

**MOUNTAIN BROOK CITY COUNCIL
MEETING AGENDA**

**CITY HALL COUNCIL CHAMBER (ROOM A108)
56 CHURCH STREET
MOUNTAIN BROOK, AL 35213**

JULY 28, 2014 – 7:00 P.M.

1. Approval of the minutes of the July 14, 2014 regular meeting of the City Council.
2. Declare Alice B. Womack (being the only person who qualified for office) elected to the office of City Council–Place 1 of the City of Mountain Brook for the term of office commencing on the first Monday in November 2014.
3. Declare William S. (Billy) Pritchard, III (being the only person who qualified for office) elected to the office of City Council–Place 3 of the City of Mountain Brook for the term of office commencing on the first Monday in November 2014.
4. Declare Lloyd C. Shelton (being the only person who qualified for office) elected to the office of City Council–Place 5 of the City of Mountain Brook for the term of office commencing on the first Monday in November 2014.
5. Consideration: Resolution accepting the professional services proposal submitted by Fontenot Benefits & Actuarial Consulting for their actuarial valuation of the City’s retiree medical benefit plan as required by GASB Statements 43 and 45.
6. Consideration: Resolution authorizing a transfer of funds in the [budgeted] amount of \$300,000 from the General Fund to the City of Mountain Brook Retiree Medical (Sec. 115) Trust.
7. Consideration: Resolution authorizing an appropriation in the amount of \$528,386 to the Mountain Brook Board of Education to be used for the roof replacement at Brookwood Forest Elementary School.
8. Consideration: Resolution declaring certain property surplus and authorizing its sale by way of public Internet auction.
9. Announcement: The next regular meeting of the City Council will be August 11, 2014, at 7 p.m. in the Council Chamber of City Hall located at 56 Church Street, Mountain Brook, AL 35213.
10. Other business.
11. Comments from residents.
12. Adjourn.

**MOUNTAIN BROOK CITY COUNCIL
PRE-MEETING DISCUSSION
JULY 14, 2014**

The City Council of the City of Mountain Brook, Alabama met in public session in the Pre-council Room (A106) of City Hall at 5:45 p.m. on Monday, the 14th day of July, 2014. The Council President called the meeting to order and the roll was called with the following results:

Present: Virginia C. Smith, Council President
Amy G. Carter, Council President Pro Tempore
Jack D. Carl
William S. Pritchard, III
Jesse S. Vogtle, Jr.

Absent: Lawrence T. Oden, Mayor

Also present were City Attorney Carl Johnson, City Manager Sam Gaston, and City Clerk Steven Boone.

1. AGENDA

1. Little Hardware right-of-way Public Improvements. (Ordinance No. 1911 was added to the formal agenda.)
2. Residents on Beech Circle and Beech Street to address the City Council about flooding and water runoff concerns. (Resolution No. 2014-082 was added to the formal agenda.)
3. Proposed amended business travel policy. (Resolution No. 2014-083 was added to the formal agenda.)
4. Proposed Health Screening Policy. (Resolution No. 2014-084 was added to the formal agenda.)
5. Blue Print Birmingham presentation – Rick Davis of the Birmingham Business Alliance (Appendix 1).
6. Proposed food/fashion truck regulations – Appendix 2. (The members of the City Council stated that they agreed with the general concepts outlined in the proposed regulations. The City Planner will prepare a draft ordinance for consideration at the July 28, 2014 meeting of the City Council.)
7. Lane Parke project update – John Evans.

The developer is one tenant short of having enough tenant commitments to move forward with their financing of the retail phase of the development and negotiations are currently underway with that tenant. Once financing is secured, the developer will announce its tenant commitments and then move forward with filling the remaining [intentionally] uncommitted space. The developer hopes to break ground on the first phase of retail space this fall and turn the building over to the tenants approximately 9 months after ground breaking to install fixtures and stock products and merchandise which could take an additional 3 months. The current phases (apartments and hotel) are a little behind schedule due to rainy weather a few months ago but the recent dry weather is allowing the builder to catch-up somewhat.

