



CITY OF LEEDS, ALABAMA

REGULAR COUNCIL MEETING AGENDA

Leeds City Council Meeting - April 6, 2020
Mon, Apr 6, 2020 6:00 PM - 7:00 PM (CDT)

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CALL COUNCIL MEETING TO ORDER

ROLL CALL / INVOCATION / PLEDGE OF ALLEGIANCE

PUBLIC HEARING

Anyone wishing to address the Council during the Public Comment section of the meeting must sign in with the City Clerk to provide their name and address.

APPROVE COUNCIL MINUTES

- [1.](#) Minutes from March 2, 2020 meeting
- [2.](#) Minutes from March 16, 2020 meeting

REPORTS OF STANDING COMMITTEES OR SPECIAL BOARDS:

3. Finance Committee Report: Linda Miller
4. Public Safety Committee Report: Kenneth Washington
5. Public Works Committee Report: Ryan Bell

REPORTS OF OFFICERS:

6. Mayor's Report: Mayor David Miller
- [7.](#) Police Department: Chief Atkinson
8. Fire Department: Chief Parsons
9. Library: Library Director Carden
10. Municipal Court: Magistrate Roberts
- [11.](#) Development Services Department: Zoning Administrator Watson

12. Public Works Department: Public Works Director Warren

OLD BUSINESS:

NEW BUSINESS:

- [13.](#) Resolution 2020-03-04 (Carried over from the canceled regular meeting - March 16, 2020): Consider Approval of Post Issuance Compliance Policy for Non-taxable Bonds
- [14.](#) Ordinance 2020-04-01: Consider Updating Certain City firearm Policies
- [15.](#) Resolution 2020-04-01: Consider Approval of Cost of Living Adjustment for Certain City First Responders
- [16.](#) Resolution 2020-04-02: Consider Formal Repeal of City 2001 Tax Increment District
- [17.](#) Resolution 2020-04-03: Consider Approving the Purchase of Police Department vehicles and equipment
- [18.](#) Resolution 2020-04-04: Consider ALDOT Maintenance Agreement for Traffic Signal - Park Drive @ Hwy 78 (Parkway Drive)
- [19.](#) Resolution 2020-04-05: Consider COVID 19 City Budget Adjustments

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.



CITY OF LEEDS, ALABAMA

REGULAR COUNCIL MEETING MINUTES

Leeds Civic Center Meeting Room -1000 Park Drive, Leeds, Alabama 35094

March 02, 2020 @ 6:00 PM

CALL COUNCIL MEETING TO ORDER

Mayor David Miller called the meeting to order at 6:07 pm.

ROLL CALL / INVOCATION / PLEDGE OF ALLEGIANCE

PRESENT

Mayor David Miller
Council member Eric Turner
Council member Johnny Dutton
Council member Linda Miller
Council member Kenneth Washington

ABSENT

Council member Ryan Bell

INVOCATION

Council member Eric Turner

PLEDGE OF ALLEGIANCE

Mayor David Miller

APPROVE COUNCIL MINUTES

1. Minutes from February 24, 2020 meeting

Motion to approve February 24th, 2020 minutes made by Council member Turner, Seconded by Council member Miller. Voting Yea: Mayor Miller, Council member Turner, Council member Dutton, Council member Miller, Council member Washington

REPORTS OF STANDING COMMITTEES OR SPECIAL BOARDS:

2. Finance Committee Report: Linda Miller
No Report.
3. Public Safety Committee Report: Kenneth Washington
No Report.

1.

4. Public Works Committee Report: Ryan Bell
Absent.

REPORTS OF OFFICERS:

5. Mayor's Report: Mayor David Miller
Mayor Miller announced that starting April 6th, 2020, City Council meetings will be held at the City Annex (old Alabama Power building) on 9th Street.
6. Police Department: Chief Atkinson
No Report.
7. Fire Department: Chief Parsons
No Report.
8. Library: Library Director Carden
No Report.
9. Municipal Court: Magistrate Roberts
Submitted January and February 2020 reports prior to meeting.
10. Development Services Department: Zoning Administrator Watson
No Report.
11. Public Works Department: Public Works Director Warren
No Report.

