



CITY OF LEEDS, ALABAMA

REGULAR COUNCIL MEETING AGENDA

City Hall Annex - Meeting Room - 1412 9th St, Leeds, AL 35094

February 21, 2023 @ 6:00 PM

To view this meeting online:
<https://meet.goto.com/CityofLeeds>

CALL COUNCIL MEETING TO ORDER

ROLL CALL / INVOCATION / PLEDGE OF ALLEGIANCE

CUTOFF FOR PUBLIC COMMENT SIGN-UP

Anyone wishing to address the Council during the Public Comment section of the meeting must have completed their registration by this point in the meeting.

APPROVE COUNCIL MINUTES

- [1.](#) Minutes from January 17, 2023

REPORTS OF OFFICERS:

2. Mayor's Report: Mayor David Miller
3. Police Department: Chief Irwin
4. Fire Department: Chief Parsons
- [5.](#) Municipal Court: Magistrate Roberts
Annual Court Report
- [6.](#) Development Services Department: City Administrator Watson
Over-time report
7. Public Works Department: Public Works Director Warren
- [8.](#) Social Services Department: Director Bryan
February 2023 Calendars

OLD BUSINESS:

- [9.](#) Resolution 2022-12-06 (Carried over from the canceled meeting - February 06, 2023):
Consider Approval of Issuance of Liquor Manufacturer License to Sweet Home Spirits Inc

NEW BUSINESS:

- [10.](#) Resolution 2023-02-01: Consider Approval of City Library job descriptions and pay grades
- [11.](#) Resolution 2023-02-02: Consider Approval of Tennis Courts LED Program with Alabama Power

PUBLIC COMMENTS

All comments are to be limited to 2 minutes

ADJOURNMENT

In compliance with the Americans with Disabilities Act, those requiring accommodation for Council meetings should notify the City Clerk's Office at least 24 hours prior to the meeting at 205-699-2585.

If you wish to speak at this meeting, please use the following web address:
<https://www.cognitoforms.com/CityOfLeeds1/PublicParticipationSpeakersSignUpSheet>

QR code to sign up



File Attachments for Item:

1. Minutes from January 17, 2023



CITY OF LEEDS, ALABAMA

REGULAR COUNCIL MEETING MINUTES

City Hall Annex - Meeting Room - 1412 9th St, Leeds, AL 35094

January 17, 2023 @ 6:00 PM

CALL COUNCIL MEETING TO ORDER

Mayor David Miller called the meeting to order at 6:05 pm.

ROLL CALL / INVOCATION / PLEDGE OF ALLEGIANCE

PRESENT

Mayor David Miller
Council member Kenneth Washington
Council member Eric Turner
Council member Johnny Dutton
Council member Angie Latta
Council member Devoris Ragland-Pierce

INVOCATION

Council member Eric Turner

PLEDGE OF ALLEGIANCE

Mayor David Miller

CUTOFF FOR PUBLIC COMMENT SIGN-UP

APPROVE COUNCIL MINUTES

1. Minutes from December 19, 2022

Motion to approve Minutes from December 19, 2022 made by Council member Turner, Seconded by Council member Ragland-Pierce. Voting Yea: Mayor Miller, Council member Turner, Council member Dutton, Council member Ragland-Pierce. Voting Abstaining: Council member Washington, Council member Latta

REPORTS OF OFFICERS:

2. Mayor's Report: Mayor David Miller

No Report

3. Police Department: Chief Irwin

Chief Irwin gave updates of the department and expressed his gratitude for his officers. The following officers were recognized as Officer of the Quarter: 2022-1st Quarter Officer Jacob Turnbloom; 2022-2nd Quarter Officer Harley Hamer; 2022-3rd Quarter Officer Clayton Cato; and 2022-4th Quarter Officer Brian Parsons.

4. Fire Department: Chief Parsons

Chief Parsons went over his submitted reports. There was a 4% increase over last year. Also, the department helped Irondale with flag display at a military homecoming at Church of Highlands.

5. Municipal Court: Magistrate Roberts

Monthly reports for November and December were handed out. 2022 DUI numbers are up compared to 2021.

6. Development Services Department: City Administrator Watson

No Report

7. Public Works Department: Public Works Director Warren

No Report.

Council Member Washington is upset with the dumping throughout the City and wants to increase the fines for dumping.

8. Social Services Department: Director Bryan

No Report

PUBLIC HEARING

There was none.

OLD BUSINESS:

Item# 16 was moved up.

City Attorney Scott Barnett stated the Executive Session is a proper request under Sections 36-25-7(a)(1) and 36-25-7(a)(3). Motion made by Council member Turner, Seconded by Council member Washington. Voting Yea: Mayor Miller, Council member Washington, Council member Turner, Council member Dutton, Council member Latta, Council member Ragland-Pierce. The Council adjourned into Executive Session at 6:21 pm and returned at 7:47 pm.

9. Resolution 22-001655 (Carried over from the canceled meeting - January 03, 2023): Consider Declaring Certain Conditions to be an Unsafe Building at 2260 Saddle Trail

Motion to approve Resolution 22-001655 made by Council member Dutton, Seconded by Council member Washington. Voting Yea: Mayor Miller, Council member Washington, Council member Turner, Council member Dutton, Council member Latta, Council member Ragland-Pierce

10. Resolution 21-002232: Consider Declaring Certain Conditions to be a Public Nuisance at 7092 Mountain View Lane

Motion to approve Resolution 21-002232 made by Council member Dutton, Seconded by Council member Ragland-Pierce. Voting Yea: Mayor Miller, Council member Washington, Council member Turner, Council member Dutton, Council member Latta, Council member Ragland-Pierce

11. Resolution 2022-12-07: Consider Approving the Report of City Attorneys to be Discussed with Media

Motion to table Resolution 2022-12-07 made by Council member Ragland-Pierce, Seconded by Council member Turner. Voting Yea: Mayor Miller, Council member Washington, Council member Turner, Council member Dutton, Council member Latta, Council member Ragland-

Pierce

NEW BUSINESS:

12. Resolution 2023-01-01 (Carried over from the cancelled meeting - January 03, 2023):
Consider Adoption and Ratification of November 2022 City Expenditures/Payables

Motion to approve Resolution 2023-01-01 made by Council member Dutton, Seconded by Council member Ragland-Pierce. Voting Yea: Mayor Miller, Council member Washington, Council member Turner, Council member Dutton, Council member Latta, Council member Ragland-Pierce

13. Resolution 2023-01-02 (Carried over from the cancelled meeting - January 03, 2023):
Consider Purchase of Police Equipment Using Confiscated Funds

Motion to approve Resolution 2023-01-02 made by Council member Dutton, Seconded by Council member Washington. Voting Yea: Mayor Miller, Council member Washington, Council member Turner, Council member Dutton, Council member Latta, Council member Ragland-Pierce

14. Resolution 2023-01-03: Consider Authorizing the Purchase of Certain Police Communication Equipment with Seized Funds

Motion to approve Resolution 2023-01-03 made by Council member Ragland-Pierce, Seconded by Council member Dutton. Voting Yea: Mayor Miller, Council member Washington, Council member Turner, Council member Dutton, Council member Latta, Council member Ragland-Pierce

15. Resolution 2023-01-04: Consider Ratification of Emergency Repairs and Authorization of Roof Replacement for Police Station

Motion to approve Resolution 2023-01-04 made by Council member Dutton, Seconded by Council member Washington. Voting Yea: Mayor Miller, Council member Washington, Council member Turner, Council member Dutton, Council member Latta, Council member Ragland-Pierce

16. Executive Session

Item 16 was discussed earlier in the meeting.