8. One-time retiree payment authorized by the Retirement Systems of Alabama. (The members of the City Council stated that matter will be considered during the upcoming budget work sessions.)
9. Parking pads and Right-of-Way Use Agreement for 100 and 110 Dexter Avenue. (Resolution No. 2014-081 was added to the formal agenda.)

10. Cahaba River Park Eagle Scout project (Appendix 3). (The members of the City Council expressed their consent that the proposed project would be beneficial to the public and Overton Park if approved by the Boy Scouts.)
11. Proposed speed limit ordinance amendment for Highway 280. (Ordinance 1910 was added to the formal agenda.)
12. Executive Session. There being no further business to come before the City Council, it was moved by Council President Smith that the City Council convene in executive session to discuss a matter involving potential litigation. The motion was seconded by Council member Pritchard. The City Attorney certified that the subject matter of the executive session is allowed pursuant to the Open Meetings Act. Then, upon the question being put and the roll called, the vote was recorded as follows:

Ayes: Virginia C. Smith, Council President
 Amy G. Carter, Council President Pro Tempore
 Jack D. Carl
 William S. Pritchard III
 Jesse S. Vogtle, Jr.

Nays: None

President Smith declared that the motion carried by a vote of 5-0 and then asked that the members of the audience be excused. President Smith also announced that the City Council pre-meeting will adjourn upon conclusion of the executive session and the regular council meeting would commence upon adjournment of the executive session.

Steven Boone, City Clerk

**MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF MOUNTAIN BROOK, ALABAMA
JULY 14, 2014**

The City Council of the City of Mountain Brook, Alabama met in public session in the City Hall Council Chamber at 7:00 p.m. on Monday, the 14th day of July, 2014. The Council President called the meeting to order and the roll was called with the following results:

Present: Virginia C. Smith, Council President
Amy G. Carter, Council President Pro Tempore
Jack D. Carl
William S. Pritchard, III
Jesse S. Vogtle, Jr.

Absent: Lawrence T. Oden, Mayor

Also present were City Attorney Carl Johnson, City Manager Sam Gaston, and City Clerk Steven Boone.

The City Council President stated that a quorum was present and that the meeting was open for the transaction of business.

1. CONSENT AGENDA

Council President Smith announced that the following matters will be considered at one time on the consent agenda provided no one in attendance objects:

Approval of the minutes of the June 23, 2014 meeting of the City Council.

2014-076	Declare certain property surplus and authorizing its sale/disposal.	Exhibit 1
2014-077	Awarding the bid to NAFECO for the purchase of thermal imaging equipment for the Fire Department.	Exhibit 2, Appendix 1
2014-078	Award the bid to Golf Ventures for the purchase of two top dressers for the Parks and Recreation Department.	Exhibit 3, Appendix 2
2014-079	Authorize the execution of an Agreement and Assignment of Excess Cost Recovery Funds to allow the Alabama 9-1-1 Board to use excess cost recovery money toward an Internet protocol based next generation and integrated emergency communication network (aka "the ANGEN project") for wireless devices and connection with plans to extend the network for wireline connections.	Exhibit 4, Appendix 3
2014-080	Authorize the execution of a utility and construction agreement between the City and the Alabama Department of Transportation (ALDOT) with respect to the Phase 9 sidewalk project (CMAQ-NR13(908) Project Reference No. 100056494).	Appendix 4
2014-081	Authorize the execution of two right-of-way encroachment agreements between the City and Kurt and Amanda Zinn with respect to the properties located at 100 and 110 Dexter Avenue	Exhibit 5, Appendix 5

2014-082	Accept the professional service proposal submitted by Walter Schoel Engineering Company, Inc. with respect to a drainage study in the vicinity of Beech Street.	Exhibit 6, Appendix 6
2014-083	Amend the City's Business Travel Expense policy and authorize the related update of the Employee Handbook.	Exhibit 7, Appendix 7
2014-084	Adopt an employee "Wellness Screening" policy with respect to the City's participation in the Local Government Health Insurance Plan administered by the State Employees' Insurance Board.	Exhibit 8, Appendix 8

Thereupon, the foregoing minutes and resolutions were introduced by Council President Smith and their immediate adoption was moved by Council member Pritchard. The minutes and resolutions were then considered by the City Council. Council member Vogtle seconded the motion to adopt the foregoing minutes and resolutions. Then, upon the question being put and the roll called, the vote was recorded as follows:

Ayes: Virginia C. Smith, Council President
Amy G. Carter, Council President Pro Tempore
Jack D. Carl
William S. Pritchard III
Jesse S. Vogtle, Jr.