OLD BUSINESS:

NEW BUSINESS:

12. Ordinance 2020-03-01: Consider Supplemental Ordinance Amending O2020-02-01 which Authorizes the General Obligation Warrants, Series 2020-A

Motion for Unanimous Consent to consider Ordinance 2020-03-01 made by Council member Dutton, Seconded by Council member Washington. Voting Yea: Mayor Miller, Council member Turner, Council member Dutton, Council member Miller, Council member Washington.

Motion to approve Ordinance 2020-03-01 made by Council member Dutton, Seconded by Council member Miller. Voting Yea: Mayor Miller, Council member Turner, Council member Dutton, Council member Miller, Council member Washington
13. Resolution 2020-03-01: Consider Appointment to the Board of Trustees of the Leeds Jane Culbreth Library

Motion to approve Resolution 2020-03-01 made by Council member Dutton, Seconded by Council member Turner. Voting Yea: Mayor Miller, Council member Turner, Council member Dutton, Council member Miller, Council member Washington

1.

14. Resolution 2020-03-02: Consider Appointment for a Vacancy on the Board of Trustees of the Leeds Jane Culbreth Library

Motion to approve Resolution 2020-03-02 made by Council member Turner, Seconded by Council member Dutton. Voting Yea: Mayor Miller, Council member Turner, Council member Dutton, Council member Miller, Council member Washington

15. Resolution 2020-03-03: Consider Change to Council Meeting Location

Motion for Unanimous Consent to add an agenda item made by Council member Miller, Seconded by Council member Dutton. Voting Yea: Mayor Miller, Council member Turner, Council member Dutton, Council member Miller, Council member Washington.

Motion to approve Resolution 2020-03-03 made by Council member Miller, Seconded by Council member Dutton. Voting Yea: Mayor Miller, Council member Turner, Council member Dutton, Council member Miller, Council member Washington.

PUBLIC COMMENTS

Bonnie Garrett, 7538 Poplar Avenue, addressed Council regarding the pit bulls running loose in her neighborhood.

ADJOURNMENT

Motion to adjourn made by Council member Turner, Seconded by Council member Miller. Voting Yea: Mayor Miller, Council member Turner, Council member Dutton, Council member Miller, Council member Washington.

The meeting was adjourned at 6:19 pm.

David Miller, Mayor

ATTEST:

Toushi Arbitelle, City Clerk



CITY OF LEEDS, ALABAMA

EMERGENCY MEETING MINUTES

City Hall - 1400 9th St., Leeds, AL 35094

March 16, 2020 @ 3:30 PM

CALL COUNCIL MEETING TO ORDER

Mayor David Miller called the Special Emergency Meeting to order at 3:33 pm.

ROLL CALL:

PRESENT

Mayor David Miller
Council member Johnny Dutton
Council member Linda Miller
Council member Ryan Bell
Council member Kenneth Washington

ABSENT

Council member Eric Turner

NEW BUSINESS:

R2020-03-05: Consider an Updated Street Repair and Paving List

Motion to approve Resolution 2020-03-05 made by Council member Dutton, Seconded by Council member Bell. Voting Yea: Mayor Miller, Council member Dutton, Council member Miller, Council member Bell, Council member Washington.

R2020-03-06 Consider Declaration of Emergency due to COVID-19 related matters

Motion to approve Resolution 2020-03-06 made by Council member Bell, Seconded by Council member Miller. Voting Yea: Mayor Miller, Council member Dutton, Council member Miller, Council member Bell, Council member Washington.

PUBLIC COMMENTS

There was none.

ADJOURNMENT

The meeting was adjourned at 3:56 pm.

David Miller, Mayor

2.

ATTEST:

Toushi Arbitelle, City Clerk



J ATKINSON
CHIEF OF POLICE

THE CITY OF LEEDS
LEEDS POLICE DEPARTMENT

1040 PARK DRIVE
LEEDS, ALABAMA 35094-2213
BUS: (205) 699-2581
FAX: (205) 702-6556



DAVID MILLER
MAYOR

DATE: March 4, 2020

Mayor and Council:

The following is a summary of the Police Department activities for the month of February and the 2020 year-to-date totals.

