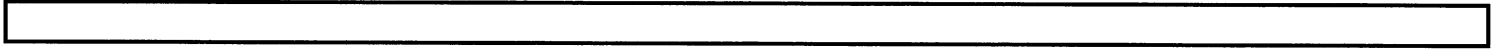
Intended Purpose: 25 unit townhome development

MOTION Mr. Sykes made a motion to recommend Rezoning from JC R-T, JC R-2, & JC R-4 to Vestavia Hills R-9 for the property located at 2245 & 2249 Blue Ridge Blvd. subject to the following conditions: that the developer file and record private restrictive covenants that (1) preserves and protects the rear portion of the property left undeveloped pursuant to this preliminary plat to be left primitive and undeveloped with only the removal of diseased or dead trees; (2) that buffering to be provided for the private residence located beside this development pursuant to the buffering requirements of the zoning code; (3) for both areas to be maintained and preserved by the proposed homeowner's association; and (4) that the zoning not become effective until the CC&Rs are filed in the Office of the Judge of Probate with a copy submitted to the City Clerk prior to the effective date of the ordinance becoming effective. Second was by Mr. Farrell. Motion was carried on a roll call; vote as follows:

P&Z Recommendation :

- | | |
|--------------------|-------------------|
| Mr. Maloof– yes | Mr. Farrell – yes |
| Mr. Honeycutt– yes | Mr. Sykes – yes |
| Mr. Larson – yes | Ms. Vercher – yes |
- Motion carried.

Date of P&Z Meeting:

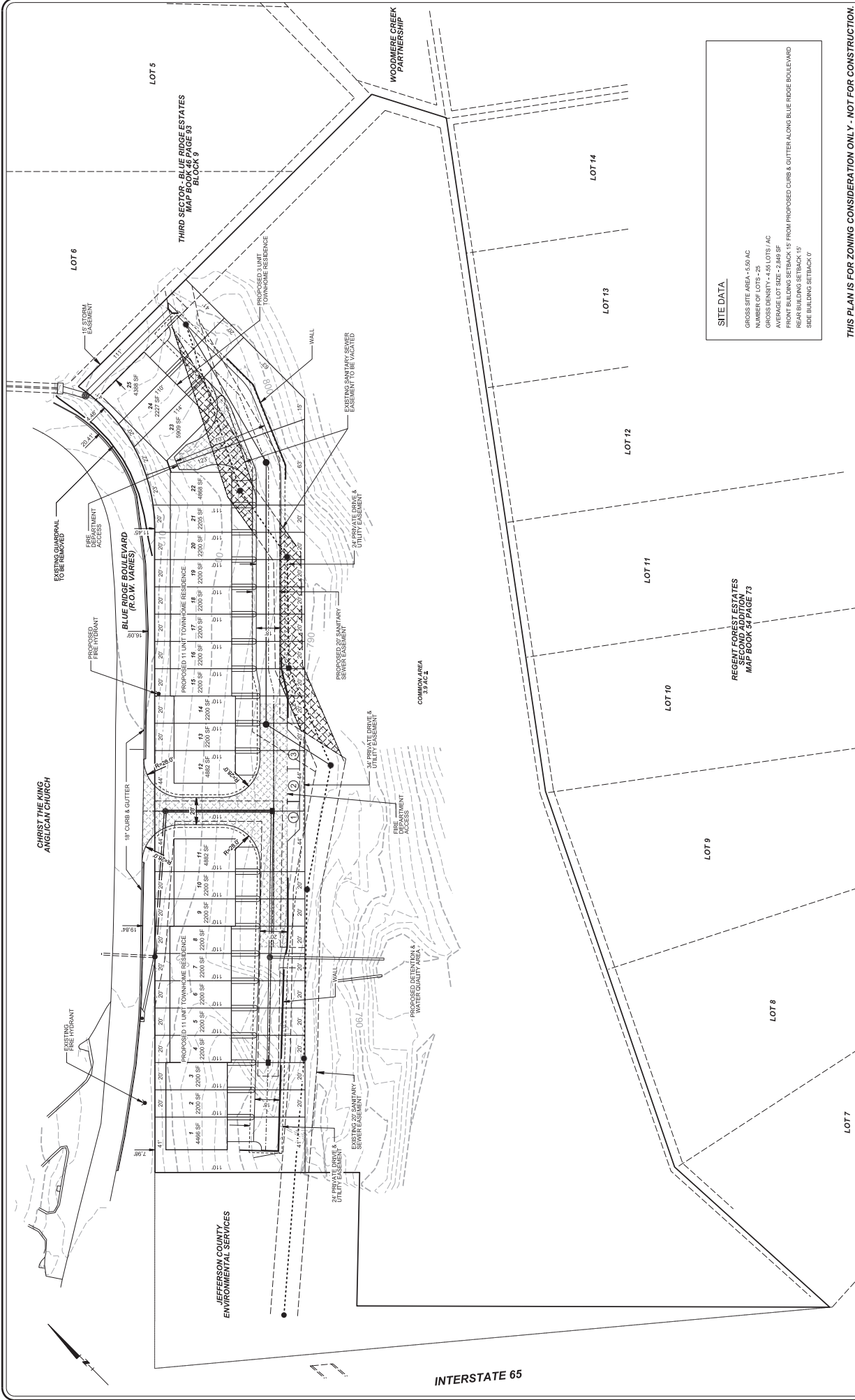


Authorized by:

Vestavia Hills Planning and Zoning Commission, Michael
Vercher, Chair

Issued by:

Conrad Garrison, City Planner



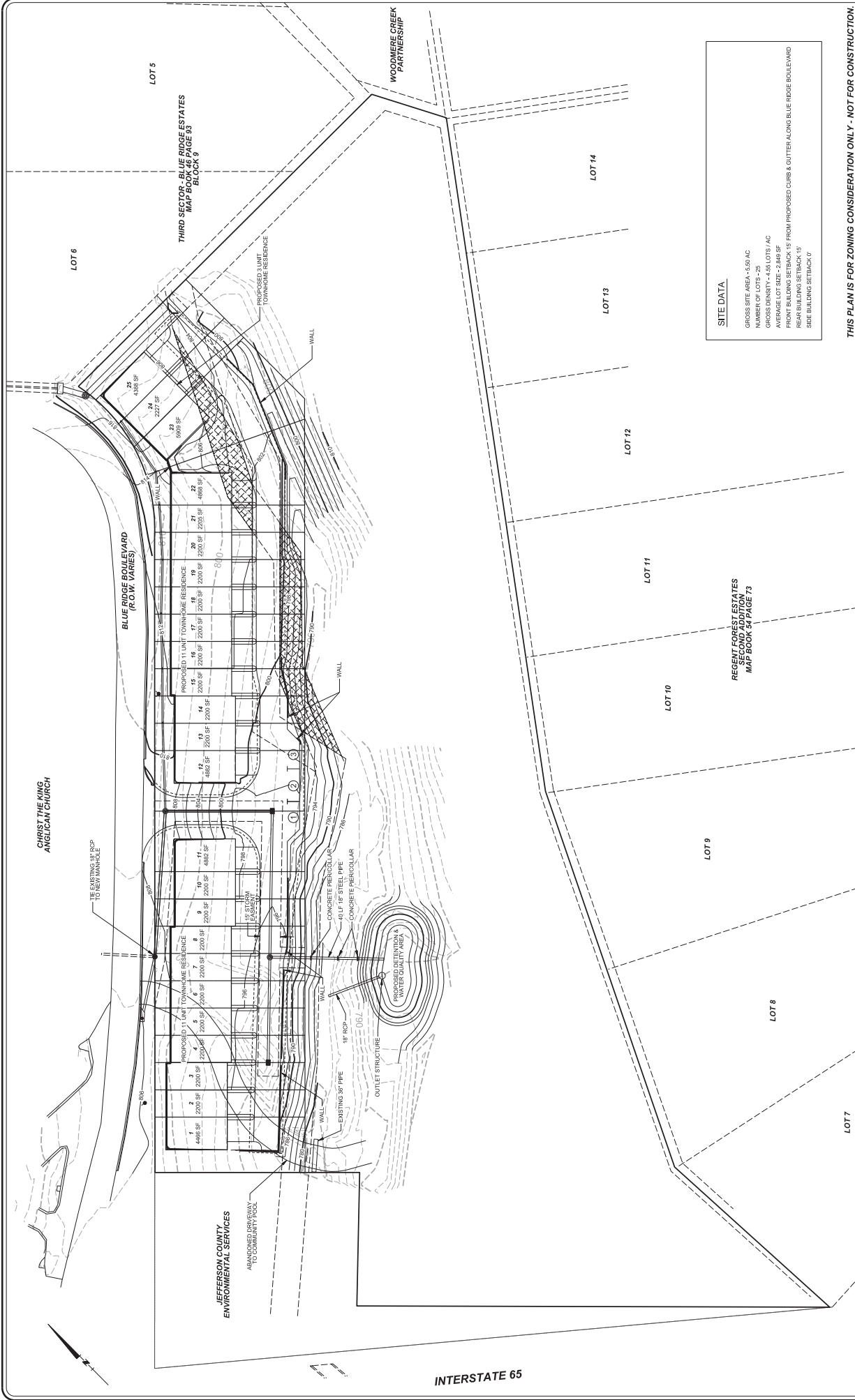
SITE DATA

GROSS SITE AREA - 5.59 AC
 NUMBER OF LOTS - 25
 GROSS DENSITY - 4.53 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>Regent Forest Estates MAP BOOK 50 PAGE 73</p>	<p>Resizing Site Plan Blue Ridge Boulevard Taylor Burton Company Jefferson County, Alabama</p>	<p>Scale: 1" = 40' Drawn by: [Blank] Checked: [Blank] WFE File Name: [Blank] [Blank]</p>	<p>Date: 2/1/2022 Sheet No: C10 Sequence No: 1 of 2</p>
<p>Seal of the State of Alabama No. 21564 Robert W. Emley, IV, PE Professional Engineer</p>						



SITE DATA

GROSS SITE AREA - 5.59 AC
 NUMBER OF LOTS - 25
 GROSS DENSITY - 4.45/LOTS / AC
 AVERAGE LOT SIZE - 2,248 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. Emley, IV, PE
 Date



Alabama Engineering Company, Inc.
 1214 Alford Avenue, Suite 200
 Hoover, Alabama 35226
 Phone (205) 803-2161
 Fax (205) 803-2162

Regreasing Grading & Drainage Plan
 Blue Ridge Boulevard
 Taylor Burton Company
 Jefferson County, Alabama

REGENT FOREST ESTATES
 MAP BOOK 54 PAGE 73

THIRD SECTOR - BLUE RIDGE ESTATES
 MAP BOOK 46 PAGE 43
 BLOCK 9

WOODMERE CREEK PARTNERSHIP

CHRIST THE KING ANGLICAN CHURCH

JEFFERSON COUNTY ENVIRONMENTAL SERVICES
 ABANDONED DRIVEWAY TO COMMUNITY POOL

INTERSTATE 65

Scale: 1" = 40'
 Drawn by: [Blank]
 Checked: [Blank]
 P.E. Name: [Blank]
 Sequence No.: 2 of 2

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 $\frac{1}{4}$ 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 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 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

A 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 $\frac{1}{4}$ 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 296.1 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 Burke</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

ORDINANCE NUMBER 3123

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 APPROVE THE THIRD AMENDMENT TO PATCHWORK FARM PLANNED UNIT DEVELOPMENT ZONING APPLICATION AND DEVELOPMENT PLAN DATED JULY 12, 2022, TO INCREASE THE NUMBER OF ATTACHED DWELLING UNITS WITHIN CERTAIN PROPERTY WITHIN THE PATCHWORK FARM PLANNED UNIT DEVELOPMENT TO A MAXIMUM OF 37 UNITS

WHEREAS, on February 23, 2009, the City Council of the City of Vestavia Hills, Alabama adopted and approved Ordinance Number 2253 to rezone 87 +/- acres known as Patchwork Farms pursuant to the Patchwork Farm Planned Unit Development Zoning Application Development Plan dated December 3, 2008 (revised 2/26/09) (the “Patchwork Farms PUD Plan”); and

WHEREAS, on September 14, 2014, the City Council adopted and approved Ordinance Number 2532 to adopt the First Amendment to the Patchwork Farms Planned Unit Development Plan dated July 10, 2014; and