Nays: None

Council President Smith thereupon declared that said minutes and Resolution Nos. 2014-076 through 2014-084 are adopted by a vote of 5—0.

2. PUBLIC HEARING: CONSIDERATION OF AN ORDINANCE (NO. 1907-A) AMENDING THE [MIXED USE] MASTER DEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 1930 CAHABA ROAD IN ENGLISH VILLAGE (RE: VINO RESTAURANT) WITH RESPECT TO THE CONDITIONS PREVIOUSLY ESTABLISHED PURSUANT TO RESOLUTION NO. 01-242 ADOPTED ON FEBRUARY 26, 2001 (EXHIBIT 9, APPENDIX 9)

Council President Smith introduced the ordinance in writing and invited comments and questions from the audience. There being none, Council member Carl made a motion that all rules and regulations which, unless suspended, would prevent the immediate consideration and adoption of said ordinance be suspended, and that unanimous consent to the immediate consideration of said ordinance is given and that the reading of the ordinance at length be waived. The motion was seconded by Council member Pritchard and was carried, as follows:

Ayes: Virginia Smith, Council President
Amy G. Carter, Council President Pro Tempore
Jack D. Carl
William S. Pritchard, III
Jesse S. Vogtle, Jr.

Nays: None

The President of the Council declared the motion carried by a vote of 5—0.

After said ordinance had been considered in full by the Council, Council member Carl then moved for the adoption of said ordinance. The motion was seconded by Council member Pritchard. Thereupon, Council President Smith called for vote with the following results:

Ayes: Virginia Smith, Council President
Amy G. Carter, Council President Pro Tempore
Jack D. Carl

William S. Pritchard, III
Jesse S. Vogtle, Jr.

Nays: None

The President of the Council declared that the ordinance (No. 1907-A) is hereby adopted by a vote of 5—0 and, as evidence thereof, she signed the same.

3. PUBLIC HEARING: CONSIDERATION OF AN ORDINANCE (NO. 1908) AMENDING THE PUD DEVELOPMENT PLAN FOR THE LANE PARKE DEVELOPMENT (ORDINANCE NO. 1871 ADOPTED MAY 21, 2012) (EXHIBIT 10, APPENDIX 10)

Council President Smith introduced the ordinance in writing and invited comments and questions from the audience. There being none, Council member Pritchard made a motion that all rules and regulations which, unless suspended, would prevent the immediate consideration and adoption of said ordinance be suspended, and that unanimous consent to the immediate consideration of said ordinance is given and that the reading of the ordinance at length be waived. The motion was seconded by Council member Vogtle and was carried, as follows:

Ayes: Virginia Smith, Council President
Amy G. Carter, Council President Pro Tempore
Jack D. Carl
William S. Pritchard, III
Jesse S. Vogtle, Jr.

Nays: None

The President of the Council declared the motion carried by a vote of 5—0.

After said ordinance had been considered in full by the Council, Council member Pritchard then moved for the adoption of said ordinance. The motion was seconded by Council member Vogtle. Thereupon, Council President Smith called for vote with the following results:

Ayes: Virginia Smith, Council President
Amy G. Carter, Council President Pro Tempore
Jack D. Carl
William S. Pritchard, III
Jesse S. Vogtle, Jr.

Nays: None

The President of the Council declared that the ordinance (No. 1908) is hereby adopted by a vote of 5—0 and, as evidence thereof, she signed the same.