Police Department Activity Summary

| Category | *Calls Answered | Accidents Investigated | All Reports | Traffic Stops | Traffic Citations | Warning Citations | Non-Traffic Citations | Misd. Arrests | Felony Arrests | Warrants Served |
|----------|-----------------|------------------------|-------------|---------------|-------------------|-------------------|-----------------------|---------------|----------------|-----------------|
| Feb 2020 | 800 | 36 | 178 | 312 | 259 | 97 | 11 | 31 | 3 | 61 |
| 2020 YTD | 1687 | 78 | 338 | 591 | 490 | 194 | 17 | 56 | 18 | 118 |
| Feb 2019 | 671 | 41 | 169 | 253 | 162 | 109 | 2 | 14 | 8 | 45 |
| 2019 YTD | 1404 | 78 | 361 | 598 | 415 | 242 | 0 | 45 | 11 | 100 |

| Category | *Officer Assists | *Public Assists | Court Hours | Training Hours | Shifts Worked | Miles Driven | Dispatch CFS | Business Cks/Card | | |
|----------|------------------|-----------------|-------------|----------------|---------------|--------------|--------------|-------------------|--|--|
| Feb 2020 | 323 | 341 | 38 | 39 | 236 | 17,094 | 1487 | 208 | | |
| 2020 YTD | 625 | 673 | 74 | 169 | 485 | 34,384 | 3044 | 468 | | |
| Feb 2019 | 308 | 259 | 30 | 16 | 227 | 19,202 | 1523 | 208 | | |
| 2019 YTD | 694 | 608 | 61 | 128 | 472 | 37,738 | 3198 | 487 | | |

*Calls answered, Officer Assists and Public Assists equal all calls.

Jail Expenses

Prisoner Transportation

| | | | | | | | |
|---------------------------|--------------------|-------------------|----------------|-----------------|-------------------|----------------|--------------|
| No. of Inmate Days | 163 | Feb 2020 | Miles = | 1,758.1 | Feb 2020 | Hours = | 71.0 |
| Feb. Expenses | \$5,297.50 | 2020 YTD | Miles = | 3,190.9 | 2020 YTD | Hours = | 122.0 |
| 2020 YTD | \$10,692.50 | | | | | | |
| 2019 Total | \$72,930.00 | 2019 Total | Miles = | 18,309.5 | 2019 Total | Hours = | 635.0 |

False Alarms

| False Alarms | Burglary Business | Burglary Residence | Robbery Business | Robbery Residence | Totals | Chargeable | |
|--------------|-------------------|--------------------|------------------|-------------------|--------|------------|--|
| Feb 2020 | 20 | 17 | 3 | 0 | 40 | 40 | |
| 2020 YTD | 36 | 28 | 5 | 0 | 69 | 69 | |
| 2019 Total | 261 | 210 | 14 | 0 | 485 | 485 | |

Assigned Cases

| Statistics for Leeds, Alabama | Homicide | Rape | Robbery | Assault | Burglary | Felony Theft | MVT |
|--|-----------------|-------------|----------------|----------------|-----------------|-------------------------|------------|
| Feb 2020 | 0 | 3 | 0 | 0 | 2 | 7 | 1 |
| 2020 YTD | 1 | 3 | 2 | 1 | 7 | 17 | 2 |
| Cases Cleared YTD | 0 | 0 | 0 | 0 | 5 | 13 | 0 |
| | | | | | | | |
| Feb 2019 | 0 | 1 | 1 | 2 | 3 | 9 | 2 |
| 2019 YTD | 0 | 2 | 3 | 5 | 4 | 18 | 2 |
| | | | | | | | |

Respectfully Submitted,

Lt. J E Loebler

11. Department Hours- OT

02/25/20 to 03/09/20

| Department | OT | COM | FDC | Totals |
|------------|--------|-------|-------|--------|
| | 189:19 | 23:05 | 13:45 | 226:09 |
| ADMIN | 27:31 | 1:05 | | 28:36 |
| COURT | 1:01 | | | 1:01 |
| DEV | 0:17 | | | 0:17 |
| FIRE | 82:00 | | 13:45 | 95:45 |
| FIRE2 | 2:00 | | | 2:00 |
| LIBRARY | 2:15 | 22:00 | | 24:15 |
| POLICE | 51:10 | | | 51:10 |
| STREET | 23:05 | | | 23:05 |