PUBLIC COMMENTS

Mr. Austin Creel, 8316 Parkway Drive, presented a PowerPoint handout to Council and spoke about his alcohol case from December 19, 2022 meeting. When asked, Chief Irwin stated he was still against the approval.

Mr. Albert Daw, 8615 Swafford Avenue, wants a warming/cooling station for the residents.

Ms. Becky King - Main Street Leeds Secretary, 573 Woodruff Parkway, gave a report of their activities and handed out copies to Council.

Mr. Jason King, 8156 Lawley Avenue, against rezoning case yet to be decided by Planning & Zoning Commission at 8163 Lawley Avenue.

Mr. Jerry Trott, 8532 Covington Way, asked about road surfaces on Highway 411, wanted more information on a potential Aldi store and asked about Leeds water quality due to the Moody fire.

ADJOURNMENT

Motion to adjourn made by Council member Dutton. Voting Yea: Mayor Miller, Council member Washington, Council member Turner, Council member Dutton, Council member Latta, Council member Ragland-Pierce.

Upon adjournment, City Attorney Scott Barnett delivered to the City Clerk sealed documents to be placed in City Hall's vault. Sealed documents were placed in vault upon City Clerk's return to City Hall.

David Miller, Mayor

Attest:

Toushi Artbitelle, City Clerk

File Attachments for Item:

5. Municipal Court: Magistrate Roberts
Annual Court Report

9

County **Jefferson** Municipal Court **Leeds** Population

A. A. TOTAL COURT CASES FISCAL YEAR 2022 (October 1, 2021 - September 30, 2022)*

Complete all spaces below. If a category does not apply or the information is not known leave blank

	DUI	OTHER TRAFFIC	NON-TRAFFIC	GRAND TOTAL
1. How many cases were filed?	59	2814	1367	4240
2. How many cases were disposed?	33	2307	1250	3590

B. MUNICIPAL REVENUE FY 2022

D. FAIR TRIAL TAX FUND FY 2022

Reference Form MC13

1. Local Court Costs	\$ 155,762.73	1. Amount Collected for Fiscal Year	item 2C (FY totals)	\$ 20,090.16
2. Bond Forfeitures	\$ 22,322.00	2. Amount Remitted to State Treasurer	amt to state (FY totals)	\$ 0.00
3. Fines	\$ 223,984.12	D1. INDIGENT DEFENSE FY 2014 Reference Form MC13		
4. Corrections Fund	\$ 50,250.66	3. Amount expended-indigent defense	item 3 - yearly totals	\$ 20,090.16
5. Other	\$ 3,753.00			
TOTAL	\$ 456,072.51			

C. MUNICIPAL DISBURSEMENTS FY 2022

Form MC13

E. EXPENDITURES COURT OFFICIALS FY 2022

1. Total Remitted to State Comptroller	\$ 78,807.18	SALARIES (annual)	
2. Restitution to Victims	\$ 9,018.99	1. Judge (highest salary if more than one)	\$ 39,244.39
3. Peace Officer's Annuity Benefit Fund	\$ 6,357.00	2. Court Clerk	\$
4. Crime Victims Compensation Fund	\$ 3,446.00	3. Magistrate (highest salary if more than one)	\$ 209,324.61
5. Law Library	\$ 0.00	EDUCATION (annual)	
6. Citizenship Trust Fund	\$ 1,264.00	1. Registration Fees	\$ 4,603.30
7. Other	\$ 48,400.79	2. Travel and Mileage	\$ 863.77
TOTAL	\$ 147,293.96	TOTAL EDUCATION EXPENSE	\$ 5,467.07

F. COURT OFFICIALS

Presiding Municipal Judge	Moses Stone	EMAIL	COURT@LEEDSALABAMA.GOV
Municipal Court Clerk	Laura Roberts	EMAIL	LROBERTS@LEEDSALABAMA.GOV

G. CITY OFFICIALS

Mayor	David Miller	EMAIL	mayor@leedsalabama.gov
Chief Of Police	Paul Irwin	EMAIL	pirwin@leedsalabama.gov
County Sheriff	Mark Pettway-Jefferson Co	EMAIL	

I certify that the following information in this survey is true and correct to the best of my knowledge.

Prepared by *[Signature]* Title *Clerk of Court* Date *1/31/23*

File Attachments for Item:

6. Development Services Department: City Administrator Watson
Over-time report

Department Hours- OT

From 01/10/23 to 01/23/23

Department	OT	FDC	Totals
	150:46	20:00	170:46
ADM-1	6:21		6:21
DEV-50	5:06		5:06
FIRE1-26	22:00	20:00	42:00
POL-22	110:12		110:12
STR-80	7:07		7:07

Department Hours- OT

From 01/24/23 to 02/06/23

Department	OT	FDC	Totals
	208:56	27:30	236:26
ADM-1	11:41		11:41
CRT-11	8:41		8:41
DEV-50	13:59		13:59
FIRE1-26	12:00	27:30	39:30
FIRE2-26	3:00		3:00
POL-22	143:32		143:32
STR-80	16:03		16:03

File Attachments for Item:

8. Social Services Department: Director Bryan
February 2023 Calendars

Leeds Senior Center Newsletter

February, 2023

Welcome to the Leeds Senior Center!

February is here, and we all have our eyes on that groundhog, Punxsutawney Phil. Also, we remain at the Annex on a day by day basis. We are ready though, at a moment's notice, to return to our favorite location at the Civic Center. We are hoping for February 6. Our temporary address is 1412 9th Street.

If you are checking us out for the first time, specific details include:

- The Center is open Monday thru Thursday, 10:00 am to 2:00 pm
- Lunch is served at 11:30 each day, and the cost is \$2 per person. **An RSVP for lunch is required 24 hours in advance**
- All activities at the Center are meant to be fun, enjoyable and optional
- Regular Activities include - Exercise led by Paul Zuckerman on Mondays and Wednesdays at 10:45; Bible study led by Pastor Chuck Kukul on Mondays at 12:15 (currently 1 and 2 Thessalonians); and Line Dancing on Wednesdays at 12:15
- Tuesday is game day - favorites include Dominos, Skip Bo, Sequence and BUNCO
- On Thursdays we have Art & Leisure. Art (painting and crafts), and games are on the schedule. **An RSVP for activities and lunch is always required on Thursdays**
- **The Center will be closed Monday, February 20 for President's Day**
- **This month's birthday party is Thursday, February 23**
- The telephone number for the Center is **205.699.0910**
- If you are joining us at the Center for the first time, please call 24 hours in advance to reserve a spot for lunch - **205.699.0910**

See you at the Center.



