

ORDINANCE NUMBER 3130-A

AN ORDINANCE AMENDING ORDINANCE NUMBER 3130 - APPROVING THE TERMS, PROVISIONS, CONDITIONS AND SUBSTANCE OF SIX (6) DIFFERENT TEMPLATE CONTRACTS TO BE EXECUTED AND DELIVERED BY CITIZENS WHO RENT FACILITIES IN THE NEW CIVIC CENTER AND VENDORS AND TO AUTHORIZE THE CITY MANAGER AND DIRECTOR OF PARKS AND LEISURE SERVICES TO SIGN THE SAID TEMPLATE CONTRACTS FOR AND ON BEHALF OF THE CITY OF VESTAVIA HILLS, ALABAMA IN ORDER TO REPLACE "EXHIBIT 2" ENTITLED "VENDOR CONTRACT FOR ALCOHOLIC BEVERAGE SERVICE"

WHEREAS, on October 10, 2022, the City Council approved and adopted Ordinance Number 3130 to approve the terms, provisions, conditions and substance of six (6) different template contracts to be executed and delivered by citizens who rent facilities in the new civic center and vendors and to authorize the City Manager and Director of Parks and Leisure Services to sign the said template contracts for and on behalf of the City of Vestavia Hills, Alabama; and

WHEREAS, the six templates were numbered consecutively and were attached to and incorporated into said Ordinance Number 3130 as if written fully therein; and

WHEREAS, it was later determined that Exhibit 2, the Vendor Contract for Alcoholic Beverage Service ("the Alcohol Vendor Contract") had a required liquor liability insurance coverage limit of One Million Dollars (\$1,000,000.00) would cost an alcohol vendor Fifty Thousand Dollars (\$50,000.00) per year to maintain making said license cost prohibitive; and

WHEREAS, the City Attorney reviewed the issue and documented in a letter dated March 24, 2023 that the coverage limit can be reduced to One Hundred Thousand Dollars (\$100,000.00) without exposing the City to liability. Said letter is marked as Exhibit A, attached to and incorporated into this Ordinance Number 3130-A as if written fully therein; and

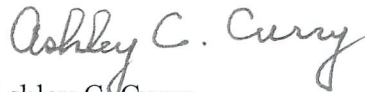
WHEREAS, the City Attorney drafted a replacement to the Exhibit 2, the Alcohol Vendor Contract and has recommended that the City Council amend Ordinance 3130 to replace Exhibit 2 with this revised contract. Said contract is marked as "Exhibit 2" and is attached to and incorporated into this Ordinance Number 3130-A as if written fully therein; and

WHEREAS, the Mayor and City Council feel it is in the best public interest to amend Ordinance 3130 and replace that Exhibit 2 with the Exhibit 2 detailed in this Ordinance Number 3130-A in order to revise the Alcohol Vendor Contract with newly detailed limits.

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

1. That Ordinance Number 3130 is hereby amended to replace Exhibit 2 of Ordinance Number 3130 with the revised Exhibit 2 of Ordinance Number 3130-A, the Alcohol Vendor Contract with amended liability limits to be sued for the alcoholic beverage service vendor for the City's Parks and Leisure Services; and
2. This is the Alcohol Vendor Contract that shall be utilized for vendors performing alcoholic beverage service at the City's new Civic Center; and
3. This Ordinance Number 3130-A shall become effective immediately upon approval and publishing/posting as required by Alabama law.

ADOPTED and APPROVED this the 10th day of April, 2023.



Ashley C. Curry
Mayor

ATTESTED BY:



Rebecca Leavings
City Clerk

CERTIFICATION:

I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance Number 3130-A is a true and correct copy of such Ordinance that was duly adopted by the City Council of the City of Vestavia Hills on the 10th day of April, 2023 as same appears in the official records of said City.

Posted at Vestavia Hills Municipal Center, Vestavia Hills New Merkel House, Vestavia Hills Civic Center and Vestavia Hills Library in the Forest this the 17th day of April, 2023.



Rebecca Leavings
City Clerk