4. PUBLIC HEARING: CONSIDERATION OF AN ORDINANCE (NO. 1909) AMENDING SECTION 109-32 OF THE CITY CODE (RESIDENTIAL CODE) REGARDING THE WAIVER OF CERTAIN REPLACEMENT FENESTRATION PROVISIONS (EXHIBIT 11)

Council President Smith introduced the ordinance in writing and invited comments and questions from the audience. There being none, Council member Pritchard made a motion that all rules and regulations which, unless suspended, would prevent the immediate consideration and adoption of said ordinance be suspended, and that unanimous consent to the immediate consideration of said ordinance is given and that the reading of the ordinance at length be waived. The motion was seconded by Council member Vogtle and was carried, as follows:

Ayes: Virginia Smith, Council President
Amy G. Carter, Council President Pro Tempore

Jack D. Carl
 William S. Pritchard, III
 Jesse S. Vogtle, Jr.

Nays: None

The President of the Council declared the motion carried by a vote of 5—0.

After said ordinance had been considered in full by the Council, Council member Pritchard then moved for the adoption of said ordinance. The motion was seconded by Council member Vogtle. Thereupon, Council President Smith called for vote with the following results:

Ayes: Virginia Smith, Council President
 Amy G. Carter, Council President Pro Tempore
 Jack D. Carl
 William S. Pritchard, III
 Jesse S. Vogtle, Jr.

Nays: None

The President of the Council declared that the ordinance (No. 1909) is hereby adopted by a vote of 5—0 and, as evidence thereof, she signed the same.

5. PUBLIC HEARING: CONSIDERATION OF AN ORDINANCE (NO. 1910) TO AMEND SECTION 50-46(b) OF THE CITY CODE RELATING TO THE SPEED LIMIT ON U.S. HIGHWAY 280 (EXHIBIT 12)

Council President Smith introduced the ordinance in writing and invited comments and questions from the audience. There being none, Council member Pritchard made a motion that all rules and regulations which, unless suspended, would prevent the immediate consideration and adoption of said ordinance be suspended, and that unanimous consent to the immediate consideration of said ordinance is given and that the reading of the ordinance at length be waived. The motion was seconded by Council member Vogtle and was carried, as follows:

Ayes: Virginia Smith, Council President
 Amy G. Carter, Council President Pro Tempore
 Jack D. Carl
 William S. Pritchard, III
 Jesse S. Vogtle, Jr.

Nays: None

The President of the Council declared the motion carried by a vote of 5—0.

After said ordinance had been considered in full by the Council, Council member Pritchard then moved for the adoption of said ordinance. The motion was seconded by Council member Vogtle. Thereupon, Council President Smith called for vote with the following results:

Ayes: Virginia Smith, Council President
 Amy G. Carter, Council President Pro Tempore
 Jack D. Carl
 William S. Pritchard, III
 Jesse S. Vogtle, Jr.

Nays: None

The President of the Council declared that the ordinance (No. 1910) is hereby adopted by a vote of 5—0 and, as evidence thereof, she signed the same.

6. PUBLIC HEARING: CONSIDERATION OF AN ORDINANCE (NO. 1911) ALLOWING IMPROVEMENTS IN THE PUBLIC RIGHT-OF-WAY OF 20TH AVENUE IN ENGLISH VILLAGE, INCLUDING THE ADDITION OF FIVE (5) ON-STREET PARKING SPACES, ALONG THE SOUTH BOUNDARY OF PROPERTY LOCATED AT 1930 CAHABA ROAD (EXHIBIT 13, APPENDIX 11)

Council President Smith introduced the ordinance in writing and invited comments and questions from the audience. There being none, Council member Pritchard made a motion that all rules and regulations which, unless suspended, would prevent the immediate consideration and adoption of said ordinance be suspended, and that unanimous consent to the immediate consideration of said ordinance is given and that the reading of the ordinance at length be waived. The motion was seconded by Council member Vogtle and was carried, as follows:

Ayes: Virginia Smith, Council President
Amy G. Carter, Council President Pro Tempore
Jack D. Carl
William S. Pritchard, III
Jesse S. Vogtle, Jr.

Nays: None

The President of the Council declared the motion carried by a vote of 5—0.