11. Department Hours- OT

03/10/20 to 03/23/20

| Department | OT | COM | Totals |
|-------------------|-----------|------------|---------------|
|-------------------|-----------|------------|---------------|

| | | | |
|---------|-------|------|-------|
| ADMIN | 12:07 | | 12:07 |
| COURT | 1:34 | | 1:34 |
| DEV | 0:24 | | 0:24 |
| FIRE | 37:00 | | 37:00 |
| FIRE2 | 2:00 | | 2:00 |
| LIBRARY | | 7:18 | 7:18 |
| POLICE | 48:40 | | 48:40 |
| STREET | 27:33 | | 27:33 |

11. 9 REG/OT

CV19 REG/OT

| Employee | CVR | CVO | Totals |
|-----------------|--------------|---------------|---------------|
| Totals | 77:00 | 215:00 | 292:00 |

| | | | |
|-----------------------|-------|-------|-------|
| Courington, Christoph | | 16:30 | 16:30 |
| Ford, Jon | 33:00 | | 33:00 |
| Mizell, Dunn | | 24:00 | 24:00 |
| Moman, Justin | | 24:00 | 24:00 |
| Rossetti, Joshua | 14:00 | 4:30 | 18:30 |
| Shell, Kyle | | 63:00 | 63:00 |
| Smith, Robert JA | 24:00 | | 24:00 |
| Smotherman, Johnatt | 6:00 | 11:00 | 17:00 |
| Williams, Cortney | | 72:00 | 72:00 |

CITY OF LEEDS

RESOLUTION NO. 2020-03-04

RESOLUTION TO ADOPT A POST-ISSUANCE COMPLIANCE PROCEDURE AND POLICY FOR TAX-EXEMPT GOVERNMENTAL BONDS

WHEREAS, The City of Leeds, Alabama (the “Issuer”), intends to issue tax-exempt governmental bonds from time to time to finance various capital improvements; and

WHEREAS, As an issuer of tax-exempt governmental bonds, the Issuer is required by the terms of Sections 103 and 141 through 150 of the Internal Revenue Code of 1986, as amended (the “Code”), and the U.S. Treasury Regulations promulgated thereunder (the “Treasury Regulations”), to take certain actions subsequent to the issuance of such bonds to ensure the continuing tax-exempt status of such bonds. In addition, Section 6001 of the Code and Section 1.6001-1(a) of the Treasury Regulations impose record retention requirements on the Issuer with respect to its tax-exempt governmental bonds; and

WHEREAS, This Post-Issuance Compliance Procedure and Policy for Tax-Exempt Governmental Bonds (the “Policy”) has been approved and adopted by the governing body of the Issuer to ensure that the Issuer complies with its post-issuance compliance obligations under applicable provisions of the Code and Treasury Regulations.

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

1. That the Post-Issuance Compliance Procedures and Policy for Tax-Exempt Governmental Bonds, a copy of which is attached hereto as Exhibit “A”, is hereby adopted and approved by the City Council.
2. That a copy of said Policy shall be attached to the minutes of this meeting of the City Council.

APPROVED and **ADOPTED** this 6th day of April 2020.

CITY OF LEEDS, ALABAMA:

DAVID MILLER, MAYOR

DATE

ATTEST:

AYES: _____

NAYS: _____

ABSENT FROM VOTING: _____

ABSTAIN: _____

TOUSHI ARBITELLE, CITY CLERK

In my 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 6th day of April 2020.

City Clerk

EXHIBIT A**POST-ISSUANCE COMPLIANCE PROCEDURE AND POLICY
FOR TAX-EXEMPT GOVERNMENTAL BONDS**

The City of Leeds, Alabama (the “Issuer”), may issue tax-exempt governmental bonds from time to time to finance various capital improvements. As an issuer of tax-exempt governmental bonds, the Issuer is required by the terms of Sections 103 and 141 through 150 of the Internal Revenue Code of 1986, as amended (the “Code”), and the U.S. Treasury Regulations promulgated thereunder (the “Treasury Regulations”), to take certain actions subsequent to the issuance of such bonds to ensure the continuing tax-exempt status of such bonds. In addition, Section 6001 of the Code and Section 1.6001-1(a) of the Treasury Regulations impose record retention requirements on the Issuer with respect to its tax-exempt governmental bonds. This Post-Issuance Compliance Procedure and Policy for Tax-Exempt Governmental Bonds (the “Policy”) has been approved and adopted by the governing body of the Issuer to ensure that the Issuer complies with its post-issuance compliance obligations under applicable provisions of the Code and Treasury Regulations.