WHEREAS, on November 26, 2018, the City Council adopted and approved Ordinance Number 2807 to adopt the Second Amendment to the Patchwork Farms Planned Unit Development Plan dated September 6, 2018; and

WHEREAS, a owner of property subject to the Patchwork Farms PUD Plan has filed a Third Amendment to the Patchwork Farms PUD Plan dated July 12, 2022 (the “Third Amendment”) requesting, but not limited to, the following:

- As a result of a property owner’s desire to construct thirty-seven (37) attached residential units on property described as Lots 5A and 5C, Patchwork Farms Lot 5 Resurvey Final Plat “Christopher Property”, as recorded in Map Book 241, Page 37, Probate Office of Jefferson County, Alabama, the maximum attached residential units density under the Patchwork Farms PUD Plan will require a 7-unit increase for a total of 37 dwelling units.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Vestavia Hills, Alabama, as follows: That the Third Amendment, a copy of which is marked as Exhibit B, attached to and incorporated into this Resolution, be, and hereby is approved by the City Council of the City of Vestavia Hills, Alabama.

BE IT FURTHER 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, be further amended so as to allow the following described real property (which is subject to the Patchwork Farms PUD Plan) to construct seven (7) additional single family attached units for a total of 37 dwelling units and that all necessary easements be recorded and a copy submitted to the Office of the City Clerk to be affixed to this Ordinance prior to effective date of this Ordinance:

Lots 5A and 5C, Patchwork Farms Lot 5 Resurvey Final Plat “Christopher Property”
Christopher, LLC, owner(s); and

APPROVED and ADOPTED this the 26th day of September 2022.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CERTIFICATION:

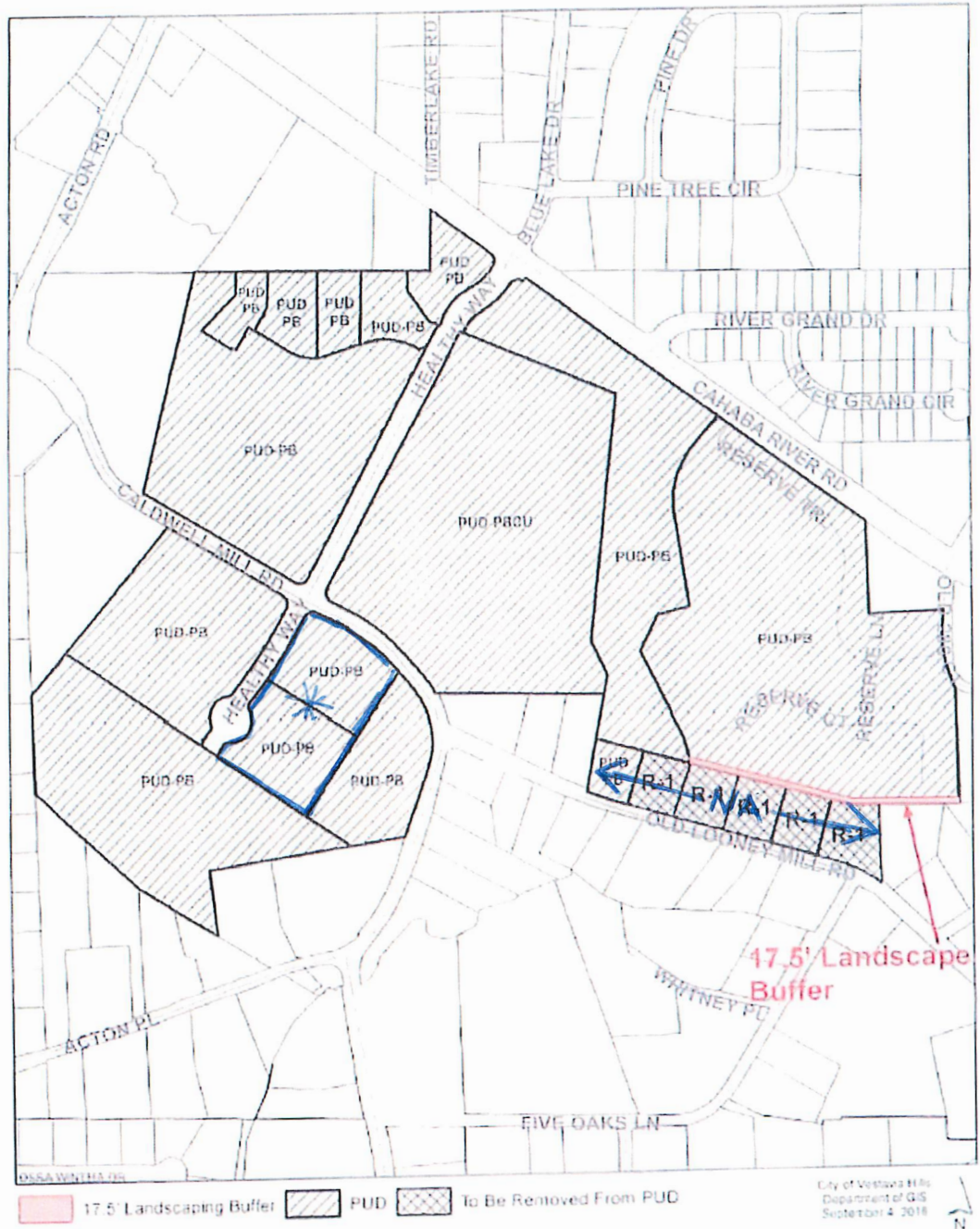
I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance #3123 is a true and correct copy of such Ordinance that was duly adopted by the City Council of the City of Vestavia Hills on the 26th day of September 2022 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