After said ordinance had been considered in full by the Council, Council member Pritchard then moved for the adoption of said ordinance. The motion was seconded by Council member Vogtle. Thereupon, Council President Smith called for vote with the following results:

Ayes: Virginia Smith, Council President
Amy G. Carter, Council President Pro Tempore
Jack D. Carl
William S. Pritchard, III
Jesse S. Vogtle, Jr.

Nays: None

The President of the Council declared that the ordinance (No. 1911) is hereby adopted by a vote of 5—0 and, as evidence thereof, she signed the same.

7. PUBLIC HEARING: CONSIDERATION OF AN ORDINANCE (NO. 1912) ALLOWING IMPROVEMENTS IN THE PUBLIC RIGHT-OF-WAY OF 20TH AVENUE IN ENGLISH VILLAGE, INCLUDING THE ELIMINATION OF ONE(1) ON-STREET PARKING SPACE, ALONG THE SOUTH BOUNDARY OF PROPERTY LOCATED AT 2117 CAHABA ROAD (EXHIBIT 14, APPENDIX 12)

Council President Smith introduced the ordinance in writing and invited comments and questions from the audience. There being none, Council member Pritchard made a motion that all rules and regulations which, unless suspended, would prevent the immediate consideration and adoption of said ordinance be suspended, and that unanimous consent to the immediate consideration of said ordinance is given and that the reading of the ordinance at length be waived. The motion was seconded by Council member Vogtle and was carried, as follows:

Ayes: Virginia Smith, Council President
Amy G. Carter, Council President Pro Tempore
Jack D. Carl
William S. Pritchard, III
Jesse S. Vogtle, Jr.

Nays: None

The President of the Council declared the motion carried by a vote of 5—0.

After said ordinance had been considered in full by the Council, Council member Pritchard then moved for the adoption of said ordinance. The motion was seconded by Council member Vogtle. Thereupon, Council President Smith called for vote with the following results:

Ayes: Virginia Smith, Council President
 Amy G. Carter, Council President Pro Tempore
 Jack D. Carl
 William S. Pritchard, III
 Jesse S. Vogtle, Jr.

Nays: None

The President of the Council declared that the ordinance (No. 1912) is hereby adopted by a vote of 5—0 and, as evidence thereof, she signed the same.

8. PUBLIC HEARING: CONSIDERATION OF AN ORDINANCE (NO. 1913) ESTABLISHING TIME RESTRICTUIONS FOR THE ON-STREET PUBLIC PARKING LOCATED AT 2117 CAHABA ROAD (EXHIBIT 15)

Council President Smith introduced the ordinance in writing and invited comments and questions from the audience. There being none, Council member Pritchard made a motion that all rules and regulations which, unless suspended, would prevent the immediate consideration and adoption of said ordinance be suspended, and that unanimous consent to the immediate consideration of said ordinance is given and that the reading of the ordinance at length be waived. The motion was seconded by Council member Vogtle and was carried, as follows:

Ayes: Virginia Smith, Council President
 Amy G. Carter, Council President Pro Tempore
 Jack D. Carl
 William S. Pritchard, III
 Jesse S. Vogtle, Jr.

Nays: None

The President of the Council declared the motion carried by a vote of 5—0.

After said ordinance had been considered in full by the Council, Council member Pritchard then moved for the adoption of said ordinance. The motion was seconded by Council member Vogtle. Thereupon, Council President Smith called for vote with the following results:

Ayes: Virginia Smith, Council President
 Amy G. Carter, Council President Pro Tempore
 Jack D. Carl
 William S. Pritchard, III
 Jesse S. Vogtle, Jr.

Nays: None

The President of the Council declared that the ordinance (No. 1913) is hereby adopted by a vote of 5—0 and, as evidence thereof, she signed the same.

9. ANNOUNCEMENT REGARDING THE NEXT REGULAR MEETING OF THE CITY COUNCIL

Council President Smith announced that the next meeting of the Mountain Brook City Council will be held on Monday, July 28, 2014 at 7 p.m. in the Council Chamber of City Hall located at 56 Church Street, Mountain Brook, AL 35213. Please visit the City's web site (www.mtnbrook.org) for more information.

10. ADJOURNMENT

There being no further business to come before the City Council at this time, Council President Smith adjourned the meeting.