1. Effective Date and Term. The effective date of this Policy is the date of approval by the City Council of the Issuer, and this Policy shall remain in effect until superseded or terminated by action of the City Council of the Issuer.

2. Responsible Parties. The City Clerk/Treasurer shall be the party primarily responsible for ensuring that the Issuer successfully carries out its post-issuance compliance requirements, under applicable provisions of the Code and Treasury Regulations with regard to all tax-exempt governmental obligations of the Issuer. The City Clerk/Treasurer is referred to as the “Compliance Officer” for purposes of this Policy. The Compliance Officer shall be assisted by other Issuer staff and officials when appropriate. The Compliance Officer will also be assisted in carrying out post-issuance compliance requirements by the following entities:

(a) Issuer’s Attorney (as of the date of approval of this Policy, the City Attorney is Brunson, Barnett & Sherrer P.C.);

(b) Bond Counsel (as of the date of approval of this Policy, bond counsel for the Issuer is Spain & Gillon, LLC);

(c) Paying Agent (as of the date of approval of this Policy, the paying agent of the Issuer with respect to its General Obligation Warrants, Series 2017-A and Series 2017-B, is U. S. Bank National Association; and

(d) Rebate Analyst (the organization primarily responsible for providing rebate analyst services for the Issuer).

The Compliance Officer shall be responsible for assigning post-issuance compliance responsibilities to other Issuer staff, Bond Counsel, the Paying Agent, and the Rebate Analyst. The Compliance Officer shall utilize such other professional service organizations as are necessary to ensure compliance with the post-issuance compliance requirements of the Issuer. The Compliance Officer shall provide training and educational resources to Issuer staff responsible for ensuring compliance with any portion of the post-issuance compliance requirements of this Policy.

3. Post-Issuance Compliance Actions. The Compliance Officer shall take the following post-issuance compliance actions or shall verify that the following post-issuance compliance actions have been

taken on behalf of the Issuer with respect to each issue of tax-exempt governmental bonds issued by the Issuer:

(a) The Compliance Officer shall prepare a transcript of principal documents (this action will be the responsibility of Bond Counsel).

(b) The Compliance Officer shall file with the Internal Revenue Service (the “IRS”), within the time limit imposed by Section 149(e) of the Code and applicable Treasury Regulations, an Information Return for Tax-Exempt Governmental Obligations, Form 8038-G, or an Information Return for Build America Bonds and Recovery Zone Economic Development Bonds, Form 8038-B, or an Information Return for Tax Credit Bonds and Specified Tax Credit Bonds, Form 8038-TC, as the case may be (this action will be the primary responsibility of Bond Counsel).

(c) If not otherwise provided for in a “tax certificate” given pursuant to the requirements of Treasury Regulations, Section 1.148-2(b)(2), the Compliance Officer shall prepare an “allocation memorandum” for each issue of tax-exempt governmental bonds in accordance with the provisions of Treasury Regulations, Section 1.148-6(d)(1), that accounts for the allocation of the proceeds of the tax-exempt bonds to expenditures not later than the earlier of:

(i) eighteen (18) months after the later of (A) the date the expenditure is paid, or (B) the date the project, if any, that is financed by the tax-exempt bond issue is placed in service; or

(ii) the date sixty (60) days after the earlier of (A) the fifth anniversary of the issue date of the tax-exempt bond issue, or (B) the date sixty (60) days after the retirement of the tax-exempt bond issue.

Preparation of the allocation memorandum will be the primary responsibility of the Compliance Officer; in consultation with Bond Counsel.

(d) The Compliance Officer, in consultation with Bond Counsel, shall identify proceeds of tax-exempt governmental bonds that must be yield-restricted and shall monitor the investments of any yield-restricted funds to ensure that the yield on such investments does not exceed the yield to which such investments are restricted.