Exhibit A

2nd Amendment to Patchwork Farms PUD



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

Date: **AUGUST 11, 2022**

- **CASE:** P-0822-19
- **REQUESTED ACTION:** Increasing Patchwork Farms PUD Condo Limit From 30 to 37
- **ADDRESS/LOCATION:** Patchwork Farms
- **APPLICANT/OWNER:** Christopher, LLC Et Al
- **GENERAL DISCUSSION:** The request is to amend the Patchwork Farms PUD regulations, lifting the cap on condo units from 30 to 37. The condo units would be part of a development that includes a hotel, retail, and parking garage.

The proposed site plan and rationale are included. The proposed site plan does change traffic patterns in and around the PUD. Ingress/egress easements between lots in the PUD will be required. The rise in the condo unit cap is the only thing considered and requiring approval with this request. All other requirements of the Patchwork Farms PUD will be followed.

- **PATCHWORK FARMS PUD:** The request is consistent with the PUD for planned mixed use.
- **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: Staff recommends the following conditions: A. Amendment not final until all ingress/egress easements are recorded and submitted to the City.

2. **City Engineer Review:** Traffic study will be required before permitting.
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. Farrell made a motion to A Planned Unit Development Amendment For Patchwork Farms To Increase The Number Of Approved Condo Units From 30 To 37 for the property located at Patchwork Farms with the following condition

1. All necessary easement documents shall be submitted to the City Clerk's Office and recorded.

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

Mr. Maloof– yes

Mr. Honeycutt– yes

Mr. Larson – yes

Motion carried.

Mr. Farrell – yes

Mr. Sykes – yes

Ms. Vercher – yes

3.c. Plan. A Master Development Plan of the PUD and any maps necessary to show the following information: (applicable to this property only)

(1) The direction of north, appropriate scale and topography (in no greater than ten (10) feet contour intervals), waterways, flood plains, wetlands, forest cover and known areas of subsurface mining or environmental hazards;

We have provided a full site survey as prepared by Southern Point Surveying in July 2021.

(2) The location of the various land uses by PUD land use districts as listed in §6.9.5 hereof;

Lot 5C: Mixed Use

- Planned Business (Retail)
- Planned Single-Family Residential (Condos)

(3) The location of any existing and proposed public or private streets and streets, greenbelts, buffers, natural or man-made open spaces, schools, parks and community service areas within and adjacent to the project area; and

The project is located at the intersection of two public streets, Caldwell Mill Road and Healthy Way. We have provided a site survey for the Boundary and Topographic features performed by Southern Point Surveying in July 2021. The requested information is indicated in that survey.

(4) The location of any proposed gates for control of access on public and private streets.

There are no proposed gates for control of access to any public or private streets.