Steven Boone, City Clerk

EXHIBIT 1

RESOLUTION NO. 2014-076

WHEREAS, the City of Mountain Brook, Alabama, has certain items of personal property which are no longer needed for public or municipal purposes; and

WHEREAS, Section 11-43-56 of the Alabama Code of 1975 authorizes the municipal governing body to dispose of unneeded personal property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Mountain Brook, as follows: It is hereby established and declared that the following property owned by the City of Mountain Brook, Alabama is not needed for public or municipal purposes and is hereby declared surplus property:

48 (forty eight) Taser X-26 Devices (functional): For destruction

Serial Nos.

x00-212650	x00-227520	x00-125615	x00-238379
x00-238301	x00-436880	x00-238194	x00-436988
x00-238247	x00-090554	x00-238628	x00-091985
x00-125809	x00-238597	x00-238648	x00-238281
x00-238341	x00-436985	x00-436816	x00-238375
x00-227181	x00-339746	x00-122358	x00-226619
x00-059982	x00-238548	x00-090756	x00-238268
x00-125470	x00-091843	x00-168542	x00-238425
x00-125440	x00-238312	x00-238653	x00-238616
x00-238613	x00-227714	x00-224257	x00-122299
x00-227718	x00-091171	x00-224425	x00-105268
x00-339580	x00-125801	x00-227193	

9 (nine) Damaged Taser X-26 Devices: For destruction

Serial Nos.

x00-005747	x00-238200	x00-238391	x00-091487
x00-122085	x00-238208	x00-100551	

1 (one) Taser X-26 USB Dataport Download Kit: For destruction

65 (sixty five) Taser X-26 holsters: For destruction

**CERTIFICATE OF ELECTION
(WITHOUT OPPOSITION)**

STATE OF ALABAMA

JEFFERSON COUNTY

CITY OF MOUNTAIN BROOK, ALABAMA

The undersigned hereby certify that Alice B. Womack is the only person who has qualified for the elected office of City Council, Place 1 and has therefore been deemed elected to the office of City Council, Place 1 of the City of Mountain Brook, Alabama, for the term commencing on the first Monday of November, 2014.

Given under our hands pursuant to the requirements of Sections 11-46-20 et seq. of the Alabama Code of 1975, as amended, this 28th day of July, 2014.

Virginia C. Smith, Council President

Amy G. Carter, Council President Pro Tem

Jack D. Carl, Council member

William S. Pritchard, III, Councilmember

Jesse S. Vogtle, Jr., Councilmember

2014-085

**CERTIFICATE OF ELECTION
(WITHOUT OPPOSITION)**

STATE OF ALABAMA

JEFFERSON COUNTY

CITY OF MOUNTAIN BROOK, ALABAMA

The undersigned hereby certify that William S. ("Billy") Pritchard, III is the only person who has qualified for the elected office of City Council, Place 3 and has therefore been deemed elected to the office of City Council, Place 3 of the City of Mountain Brook, Alabama, for the term commencing on the first Monday of November, 2014.

Given under our hands pursuant to the requirements of Sections 11-46-20 et seq. of the Alabama Code of 1975, as amended, this 28th day of July, 2014.

Virginia C. Smith, Council President

Amy G. Carter, Council President Pro Tem

Jack D. Carl, Council member

William S. Pritchard, III, Councilmember

Jesse S. Vogtle, Jr., Councilmember

2014-086

**CERTIFICATE OF ELECTION
(WITHOUT OPPOSITION)**

STATE OF ALABAMA

JEFFERSON COUNTY

CITY OF MOUNTAIN BROOK, ALABAMA

The undersigned hereby certify that Lloyd C. Shelton is the only person who has qualified for the elected office of City Council, Place 5 and has therefore been deemed elected to the office of City Council, Place 1 of the City of Mountain Brook, Alabama, for the term commencing on the first Monday of November, 2014.

Given under our hands pursuant to the requirements of Sections 11-46-20 et seq. of the Alabama Code of 1975, as amended, this 28th day of July, 2014.