(e) In consultation with Bond Counsel and the Rebate Analyst, the Compliance Officer shall determine whether the Issuer is subject to the rebate requirements of Section 148(f) of the Code and related Treasury Regulations with respect to each issue of tax-exempt governmental bonds. In consultation with Bond Counsel, the Compliance Officer shall determine, with respect to each issue of tax-exempt governmental bonds of the Issuer, whether the Issuer is eligible for any of the temporary periods for unrestricted investments and is eligible for any of the spending exceptions to the rebate requirements. The Compliance Officer shall contact the Rebate Analyst (and, if appropriate, Bond Counsel) prior to the fifth anniversary of the date of issuance of each issue of tax-exempt governmental bonds of the Issuer and each fifth anniversary thereafter to arrange for calculations of the rebate requirements with respect to such tax-exempt governmental bonds. If a rebate payment is required to be paid by the Issuer, the Compliance Officer shall prepare or cause to be prepared the *Arbitrage Rebate, Yield Reduction and Penalty in Lieu of Arbitrage Rebate, Form 8038-T*, and submit such Form 8038-T to the IRS with the required rebate payment. If the Issuer is authorized to recover a rebate payment previously paid, the Compliance Officer shall prepare or cause to be prepared the *Request for Recovery of Overpayments Under Arbitrage Rebate Provisions, Form 8038-R*, with respect to such rebate recovery, and submit such Form 8038-R to the IRS.

4. Procedures for Monitoring, Verification, and Inspections. The Compliance Officer shall

institute such procedures as the Compliance Officer shall deem necessary and appropriate to monitor the use of the proceeds of tax-exempt governmental bonds issued by the Issuer, to verify that certain post-issuance compliance actions have been taken by the Issuer, and to provide for the inspection of the facilities financed with the proceeds of such bonds. At a minimum, the Compliance Officer shall establish the following procedures:

(a) The Compliance Officer shall monitor the use of the proceeds of tax-exempt governmental bonds to: (i) ensure compliance with the expenditure and investment requirements under the temporary period provisions set forth in Treasury Regulations, Section 1.148-2(e); (ii) ensure compliance with the safe harbor restrictions on the acquisition of investments set forth in Treasury Regulations, Section 1.148-5(d); (iii) ensure that the investments of any yield-restricted funds do not exceed the yield to which such investments are restricted; and (iv) determine whether there has been compliance with the spend-down requirements under the spending exceptions to the rebate requirements set forth in Treasury Regulations, Section 1.148-7.

(b) The Compliance Officer shall monitor the use of all bond-financed facilities in order to: (i) determine whether private business uses of bond-financed facilities have exceeded the *de minimis* limits set forth in Section 141(b) of the Code (generally 10% of bond proceeds) as a result of leases and subleases, licenses, management contracts, research contracts, naming rights agreements or other arrangements that provide special legal entitlements to nongovernmental persons; and (ii) determine whether private security or payments that exceed the *de minimis* limits set forth in Section 141(b) of the Code (generally 10% of bond proceeds) have been provided by nongovernmental persons with respect to such bond-financed facilities. The Compliance Officer shall provide training and educational resources to any Issuer staff who have the primary responsibility for the operation, maintenance, or inspection of bond-financed facilities with regard to the limitations on the private business use and on the private security or payments with respect to bond-financed facilities.

(c) The Compliance Officer shall undertake the following with respect to each outstanding issue of tax-exempt governmental bonds of the Issuer: (i) an annual review of the books and records maintained by the Issuer with respect to such bonds; and (ii) an annual physical inspection of the facilities financed with the proceeds of such bonds, conducted by the Compliance Officer with the assistance with any Issuer staff who have the primary responsibility for the operation, maintenance, or inspection of such bond-financed facilities.

5. Record Retention Requirements. The Compliance Officer shall collect and retain the following records with respect to each issue of tax-exempt governmental bonds of the Issuer and with respect to the facilities financed with the proceeds of such bonds: (i) audited financial statements of the Issuer; (ii) appraisals, demand surveys, or feasibility studies, if any, with respect to the facilities to be financed with the proceeds of such bonds; (iii) publications, brochures, and newspaper articles, if any, related to the bond financing; (iv) trustee or paying agent statements; (v) records of all investments and the gains (or losses) from such investments; (vi) paying agent or trustee statements regarding investments and investment earnings; (vii) reimbursement resolutions, if any, and expenditures reimbursed with the proceeds of such bonds; (viii) allocations of proceeds to expenditures (including costs of issuance) and the dates and amounts of such expenditures (including any requisitions, draw schedules, draw requests, invoices, bills, and cancelled checks with respect to such expenditures); (ix) contracts entered into for the construction, renovation, or purchase of bond-financed facilities; (x) an asset list or schedule of all bond-financed depreciable property and any depreciation schedules with respect to such assets or property; (xi) records of the purchases and sales of bond-financed assets; (xii) private business uses of bond-financed facilities that arise subsequent to the date of issue through leases and subleases, licenses, management contracts, research contracts, naming rights agreements, or other arrangements that provide special legal entitlements to nongovernmental persons and copies of any such agreements or instruments; (xiii) arbitrage