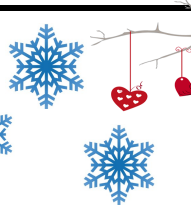







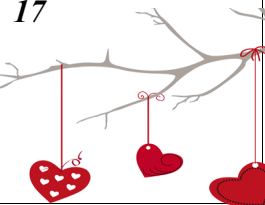








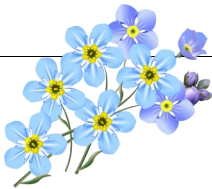
Audrey



February 2023 ~ Senior Center

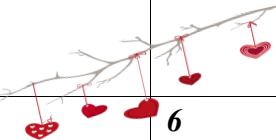
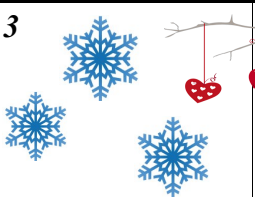

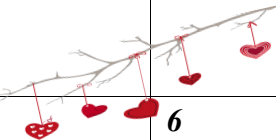

















Monday ~ Thursday, 10:00 am to 2:00 pm

(205)699.0910

Sun	Mon	Tue	Wed	Thu	Fri	Sat
<p><i>On February 1, comet C/2022 E3 (ZTF) will pass to within 28 million miles (42 million km) of our planet, its first approach in 50,000 years.</i></p> 			<p><i>1</i></p> <p><i>Exercise 10:45</i> <i>Lunch (\$2)</i> <i>Line Dancing @ 12:15</i></p>	<p><i>2</i></p> <p><i>Art & Leisure</i> <i>Lunch (\$2)</i> <i>Groundhog Day</i></p>	<p><i>3</i></p> 	<p><i>4</i></p> 
<p><i>5</i></p> 	<p><i>6</i></p> <p><i>Exercise 10:45</i> <i>Lunch (\$2)</i> <i>Bible Study @ 12:15</i></p>	<p><i>7</i></p> <p><i>Game Day~</i> <i>Lunch (\$2)</i></p>	<p><i>8</i></p> <p><i>Exercise 10:45</i> <i>Lunch (\$2)</i> <i>Line Dancing @ 12:15</i></p>	<p><i>9</i></p> <p><i>Art & Leisure</i> <i>Lunch (\$2)</i></p>	<p><i>10</i></p> 	<p><i>11</i></p> 
<p><i>12</i></p> 	<p><i>13</i></p> <p><i>Exercise 10:45</i> <i>Lunch (\$2)</i> <i>Bible Study @ 12:15</i></p>	<p><i>14</i></p> <p><i>Game Day~</i> <i>Lunch (\$2)</i> <i>Valentine's Day</i></p> 	<p><i>15</i></p> <p><i>Exercise 10:45</i> <i>Lunch (\$2)</i> <i>Line Dancing @ 12:15</i></p>	<p><i>16</i></p> <p><i>Art & Leisure</i> <i>Lunch (\$2)</i></p> 	<p><i>17</i></p> 	<p><i>18</i></p> 
<p><i>19</i></p> 	<p><i>20</i></p> 	<p><i>21</i></p> <p><i>Game Day~</i> <i>Lunch (\$2)</i></p>	<p><i>22</i></p> <p><i>Exercise 10:45</i> <i>Lunch (\$2)</i> <i>Line Dancing @ 12:15</i></p>	<p><i>23</i></p>  <p><i>Birthday</i> <i>Celebration</i></p>	<p><i>24</i></p> <p><i>"She Loves Me"</i> <i>Opens @ Leeds</i> <i>Arts Council</i> <i>Tickets ~ \$17</i></p>	<p><i>25</i></p> 
<p><i>26</i></p> 	<p><i>27</i></p> <p><i>Exercise 10:45</i> <i>Lunch (\$2)</i> <i>Bible Study @ 12:15</i></p>	<p><i>28</i></p> <p><i>Game Day~</i> <i>Lunch (\$2)</i></p>			 <p><i>Spring is</i> <i>Coming!</i></p>	

February 2023 ~ Menu

Lunch served at 11:30 ~ \$2 per person
(205)699.0910

Sun	Mon	Tue	Wed	Thu	Fri	Sat
5 	6 <i>HM Chicken Glazed Carrots Coleslaw Strawberry Cake</i>	7 <i>Chicken Wraps Green Salad Cheesecake</i>	1 <i>Chicken a la King Egg Noodles Roasted Squash Chocolate Trifle</i>	2 <i>Pulled Pork Baked Potato Bar Banana Pudding</i>	3 	4 
5 	6 <i>HM Chicken Glazed Carrots Coleslaw Strawberry Cake</i>	7 <i>Chicken Wraps Green Salad Cheesecake</i>	8 <i>Chicken Curry Spinach Basmati Rice Dump Cake</i>	9 <i>Sub Sandwich Chips Brownies</i>	10 	11 
12 	13 <i>Pulled Chicken Cheese Grits Broccoli Salad Cheesecake</i>	14 <i>Broc Cheese Soup Green Salad Apple Cobbler</i> 	15 <i>Beef Stroganoff English Peas Sweet Potatoes Choc Chip Cake</i>	16 <i>Pizza Pita Sauteed Zucchini Pasta Salad Strawberry Trifle</i>	17 	18 
19 	20  HAPPY PRESIDENT'S DAY	21 <i>Sub Sandwich Chips Bread Pudding</i>	22 <i>Spaghetti Corn Zucchini Lemon Pie</i>	23  <i>Birthday Lunch RSVP Required</i>	24 	25 
26 	27 <i>Beef Brisket Black Eyed Peas Collard Greens Cookies</i>	28 <i>Chicken Salad Fruit Salad Pimento Cheese Yellow Cake</i>		 	  <i>Spring is Coming!</i>	

File Attachments for Item:

9. Resolution 2022-12-06 (Carried over from the canceled meeting - February 06, 2023):
Consider Approval of Issuance of Liquor Manufacturer License to Sweet Home Spirits Inc

**CITY OF LEEDS
RESOLUTION NO.: 2022-12-06
RESOLUTION APPROVING OF ALCOHOL LICENSE**

WHEREAS, the City of Leeds has been notified that Sweet Home Spirits, Inc., has applied with the State of Alabama Alcoholic Beverage Control Board ("ABC Board") an Application for an Alcohol License Type 200 – Manufacturer, located at 8316 Parkway Dr, Suite 120, Leeds, AL.

WHEREAS, the Leeds Police Department has objections to the application;

WHEREAS, the Leeds Fire Department, has objections to the application;

WHEREAS, the Leeds Development Services’ approval of the application is **CONDITIONAL**.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Leeds that the City Clerk is directed to inform the ABC Board that the City of Leeds has no objection to the Alcohol License for the manufacture of alcohol.

AYES: _____

NAYS: _____

ABSENT FROM VOTING: _____

ABSTAIN: _____

APPROVED AND ADOPTED on this 21st day of February 2023.