4. Planning Criteria.

4.a. A legal description of the total site proposed for the PUD;

Lots 5A and 5C, according to the Survey of the Patchwork Farms Resurvey of Lot 5 Final Plat, as recorded in Map Book 241, Page 37 in the Office of the Judge of Probate of Jefferson County, Alabama.

4.b. A general description of the surrounding area, including current zoning and/or land uses;

Patchwork Farms provides a unique destination serving to attract a mixture of retail, dining, residential, and commercial uses that will increase the available revenue base the City utilizes to support community services and schools. The 82+/- acre property is ideally suited to accommodate this diversity of uses when comprehensively planned in accordance with the Planned Unit Development Zoning Classification established pursuant to the City Code.

The base zoning districts for Patchwork Farms Parcels are reflected in the attached Exhibits and provide as follows:

<u>Land Use District</u>	<u>Gross Acreage (approximate)</u>
Planned Single Family (PR-1)	3.09 Acres
<u>Planned Business (PB)*</u>	<u>78.79 Acres</u>
Total	82.46 Acres

The buildings and uses within Patchwork Farms shall generally comply with the Zoning Code of the City of Vestavia Hills, Alabama, the Patchwork Farms Planned Unit Development Zoning Application and

Development Plan and the First Amendment thereto, the Patchwork Farms Commercial Declaration of Covenants, Conditions and Restrictions and any amendments thereto, as applicable, except as specifically set forth herein.

4.c. A statement of planning objectives to be achieved by the PUD through the particular approach proposed by the applicant. The statement should include a description of the character of the proposed development and the rationale behind the assumptions and projections made by the applicant in relation to the over-all community growth;

The Patchwork Farms Plan has been conceived in accordance with the following planning objectives:

- To advance the vision for Patchwork Farms as contemplated by the Patchwork Farms Charrette by (i) creating a mixture of retail, commercial, institutional, residential, and recreational uses that will contribute to the vitality of the City of Vestavia Hills as a whole, (ii) providing opportunities for recreation and community activity, (iii) providing infrastructure to support contemplated development, and (iv) enhancing the shopping, dining, and entertainment choices in the City.
- To reinforce the character and vision for Patchwork Farms as a pedestrian friendly, community-oriented destination, while incorporating flexibility in design and operation that is critical to attract and maintain a strong core of retail, restaurant, and commercial tenants.
- To cultivate a family-friendly environment through amenities such as green spaces, walking trails, sidewalks, and plazas that will encourage and invite leisurely strolls, dining, shopping, and community activities.
- To design, construct, and operate Patchwork Farms in a manner that is appropriate for its surroundings and that attempts to minimize the impacts on adjacent neighborhoods by focusing on transitions between uses, setbacks, topography, vegetation, screening, and green space.
- To reinforce the positive image that is enjoyed by City of Vestavia Hills, by emphasizing architectural quality, providing attractive and pedestrian oriented streetscapes, and by maintaining rich landscaping and green space.
- To provide for efficient traffic circulation within Patchwork Farms by introducing street, infrastructure, and parking improvements focused on convenience, accessibility, and ease of movement.
- To minimize disruptions to the community through the efficient sequencing and scheduling of construction activity intended to minimize the time necessary for project delivery.
- To employ the efficient and economical arrangement of buildings, lots, uses, circulation, and supporting infrastructure than would otherwise be feasible under the traditional zoning classifications.

4.d. Of the development is to be in phases or stages, a general discussion of how the phases or staging is to proceed and an estimated date when the PUD will begin;

Depending on a variety of factors, construction would begin in December 2022/January 2023 with an 18-22 month construction window. Condos and retail spaces will be pre-sold and pre-leased. Construction will begin with the residences and parking deck, followed by the Hotel. The development should be completed by summer of 2024.

4.e. General delineation of the various land use districts within the PUD, indicating for each such district its general size in terms of estimated total number of acres, with the exact boundaries of each such area to be determined by plat approved by the Commission;

Land Use District
Planned Single Family (PR-1)

Gross Acreage (approximate)
3.09 Acres

<u>Planned Business (PB)*</u>	<u>78.79 Acres</u>
Total	82.46 Acres

4.f. A calculation of the residential density in dwelling units per gross acre including interior roadways, and including maximum density in units per acre, and densities for all other land use districts within the PUD;

Residences at Alta 37 units on 2 acres – ~18.5 units per acre.