Virginia C. Smith, Council President

Amy G. Carter, Council President Pro Tem

Jack D. Carl, Council member

William S. Pritchard, III, Councilmember

Jesse S. Vogtle, Jr., Councilmember

2014-087

RESOLUTION NO. 2014-088

BE IT RESOLVED by the City Council of the City of Mountain Brook, Alabama that the City Council hereby accepts the professional services proposal submitted by Fontenot Benefits & Actuarial Consulting (Exhibit A attached hereto) for their actuarial valuation of the City's retiree medical benefit plan as required [every two years] by GASB Statements 43 and 45.

ADOPTED: This 28th day of July, 2014.

Council President

APPROVED: This 28th day of July, 2014.

Mayor

CERTIFICATION

I, Steven Boone, City Clerk of the City of Mountain Brook, Alabama hereby certify the above to be a true and correct copy of a resolution adopted by the City Council of the City of Mountain Brook at its regular meeting held on July 28, 2014 as same appears in the minutes of record of said meeting.

City Clerk



June 27, 2014

Steven Boone
City of Mountain Brook
P.O. Box 130009
Mountain Brook, AL 35213

Re: Government Accounting Standards Board (GASB)
Statements 43 and 45 Calculations on Other Postemployment Benefits (OPEB)

I am writing this engagement letter for providing the necessary actuarial calculations as required by the published GASB 45.

This engagement would involve the following steps:

1. Preparation of a written actuarial valuation report setting forth results of the calculations and the information required by GASB Statement 45.
2. Assist in the development of the required financial statement reports and assumptions required by GASB 43/45 for two years.
3. Prepare alternate assumptions based on future plan design changes.

Our professional fee for this engagement will be \$5,000 for the GASB 45 valuation.

If the terms and conditions represent services desired by you, please sign where indicated below and return a copy for our files.

ACCEPTANCE:

The terms and conditions for this engagement letter correctly state the scope of work to be performed and are accepted by us.

Accepted By:
Title

Date:

2014-088

RESOLUTION NO. 2014-089

BE IT RESOLVED by the City Council of the City of Mountain Brook, Alabama, that the City Council hereby authorizes the payment from the General Fund of \$300,000 into the City of Mountain Brook Section 115 (retiree medical insurance) Trust for investment in accordance with the City's investment policy.

ADOPTED: This 28th day of July, 2014.

Council President

APPROVED: This 28th day of July, 2014.

Mayor

CERTIFICATION

I, Steven Boone, City Clerk of the City of Mountain Brook, Alabama hereby certify the above to be a true and correct copy of a resolution adopted by the City Council of the City of Mountain Brook at its regular meeting held on July 28, 2014, as same appears in the minutes of record of said meeting.

City Clerk

**Statement of Changes in Fiduciary Net Position
Other Post-Employment Benefits Trust Fund
Year Ended September 30**

	<u>Actual 2013</u>	<u>Budget 2014</u>	<u>Projected 2014</u>	<u>Budget 2015</u>
ADDITIONS				
Contributions				
215-3408-4810 Employer	\$ 670,923	\$ 666,600	\$ 684,000	\$ 585,000
215-3407-4231 Plan members	128,202	136,000	158,594	167,000
215-3407-4400 Investment earnings	15,375	11,000	17,500	20,000
TOTAL ADDITIONS	<u>814,500</u>	<u>813,600</u>	<u>860,094</u>	<u>772,000</u>
DEDUCTIONS				
215-1115-6130 Benefits	479,125	467,250	520,000	546,000
215-1100-6*** Administrative expense	262	5,500	300	5,800
TOTAL DEDUCTIONS	<u>479,387</u>	<u>472,750</u>	<u>520,300</u>	<u>551,800</u>
NET INCREASE	335,113	340,850	339,794	220,200
Net position held in trust for other post-employment benefits, beginning of year	<u>925,335</u>	<u>1,260,448</u>	<u>1,260,448</u>	<u>1,600,242</u>
NET POSITION HELD IN TRUST FOR OTHER POST-EMPLOYMENT BENEFITS, END OF YEAR	<u>\$ 1,260,448</u>	<u>\$ 1,601,298</u>	<u>\$ 1,600,242</u>	<u>\$ 1,820,442</u>