CITY OF LEEDS, ALABAMA

David Miller, Mayor

Date

ATTEST:

Toushi Arbitelle, City Clerk

I, Toushi Arbitelle, City Clerk of the City of Leeds, hereby certify that the above Resolution was duly adopted by the City Council of the City of Leeds at a regular meeting held on the 21st day of February 2023.

City Clerk

File Attachments for Item:

10. Resolution 2023-02-01: Consider Approval of City Library job descriptions and pay grades

**CITY OF LEEDS
RESOLUTION NO.: 2023-02-01**

**APPROVAL OF JOB DESCRIPTIONS AND PAY GRADES RELATIVE TO CITY LIBRARY
EMPLOYEES**

WHEREAS, by the authority of State law (i.e. 11-90-1 et seq, Code of Alabama 1975), the City of Leeds Library Board is given certain limited power and duties in regard to managing a public library system within the City of Leeds subject to the general oversight of the City Council over appropriated funds and City employees; and

WHEREAS, the responsibilities and relationships between municipalities and library boards are further identified and explained by Attorney General Opinion # 86-00173 wherein it is explained that the City is allowed to appropriate funds to the Board, the Board in turn manages the daily activity of the Library, and the Board is ultimate answerable to the City Council; and

WHEREAS, the Board has recommended the assignment of formal job descriptions and related pay grades (see attached); and

WHEREAS, the subject recommendations have been reviewed and recommended by the City Finance Committee; and

WHEREAS, City Council deems these recommended job descriptions and pay grades to provide a public benefits to the citizens and to allow for better accountability and equality for the City Library Employees.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Leeds, Alabama, that:

- A. The above Recitals are included herein as if fully set forth.
- B. The attached job descriptions and related pay grades for City Library employees are hereby authorized and approved as recommended.
- C. The Mayor and staff shall have the full authority to do those things, perform those functions, and to sign necessary documentation in order to carry out the actions so authorized herein.

Done this 21st day of February, 2023.

AYES:	_____
NAYS:	_____
ABSENT FROM VOTING:	_____
ABSTAIN:	_____

CITY OF LEEDS, ALABAMA

David Miller, MAYOR

ATTEST:

Toushi Arbitelle, City Clerk

I, Toushi Arbitelle, City Clerk of the City of Leeds, hereby certify that the above Resolution was duly adopted by the City Council of the City of Leeds at a regular meeting held on the 21st day of February, 2023.

Toushi Arbitelle, City Clerk

CITY OF LEEDS, ALABAMA
CLASS SPECIFICATION

CLASS TITLE: Librarian III, Managing Librarian
DEPARTMENT: Library
REPORTS TO: Library Board

CLASS CODE: XXXX
FLSA STATUS: E
DATE: 01/XX/2023

JOB SUMMARY AND DISTINGUISHING FEATURES OF THE WORK:

Under limited supervision plans, organizes and directs the operations of a library system and library outreach efforts to provide a comprehensive program of services, including but not limited to issues regarding personnel, policy implementation, building maintenance, public relations and all other duties comprehensive to management of the library and museum.

ESSENTIAL JOB FUNCTIONS:

Importance	Tasks	% of Time
1	Plans, organizes and directs the operation of a library system; develops and implements policies and procedures to ensure efficient and effective library services are provided to meet the information needs of the community.	20
2	Develops and monitors the division's annual budget and oversees collection of various fines. Directs the allocation and payment of library funds.	15
3	Carries out supervisory/managerial responsibility in accordance with policies, procedures and applicable laws, including: interviewing, hiring and training staff; planning, assigning and directing work; establishing deadlines; appraising performance; rewarding and disciplining employees; coordinating, developing and approving staff training; approving leave requests; and addressing complaints and resolving problems.	15
4	Performs operational tasks to insure the continuous flow of activity within the system; selects, orders, and maintains materials, equipment and supplies; ensures materials are cataloged in a timely manner; monitors continuity in cataloging procedures; adds and processes new materials to be added to the catalog.	30
5	Participates and represents the Library in meetings regarding library administration and related issues; prepares a variety of narrative and/or statistical reports; may direct or participate in administrative studies; may be assigned additional managerial, supervisory and/or administrative responsibilities.	10
6	Attends conferences and seminars on library administration to keep abreast of developments in the field. Attends a variety of other meetings such as the Library Advisory Board, County Cooperative meetings, APLS administrator's meetings, and Friends of the Library.	5
7	Maintains and implements the natural disaster plan of action.	1

IMPORTANT JOB FUNCTIONS:

Performs public relations activities of the Library.

Ensures maintenance and upgrade of Library facility, technology and equipment.

Pursues and applies for library related grants.

Performs other related duties as assigned.

MATERIAL AND EQUIPMENT USED:

General Office Equipment Library Circulation System

MINIMUM QUALIFICATIONS REQUIRED:

Education and Experience:

Master's Degree in Library Science or related field; and

Three to five years of experience; or

Any combination of education, training and experience which provides the required knowledge, skills, and abilities to perform the essential functions of the job.

Licenses and Certifications:

None

KNOWLEDGE, SKILLS, AND ABILITIES:**Knowledge of:**

Standard public library reference sources.

Community needs and desires relative to library materials and services.

All computer applications and hardware related to performance of the essential functions of the job.

Public library reference tools and reference interviewing techniques.

Local materials collection.

Principles and practices of public relations.

Technical operations in public libraries.

Current library automation technology.

Basic budgetary principles and practices.

Administration of staff and activities, either directly or through subordinate supervision.

Skill in:

Library program presentation and design.

Using tact, discretion, initiative and independent judgment within established guidelines.

Researching, compiling, and summarizing a variety of informational and statistical data and materials.

Organizing work, setting priorities, meeting critical deadlines, and following up on assignments with a minimum of direction.

Communicating clearly and effectively, both orally and in writing.

Planning, organizing, assigning, directing, reviewing and evaluating the work of staff.

Selecting and motivating staff and providing for their training and professional development.

Mental and Physical Abilities:

Ability to plan, organize and supervise library projects and programs.

Ability to read, analyze and interpret professional periodicals and journals, technical procedures and government regulations.

Ability to speak effectively before public groups and respond to questions.

Ability to define problems, collect data, establish facts and draw valid conclusions.

While performing the essential functions of this job the employee is frequently required to sit, stand, use hands to finger, handle, or feel, reach with hands and arms, speak and hear, and lift and/or move up to 50 pounds.

Working Conditions:

Work is performed in an interior environment with a great deal of public contact, with exposure to mildew and dust, and little exposure to outdoor temperatures.

The incumbent's working conditions are typically moderately quiet.

| file: Managing Librarian

This class specification should not be interpreted as all inclusive. It is intended to identify the essential functions and requirements of this job. Incumbents may be requested to perform job-related responsibilities and tasks other than those stated in this specification. Any essential function or requirement of this class will be evaluated as necessary should an incumbent/applicant be unable to perform the function or requirement due to a disability as defined by the Americans with Disabilities Act (ADA). Reasonable accommodation for the specific disability will be made for the incumbent/applicant when possible.