4.g. Development criteria which shall include:

(1) setbacks or other location methods, minimum finished floor areas, sign criteria, building heights, off-street parking requirements for each proposed land use district, and/or any other development criteria which the applicant may propose,

Lot frontage along Healthy Way has a 5'-0" utility easement that will be maintained. 20'-0" Sanitary Sewer Easement straddling lots 5A and 5C shall be maintained. Building Heights may not exceed ten (10) stories as following regulations for Planned Office (PO) – per email exchange with Rebecca Leavings and Jack Wakefield in January of 2020. Off-street parking demands to follow typical demands for each use (within the mixed-use facilities) to be accommodated by new Parking Deck structure and new on-street parking between lots. No minimum finished floor areas. Signage to be integrated with landscape design or building design.

(2) a general discussion of loading areas, greenbelts and buffers;

Loading areas to be minimal – only to service the Hotel back of house and a possible adaptation to a pair of parking spaces along Healthy Way for future commercial tenancy. 5'-0" landscape buffers along property lines to be maintained on either side and in the front of each lot. Medjet parking that extends into either lot's rear will be maintained and utilized for the new development.

4.h. Proposed plans for open space;

No significant open space is proposed.

4.i. Availability and accessibility of transportation, water supply and sewage disposal to the property;

Existing roadways, water, and sewage from Healthy Way to be maintained and utilized by new development.

4.j. General statement regarding the ownership and maintenance of common areas and/or common open space;

There are two common areas related to the development of the hotel and condominiums: (1) the common areas within that property (shared by the hotel, retail, and condominiums), and (2) the common areas of the Patchworks PUD. For (1), the owners of the hotel, condominiums, and retail space will contribute to the common area maintenance ("CAM") on a prorata basis as part of the Master Declaration Agreement establishing the ownership entities. For (2), these same owners will be assessed their proportion of CAM by the Patchworks association according to the relative size of the new development and the existence of a structure, relative to the other entities within the Patchworks PUD.

4.k. Documentation of any protective and/or restrictive covenants, homeowner or business associations and architectural review committees, if any, and a discussion of their functions.

In connection with the preparation of schematic design documents for any building(s) or structure(s), the project owner shall, in accordance with the Patchwork Farms Conditions, Covenants, and Restrictions and City Code, submit preliminary plans (site plan, floor plans, elevations, lighting & landscaping, et. al) for review and approval by the Architectural Review Committee and Design Review Board ("Design Committee"). The respective entities shall review for compliance with the Design Standards and City Code, provide guidance as to required changes or modifications, if necessary for compliance, and ultimately provide notice of approval or rejection. Prior to commencing construction on any building, the project owner shall apply for a building permit in accordance with City Code. The zoning officer shall have the right to consult with the Design Committee to determine if the final plans comply with the Design Standards and approvals from the respective entities.

4.l. A general statement concerning any planned street/subdivision sign designs, including street, traffic and informational signs or other standards;

Street and traffic signage to follow typical design for Vestavia Hills. Informational signage to be integrated into landscape design. A Master Signage Plan, created for the Patchwork Farms development, provides standards for street, way-finding, building, and monument signage. Project owners shall be required to submit proposed signage for review and approval by the Design Committee. Prior to erecting any sign or awning, each business within Patchwork Farms shall submit an application for a sign permit in accordance with City Code.

4.m. Any planned interim uses of any portion of the property;

A sales center installed on site to promote the condominiums and upcoming development.

4.n. A traffic study, if required by the City Engineer;

We have a civil engineer, Mark Gonzalez with Gonzalez Strength & Associates, to coordinate all roadway improvements and modifications. We have already presented a Site Plan to Christopher Brady and Lori Beth Kearley in May of 2021 outlining the scope of work.

4.o. Landscaping criteria;

Exterior areas to be developed complimentary to building design. Use of landscape walls, pedestrian courts, and multiple-use areas are encouraged.

4.p. Any proposed modification of existing subdivision regulations as applicable to the PUD.

Developer seeks an additional two (2) condominium units approved to achieve feasibility for the project.