Note:

Effective October 1, 2006, GASB 45 required local governments to account for their other post-employment benefit plans (OPEB) similar to its method of accounting for its defined benefit pension plans. The City's OPEB plan includes retiree medical insurance. On July 27, 2009, the City Council authorized the creation of an Internal Revenue Code Section 115 trust (Resolution No. 09-101) and began depositing funds into the trust to offset its obligations for retiree medical benefits. Following is a summary of the City's deposits into the Sec. 115 trust since its creation, and trust balances, actuarial accrued liability (AAL) and unfunded actuarial accrued liability (UAAL) as of September 30 :

	September 30					
	Trust Deposit	Net Premiums	Total Expense	Trust Balance	AAL	UAAL
2015 Budgeted	\$ 200,000	\$ 385,000	\$ 585,000	\$ 1,820,442	\$ (4,534,000)	\$ (2,713,558)
2014 Projected	300,000	384,000	684,000	1,600,242	(4,018,000)	(2,417,758)
2013 Actual	320,000	350,923	670,923	1,260,448	(3,560,421)	(2,299,973)
2012	300,000	354,828	654,828	925,335	(3,155,271)	(2,229,936)
2011	200,000	364,016	564,016	613,573	(3,249,729)	(2,636,156)
2010	200,000	322,671	522,671	403,024	(3,473,472)	(3,070,448)
2009	180,000	35,118	215,118	196,320	(2,859,543)	(2,663,223)
	<u>\$ 1,700,000</u>	<u>\$ 2,196,556</u>	<u>\$ 3,896,556</u>			

RESOLUTION NO. 2014-090

BE IT RESOLVED by the City Council of the City of Mountain Brook, Alabama, that the City Council hereby authorizes a one-time appropriation in the amount of \$528,386.00 to the Mountain Brook Board of Education for the roof replacement at Brookwood Forest Elementary School.

ADOPTED: This 28th day of July, 2014.

Council President

APPROVED: This 28th day of July, 2014.

Mayor

CERTIFICATION

I, Steven Boone, City Clerk of the City of Mountain Brook, Alabama, hereby certify the above to be a true and correct copy of a resolution adopted by the City Council of the City of Mountain Brook at its meeting held on July 28, 2014, as same appears in the minutes of record of said meeting.

City Clerk

BWF Roof Project May, 2014



1 st phase 2013	\$1,653,369.00*
2 nd phase 2014	\$1,393,369.00
One cent sales tax payout	<u>\$864,983.00</u>
Deficit Balance	\$528,386.00

*deferred bond money to fund roof project

2014-090

RESOLUTION NO. 2014-091

WHEREAS, the City of Mountain Brook, Alabama, has certain items of personal property which are no longer needed for public or municipal purposes; and

WHEREAS, Section 11-43-56 of the Alabama Code of 1975 authorizes the municipal governing body to dispose of unneeded personal property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Mountain Brook, as follows: It is hereby established and declared that the following property owned by the City of Mountain Brook, Alabama is not needed for public or municipal purposes and is hereby declared surplus property:

59 sets (59 pants and 59 coats) of Globe G-Extreme turnout gear. (Gear is to be sold as is with no warranties expressed or implied. Gear should be professionally inspected and tested to determine that equipment is suitable for intended use. Purchaser will be required to execute a hold harmless agreement.)

BE IT FURTHER RESOLVED by the City Council of the City of Mountain Brook, Alabama, that the City Manager is hereby authorized and directed to sell said property by way of public Internet auction to the highest bidder and to otherwise dispose of such property that does not sell at said public auction.

ADOPTED: This 28th day of July, 2014.

Council President

APPROVED: This 28th day of July, 2014.

Mayor

CERTIFICATION

I, Steven Boone, City Clerk of the City of Mountain Brook, Alabama, hereby certify the above to be a true and correct copy of a resolution adopted by the City Council of the City of Mountain Brook at its meeting held on July 28, 2014, as same appears in the minutes of record of said meeting.

City Clerk

2014-091