CITY OF LEEDS, ALABAMA
CLASS SPECIFICATION

CLASS TITLE: Librarian II, Circulation
DEPARTMENT: Library
REPORTS TO: Librarian III, Managing Librarian

CLASS CODE: XXXX
FLSA STATUS: N
DATE: 01/XX/2023

JOB SUMMARY AND DISTINGUISHING FEATURES OF THE WORK:

Under the supervision of the managing librarian oversees all aspects of circulation services including but not limited to hold processing, memberships, financial transactions, and statistics. Trains, supervises, and oversees the Library Assistants that are direct reports.

ESSENTIAL JOB FUNCTIONS:

Importance	Tasks	% of Time
1	Trains, supervises, and supports the Library Assistants. Assigns them work, keeps them on track, and resolves any conflicts that may come about. Ensures that the circulation desk has adequate coverage in order to help the public.	15
2	Provides daily assistance to patrons of the library; greets and assists patrons; provides direction to patrons in use of library services; checks in and out materials; assists patrons with computers; assists patrons with research.	35
3	Administrates and supervises all tasks at the circulation desk; ensures that procedures are followed, money is properly counted and stored, and that stats are properly counted; assists with bank deposits; provides statistics as needed.	15
4	Performs para-professional and limited professional library tasks including technical services, cataloging, collecting fines and fees, accepting and processing donations, processing and maintaining magazines and newspapers, and patron assistance to contribute to the operations of the library.	25
5	Performs routine clerical and administrative tasks for the library; processes mail for the library; maintains and updates bulletin boards; answers incoming calls, provides information and assistance to callers, and forwards calls as needed; provides assistance to the Children's Library area; collects and records fines; prepares deposits; maintains files and records. Completes routine operational tasks to assists in maintaining the continuous flow of service in the library; opens and closes registration and circulation desks; shelves books, audios, and videos; maintains and catalogs serial materials processes periodicals; evaluates damaged materials for replacement	10

May be assigned the following functions:

Coordinate interlibrary loan services.

Assist in various financial tasks such as bank deposits and purchase authorizations.

Recommends selection of electronic, audio, and video material for purchase.

Assist in planning, advertising and participating in library programming.

IMPORTANT JOB FUNCTIONS:

Maintains and updates bulletin boards; answers incoming calls, provides information and assistance to callers, and forwards calls as needed; collects and records fines; maintains files.

Participates in on-going training sessions, workshops, and seminars.

forms other related duties as assigned.

MATERIAL AND EQUIPMENT USED:

General Office Equipment Library Circulation System

MINIMUM QUALIFICATIONS REQUIRED:

Education and Experience:

High School Education or equivalent; and

Two to three years of experience; or

Any combination of education, training and experience which provides the required knowledge, skills, and abilities to perform the essential functions of the job.

KNOWLEDGE, SKILLS, AND ABILITIES:

Knowledge of:

Library policies, procedures and equipment.

Standard reference sources and materials and the practical application and use thereof.

All computer applications and hardware related to performance of the essential functions of the job.

Skill in:

Using tact, discretion, initiative and independent judgment within established guidelines.

Organizing work, setting priorities, meeting critical deadlines, and following up on assignments with a minimum of direction.

Use of a computer terminal to accurately and rapidly enter and retrieve data.

Operating and maintain library equipment, to type proficiently and file alphabetically, numerically, and perform basic computations.

Communicating orally and in writing with internal staff, citizens, and other departmental staff in order to give and receive information in a courteous manner.

Mental and Physical Abilities:

Ability to read, analyze and interpret professional periodicals and journals, technical procedures and government regulations.

Ability to solve practical problems and deal with a variety of concrete variables in situations where only limited standardization exists.

While performing the essential functions of this job the employee is frequently required to stand, walk, sit, use hands to finger, handle, or feel, reach with hands and arms, stoop and bend, speak and hear, and lift up to 50 pounds.

Working Conditions:

Work is performed in an interior environment with a great deal of public contact, with exposure to mildew and dust, and little exposure to outdoor temperatures.

The incumbent's working conditions are typically moderately quiet.

This class specification should not be interpreted as all inclusive. It is intended to identify the essential functions and requirements of this job. Incumbents may be requested to perform job-related responsibilities and tasks other than those stated in this specification. Any essential function or requirement of this class will be evaluated as necessary should an incumbent/applicant be unable to perform the function or requirement due to a disability as defined by the Americans with Disabilities Act (ADA). Reasonable accommodation for the specific disability will be made for the incumbent/applicant when possible.

CITY OF LEEDS, ALABAMA
CLASS SPECIFICATION

CLASS TITLE: Library Assistant I
DEPARTMENT: Library
REPORTS TO: Librarian II, Circulation

CLASS CODE: XXXX
FLSA STATUS: N
DATE: 1/XX/2023

JOB SUMMARY AND DISTINGUISHING FEATURES OF THE WORK:

Greets visitors and patrons, provides assistance and information. Answers telephone, files and maintains cards, applications, etc. Assists in taking inventory and shelving books. Prepares and maintains various reports and records.

ESSENTIAL JOB FUNCTIONS:

Importance	Tasks	% of Time
1	Provides daily assistance to patrons of the library; greets and assists patrons; provides direction to patrons in use of library services; checks in and out materials; assists patrons on the public computers.	25
2	Provides and promotes routine operational tasks to assist in maintaining the continuous flow of service in the library; shelves books, audios, and videos; helps patrons with copying, faxing, and printing.	40
3	Responsible for circulation using the computer, receives and records money for overdue fines, lost books and membership dues. Answers reference questions with the assistance of the librarian, takes request for book reservations and enters them into the computer.	15
4	Answers telephone, relays calls, takes messages, and provides information.	5
5	Assists in programs, whether it be preparing materials, providing physical assistance, or collaborating with their supervisor or other senior staff.	10

IMPORTANT JOB FUNCTIONS:

Participates in on-going training sessions, workshops, and seminars.

Provides assistance in specialized programs on a regular basis.

Performs other related duties as assigned.

MATERIAL AND EQUIPMENT USED:

General Office Equipment Library Circulation System

MINIMUM QUALIFICATIONS REQUIRED:

Education and Experience:

High School Education or equivalent; and

None to one year of experience; or

Any combination of education, training and experience which provides the required knowledge, skills, and abilities to perform the essential functions of the job.

Licenses and Certifications:

None required

KNOWLEDGE, SKILLS, AND ABILITIES:**Knowledge of:**

Basic library operations, policies and procedures.

The Dewey Decimal system.

Basic arithmetic.

All computer applications and hardware related to performance of the essential functions of the job.

Skill in:

Filing alphabetically, numerically, using good spelling, and performing basic math computations.

Communicating orally with internal staff, citizens, and other departmental staff in order to give and receive information in a courteous manner.

Mental and Physical Abilities:

Ability to read and comprehend simple instructions, short correspondence and memos.

Ability to deal with problems involving several concrete variables in standardized situations.

While performing the essential functions of this job the employee is frequently required to stand, walk, use hands to finger, handle, or feel, reach with hands and arms, climb or balance, stoop, kneel, crouch, or crawl, speak and hear, and lift and/or move up to 10 pounds.

While performing the essential functions of this job the employee is occasionally required to lift and/or move up to 25 pounds.

Working Conditions:

Work is performed in an interior environment with a great deal of public contact, with exposure to mildew and dust, and little exposure to outdoor temperatures.

The incumbent's working conditions are typically moderately quiet.

This class specification should not be interpreted as all inclusive. It is intended to identify the essential functions and requirements of this job. Incumbents may be requested to perform job-related responsibilities and tasks other than those stated in this specification. Any essential function or requirement of this class will be evaluated as necessary should an incumbent/applicant be unable to perform the function or requirement due to a disability as defined by the Americans with Disabilities Act (ADA). Reasonable accommodation for the specific disability will be made for the incumbent/applicant when possible.

**CITY OF LEEDS, ALABAMA
CLASS SPECIFICATION**

CLASS TITLE: Librarian II, Youth Services Librarian
DEPARTMENT: Library
REPORTS TO: Librarian III, Managing Librarian

CLASS CODE: XXXX
FLSA STATUS: N
DATE 01/XX/2023

JOB SUMMARY AND DISTINGUISHING FEATURES OF THE WORK:

Under the general supervision of the Library Manager, the Youth Services Librarian is responsible for managing the daily operations of the youth service area. Other responsibilities include programming and outreach to youth, particularly teens, reader’s advisory, maintaining a friendly and relevant environment in the department, and advocating for youth services to the community at large.

ESSENTIAL JOB FUNCTIONS:

Importance	Tasks	% of Time
1	<p>Youth Services: Create schedule of all youth activities; Research and find appropriate book selections; Research and implement age appropriate crafts and activities; Constantly assess the effectiveness of the story time experience and alter and improve as needed; Create and coordinate all youth programming at the library.</p> <p>Coordinate every aspect of Summer Reading Program; Book performers for June and create programs for July; Procure funding for programs when necessary; Secure locations for programs outside of the library; Order all materials for SRP (t-shirts, reading logs, bags, prizes, etc.); Promote programs inside and outside the library (library’s Facebook page, Twitter, app, etc.</p>	30
2	<p>Outreach: Enhance local growth outreach efforts in partnership with Leeds schools; Participate in school activities (Read Across America and classroom visits) as requested;</p> <p>Coordinate with other departments in the city regarding joint programming.</p> <p>Present programs regarding current library trends at local and state conventions; Keep abreast of new and/or current trends in youth services; Maintain a relationship with other youth service librarians in the county</p>	25
3	<p>Marketing: Facilitate creation of marketing materials for all programs and provide to library staff and city marketing staff in a timely manner; develop and enhance the virtual presence for the library’s youth services department</p> <p>Manage Library’s website and social media.</p>	25
4	<p>Collection Development: Constantly assess the youth services collection and order, remove, and replace materials as required. Assess book suggestions from patrons on availability, merit, reviews, etc. for possible admission to the collection; Assist cataloguer with proper placement of materials within the juvenile collection; Provide assistance with reader’s advisory to parents and kids.</p> <p>Maintain statistics for all youth services programming and provide to APLS and Library Manager for yearly budget and state required reports</p>	10
5	<p>Department Maintenance: Shelve materials (books, magazines, audiobooks, puzzles, movies) in the youth services department, read shelves for proper book order, and keep department tidy and organized; Create and/or assist in the creation of decorations for the youth services department to include bulletin boards, window art, and endcap decorations; Recruit, train, and supervise youth volunteers; Maintain inventory of craft supplies for specialized events and order and replace as necessary</p>	5

Importance	Tasks	% of Time
6	Paraprofessional Responsibilities: Provides insight and guidance to Library Manager with personnel issues, remodel/capital projects, and other items as needed. Represents the library when needed at City Council, APLS Directors Meetings, and ALLA Executive Meetings	5

May be assigned the following functions:

1. Helps plan and implement Library programming, especially related to special events.
2. Assist in ensuring the library maintains a certain standard according to ALLA guidelines.
3. Represent the library and speak at local community group meetings (i.e. Staff Development Day)
4. Work closely with the Friends of the Leeds Jane Culbreth Public Library regarding funding assistance for programs
5. Research and identify funding opportunities for the youth services department (ie grants)

IMPORTANT JOB FUNCTIONS:

Performs para-professional and limited professional library tasks including technical services, collecting fines and fees, accepting and processing donations, processing and maintaining magazines and newspapers, and patron assistance to contribute to the operations of the library.

Performs routine clerical and administrative tasks for the library; processes mail for the library; maintains and updates bulletin boards; answers incoming calls, provides information and assistance to callers, and forwards calls as needed; collects and records fines; prepares deposits; maintains files and records.

Performs other related duties as assigned.

MATERIAL AND EQUIPMENT USED:

General Office Equipment Library Circulation System

MINIMUM QUALIFICATIONS REQUIRED:

Education and Experience:

Bachelors' Degree in Library Science, Education or related field

Two to three years of experience; or

Any combination of education, training and experience which provides the required knowledge, skills, and abilities to perform the essential functions of the job.

Licenses and Certifications:

N/A

KNOWLEDGE, SKILLS, AND ABILITIES:

Knowledge of:

Library policies, procedures and equipment.

Standard reference sources and materials and the practical application and use thereof.

All computer applications and hardware related to performance of the essential functions of the job.

Skill in:

Using tact, discretion, initiative and independent judgment within established guidelines.

Organizing work, setting priorities, meeting critical deadlines, and following up on assignments with a minimum of direction.

Use of a computer terminal to accurately and rapidly enter and retrieve data.

Operating and maintain library equipment, to type proficiently and file alphabetically, numerically, and perform basic computations.

Communicating orally and in writing with internal staff, citizens, and other departmental staff in order to give and receive information in a courteous manner.

Mental and Physical Abilities:

Ability to read, analyze and interpret professional periodicals and journals, technical procedures and government regulations.

Ability to solve practical problems and deal with a variety of concrete variables in situations where only limited standardization exists.

While performing the essential functions of this job the employee is frequently required to stand, walk, sit, use hands to finger, handle, or feel, reach with hands and arms, stoop and bend, speak and hear, and lift up to 50 pounds.

Working Conditions:

Work is performed in an interior environment with a great deal of public contact, with exposure to mildew and dust, and little exposure to outdoor temperatures.

The incumbent's working conditions are typically moderately quiet.

This class specification should not be interpreted as all inclusive. It is intended to identify the essential functions and requirements of this job. Incumbents may be requested to perform job-related responsibilities and tasks other than those stated in this specification. Any essential function or requirement of this class will be evaluated as necessary should an incumbent/applicant be unable to perform the function or requirement due to a disability as defined by the Americans with Disabilities Act (ADA). Reasonable accommodation for the specific disability will be made for the incumbent/applicant when possible.

Proposed Pay Grade and Step

Patrick Sessions: Grade 25, Step 4

Rebecca McGuire: Grade 20, Step 2

Amy Shorter: Grade 20, Step 2

Rhonda Bales: Grade 13, Step 1

Breonna Mounticure: Grade 13, Step 1

Cherish Briskey: Grade 13, Step 1

File Attachments for Item:

11. Resolution 2023-02-02: Consider Approval of Tennis Courts LED Program with Alabama Power

RESOLUTION NO: 2023-02-02

AUTHORIZATION OF CERTAIN STREET LIGHT LED UPGRADE

WHEREAS, the City has long since utilized the services and resources of the Alabama Power Company to provide streetlights in the City; and

WHEREAS, the City has an opportunity to replace certain lights with new technology and to lower the ongoing costs related to power consumption at the City tennis courts; and

WHEREAS, the new technology would result in better lighting and to save in the related power consumption and costs over the long run; and

WHEREAS, it is anticipated that the City would receive a monthly savings, the replacement project would also allow a new agreement and inventory of city streetlights to be created.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Leeds, Alabama, as follows:

1. The replacement of certain City streetlights with new LED technology, generally located at 981 Park Dr and to enter into a new master service agreement is hereby approved as attached hereto.
2. The City budget is hereby amended, if necessary, to accommodate any savings or increased costs resulting from an audit of the number of streetlights in the City inventory.
3. The Mayor and City staff are hereby authorized to perform all actions necessary in order to accomplish the actions herein approved.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF LEEDS, ALABAMA on this 21st day of February 2023.

CITY OF LEEDS, ALABAMA

DAVID MILLER, MAYOR

DATE

ATTEST:

AYES: _____

NAYS: _____

ABSENT FROM VOTING: _____

ABSTAIN: _____

CITY CLERK

In capacity as City Clerk of the City of Leeds, I hereby certify that the above Resolution was duly adopted by the City Council of the City of Leeds at a regular meeting held on the 21st day of February, 2023.

Toushi Arbitelle, City Clerk

Customer Legal Name CITY OF LEEDS DBA FIELD #1 CONCESSION
 Service Address 981 PARK DR LEEDS AL 35094 County Jefferson - AL
 Mailing Address 8373 1ST AVE LEEDS AL 35094
 Email _____ Tel # 205-699-6131 Alt Tel # _____
 Tax ID# XXX-XX-6483 Business Description PARKS AND REC

Existing Customer Yes No If Yes (and if possible), does customer want the Service added to an existing account? Yes No If Yes, which Account Number? 35112-64004

Selected Components				
Qty	Wattage	Type	OH/UG	Description
2	209	Flood (pole-mounted)	OH	Bronze 4000K

Service Cost (\$)	Regulated Cost (\$)*	Monthly Cost (\$)*
\$70.68	\$9.72	\$80.40

Prepaid Amount	\$0.00
Initial Term	36 months

* The Regulated Charge is subject to change at any time as dictated by the Alabama Public Service Commission. The amount shown is an estimate based on the applicable rate in effect at time of Agreement proposal; actual charges may vary.

Project Notes:
 TO UPGRADE (2) EXISTING APCO LIGHTS TO LED TECHNOLOGY. DELIVERED LUMENS TO RANGE FROM 22001 to 32000.

Customer agrees to this Lighting Services Agreement with Alabama Power Company under the attached terms and conditions and authorizes all actions noted on this Agreement. Customer agrees to allow removal of existing APC Assets, and/or Customer owned assets as needed to provide the Service.

Customer recognizes that the individual signing this Agreement on its behalf has authority to do so.

Customer Authorization	Alabama Power Authorization
Signature:	Signature:
Print Name:	Print Name: Emily Breaseale
Print Title:	Print Title: Lighting Services Representative
Date:	Date:

1. **Lighting Services Agreement.** This Lighting Services Agreement (“**Agreement**”) states the agreed terms and conditions upon which **Alabama Power Company (“APC”)** will provide lighting service and, where APC deems necessary, related electric service (collectively “**Service**”) to the Customer identified on page 1 of this Agreement (“**Customer**”). Service will be provided to Customer at the Service Address set forth on page 1 of this Agreement (the “**Premises**”). APC may update, modify or replace all poles, bases, wiring, conduit, fixtures, controls and related items (collectively, the “**APC Assets**”) as necessary or convenient in order to address regulatory requirements or for other reasons related to the provision of Service.
2. **Intent and Title.** This Agreement concerns the provision of Service to Customer by APC and is not a sale, lease or licensing of goods, equipment, property or assets of any kind. APC retains the sole and exclusive right, title and interest in and to all of the APC Assets utilized in connection with the Service. Moreover, APC may remove the APC Assets upon termination of this Agreement. **APC makes no representation or warranty regarding treatment of this transaction by the Internal Revenue Service or the status of this Agreement under any federal or state tax law; Customer enters into this Agreement in sole reliance upon Customer’s own advisors.**
3. **Term.** The initial Agreement term is stated on Page 1, calculated from the start date of the first monthly billing service period for lighting service under this Agreement. After the initial term, this Agreement automatically renews on a month-to-month basis until terminated by either party by providing written notice of intent to terminate to the other party at least 30 days before the desired termination date. APC’s address for notice is P.O. Box 2641, Birmingham, Alabama 35203; Customer’s mailing address is noted on Page 1.
4. **Payment.** APC will invoice Customer per the terms stated on Page 1, and if applicable subject to any change in the electric service charge dictated by the Alabama Public Service Commission. Customer agrees to pay the amount billed by billed before Customer’s next bill is issued by APC. Applicable taxes included in the Service Cost are subject to change at any time. If a balance is outstanding past the due date, Customer agrees to pay the greater of 1.5% of the unpaid balance or \$2.00 and acknowledges that APC may require Customer to pay a deposit of up to two times the Estimated Monthly Charge in order to continue service. If applicable, Customer must provide a copy of its Alabama sales tax exemption certificate.
5. **Regulated Cost.** During the Term of this Agreement, the actual Regulated Cost will be calculated using the tariffs approved by Alabama Public Service Commission (the “**Commission**”) at the time of billing. Alabama state law and the rules, regulations and applicable rate schedules of APC as may be filed with and regulated by the Commission govern electric service and are incorporated herein by reference. Such laws, rules, regulations and rate schedules are subject to change during the term of this Agreement as provided by law. Copies of current rules, regulations and applicable rate schedules are available for viewing on APC’s website <http://www.alabamapower.com>.
6. **Premises Activity.** Customer grants APC and its contractors and representatives the right and license to enter the Premises and perform all manner of activities related to the provision of Service, including the right to: (i) access the Premises with vehicles, the APC Assets, and other tools or equipment in order to install and connect the APC Assets and provide Service; (ii) remove and disconnect pre-existing equipment where it is necessary or convenient to do so for the provision of Service; (iii) inspect, maintain, test, replace, repair, and remove APC Assets; (iv) provide electric energy in relation to the Service where APC deems necessary; and (v) conduct any other activities reasonably related to the provision of Service, including surveying, digging and excavation with tools, mechanized equipment and other machinery (activity items (i) – (v) collectively, the “**APC Activity**”). Customer represents that the individual signing this Agreement on its behalf has authority to do so and that it has express authority from all Premises owners (and any other party with rights in the Premises) to enter into this Agreement and to authorize the APC Activity.
7. **Installation.** Customer recognizes that APC may be required to install the APC Assets in order to provide this Service (“**Installation**”). Customer represents that: (i) the Premises’ final grade will vary no more than 6 inches from the grade existing at the time of Installation; and (ii) if applicable and required for proper Installation, Premises property lines will be clearly marked before Installation.
 - A. **Customer Work.** If APC, upon Customer’s request, allows Customer to itself or through a third party perform any part of the activities related to the Installation of APC Assets at the premises (including trenching), Customer warrants that the work will meet APC’s installation specifications (which APC will provide to Customer and are incorporated by this reference). Customer is responsible for all reasonable additional costs arising from Customer’s non-compliance with APC’s specifications or lack of timely (i.e., 10 days’) notice to APC that APC Activity related to the Installation and connection of APC Assets can commence.
 - B. **Underground Facility/Obstruction Not Subject to Dig Law.** Because APC Activity may require excavation not subject to the Alabama’s Underground Damage Prevention Legislation (Ala. Code §§ 37-15-1 - 37-15-11) (“**Dig Law**”), **Customer must mark any private utility or facility (e.g., gas/ water/sewer line; irrigation facility; low voltage data/communication line) or other underground obstruction at the Premises that is not subject to the Dig Law.** If APC causes or incurs damage due to Customer’s failure to mark a private facility or obstruction before APC commences the APC Activity, Customer is responsible for all damages and any resulting delay.
 - C. **Unforeseen Condition.** The estimated charges shown on Page 1 include no allowance for any subsurface rock, wetland, underground stream, buried waste, unsuitable soil, underground obstruction, archeological artifact, burial ground, threatened or endangered species, hazardous substance, etc. encountered during the APC Activity (“**Unforeseen Condition**”). If APC encounters an Unforeseen Condition, APC, in its sole discretion, may stop all APC Activity until Customer either remedies the condition or agrees to reimburse all APC costs arising from the condition. Customer is responsible for all costs of modification or change to the APC Assets requested by Customer or dictated by an Unforeseen Condition or circumstance outside APC’s control.
 - D. **Installation Modifications.** APC, at its sole discretion, may remove, relocate or re-position APC Assets to address any Installation issues. Customer is responsible for all cost of Installation modifications requested by Customer.
8. **APC Asset Protection and Damage.** After Installation and throughout this Agreement’s term, in the event of any work or digging near the APC Assets, Customer (or any person or entity working on Customer’s behalf) must: (i) provide notices and locate requests by calling Alabama 811 or 1-800-292-8525; and (ii) provide notices to other utilities or operators as required by the Dig Law. As between Customer and APC, Customer is responsible for all damages arising from failure to comply with applicable law or for damage to APC Assets caused by anyone other than APC (or an APC contractor or representative). APC will maintain APC Assets and will bear the cost of routine repair or replacement. Customer is responsible for the cost of repairing or replacing any APC Assets damaged or destroyed due to vandalism or willful abuse.
9. **Interruption of Service.** Customer understands Service is provided on an “as is” and “as available” basis and may be interrupted. Customer is responsible for notifying APC if there is a Service interruption. Customer can provide such notice by calling the Business Service Center at 1-888-430-5787.
10. **Disclaimer; Damages.** **APC makes no covenant, warranty, or representation of any kind (including warranty of fitness for a particular purpose or of merchantability) regarding the Illumination Service or any APC Activity.** Customer also acknowledges that, due to the unique characteristics of the Premises, Customer’s needs, or APC Assets choice, the Illumination Service may not follow IESNA guidelines. **Customer waives any right to consequential, special, indirect, treble, exemplary, incidental, punitive, loss of business reputation, or loss of use (including loss of revenue, profits, or capital costs) damages in connection with the Illumination Service, APC Assets or this Agreement, or arising from damage, hindrance, or delay involving the Illumination Service or this Agreement, whether or not reasonable, foreseeable, contemplated, or avoidable. Customer is solely responsible for safety of the Premises and agrees that APC has no obligation to ensure the safety of the Premises.**
11. **Liability.** To the fullest extent allowed by law, Customer agrees to indemnify, release, hold harmless, and, at APC’s request, defend APC and its affiliates and contractors (and their officers, directors, employees, representatives, and agents) from and against any loss, damage, cost, expense, or liability (including actual attorneys’ fees reasonably incurred and all expenses of investigation and defense) for any damage or claim for personal or bodily injury (including death), invasion of privacy, trespass, property damage (including loss of use), monetary damage, or equitable relief caused by or arising out of any misrepresentation or act or omission of Customer involving this Agreement, the Service, the APC Assets, or the Premises, whether or not caused by or arising out of the joint, concurrent, or contributory (but not sole) negligence of APC
12. **Default.** Each of the following shall constitute a default: (1) Customer does not pay the entire amount owed within forty-five (45) days of billing or (2) Customer’s, or its employees, agents, representatives, negligent, willful or intentional misconduct or violation of any law, regulation, code or ordinance. If default occurs, APC, at its discretion, may immediately terminate this Agreement, collect all past due amounts (including late fees) and all amounts due for the Service during the remaining Term, remove the APC Assets from the Premises, and seek any other legal or equitable remedy.
13. **Miscellaneous.** This Agreement contains the parties’ entire agreement relating to the Service and APC Activity and replaces any prior agreement, written or oral. Subject to applicable law, APC may modify the terms of this Agreement by providing thirty (30) days’ prior written notice to Customer of such modification. If Customer uses the Service or makes any payment to use the Service on or after the effective date of the modification, Customer accepts the modification. Either party may update administrative or contact information (e.g., address, phone, website) at any time by written notice to the other party. Customer will not assign, in whole or in part, this Agreement or its Agreement rights or obligations. Any such assignment without APC’s prior written consent will be void and of no effect. No assignment, whether with or without consent, relieves Customer of its Agreement obligations. Customer must provide advance notice of a change in control of all, or substantially all, of Customer’s ownership or interest in the Premises. In this Agreement, “including” means “including, but not limited to.” Alabama law governs this Agreement. If a court rules an Agreement provision unenforceable to any extent, the rest of that provision and all other provisions remain effective.

CUSTOMER AND SALES CONTRACT DATA SHEET

LAMP Project # 57065 **Contract Date:** 1/27/2023

Project Name: CITY OF LEEDS - TENNIS COURTS **NAICS Code:** _____

Lighting Services Rep: Emily Breaseale

Engineer: Tammie Williams

Division: Birmingham

Customer Type: Commercial-Municipal

Create new lighting only account? Yes

Remove all fixtures from CSS account on contract? Yes, Remove All

Removals needed on additional accounts? No

If account will final when lights are removed, add lights to another account? No

Manufacturer	Solais	Style	Flood (pole-mounted)	Color	Bronze	Quantity	2
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Notes			
Date	Name	Type	Description