rebate reports and records of rebate and yield reduction payments, if any; (xiv) resolutions or other actions, if any, taken by the governing body subsequent to the date of issue with respect to such bonds; (xv) formal elections authorized by the Code or Treasury Regulations that are taken with respect to such bonds; (xvi) relevant correspondence relating to such bonds; (xvii) documents related to guaranteed investment contracts or certificates of deposit, credit enhancement transactions, and financial derivatives entered into subsequent to the date of issue; (xviii) copies of any and all Form 8038-Ts and Form 8038-Rs filed with the IRS; and (xix) the transcript prepared with respect to such tax-exempt governmental bonds.

The records collected by the Issuer shall be stored in any format deemed appropriate by the Compliance Officer and shall be retained for a period equal to the life of the tax-exempt governmental bonds with respect to which the records are collected (which shall include the life of any bonds issued to refund any portion of such tax-exempt governmental bonds or to refund any refunding bonds) plus three (3) years.

6. Remedies. In consultation with Bond Counsel, the Compliance Officer shall become acquainted with the remedial actions under Treasury Regulations, Section 1.141-12, to be utilized in the event that private business use of bond-financed facilities exceeds the *de minimis* limits under Section 141(b)(1) of the Code. In consultation with Bond Counsel, the Compliance Officer shall become acquainted with the Tax Exempt Bonds Voluntary Closing Agreement Program, described in Notice 2008-31, 2008-11 I.R.B. 592, to be utilized as a means for an issuer to correct any post-issuance infractions of the Code and Treasury Regulations with respect to outstanding tax-exempt bonds.

7. Continuing Disclosure - Obligations. In addition to its post-issuance compliance requirements under applicable provisions of the Code and Treasury Regulations, the Issuer has covenanted to provide the Municipal Securities Rulemaking Board's Electronic Municipal Market Access System ("EMMA") with continuing disclosure, such as annual financial information and material event notices, pursuant to a continuing disclosure undertaking (the "Continuing Disclosure Undertaking") prepared by Bond Counsel and made a part of the transcript with respect to each issue of bonds of the Issuer that is subject to such continuing disclosure requirements. The Continuing Disclosure Undertaking was executed by the Issuer to assist the underwriters of the Issuer's bonds in meeting their obligations under Securities and Exchange Commission Regulation, 17 C.F.R. Section 240.15c2-12, as in effect and interpreted from time to time ("Rule 15c2-12"). The continuing disclosure obligations of the Issuer are governed by the Continuing Disclosure Undertaking and by the terms of Rule 15c2-12. The Compliance Officer is primarily responsible for undertaking such continuing disclosure obligations to EMMA and to monitor compliance with such obligations.

8. Other Post-Issuance Actions. If, in consultation with Bond Counsel, the Paying Agent, the Rebate Analyst, the Issuer's Attorney, or the City Council of the Issuer, the Compliance Officer determines that any additional action not identified in this Policy must be taken by the Compliance Officer to ensure the continuing tax-exempt status of any issue of governmental bonds of the Issuer, the Compliance Officer shall take such action if the Compliance Officer has the authority to do so. If, after consultation with Bond Counsel, the Paying Agent, the Rebate Analyst, the Issuer's Attorney, or the City Council of the Issuer, the Compliance Officer determines that this Policy must be amended or supplemented to ensure the continuing tax-exempt status of any issue of governmental bonds of the Issuer, the Compliance Officer shall recommend to the City Council of the Issuer that this Policy be so amended or supplemented.

9. Taxable Governmental Bonds. Most of the provisions of this Policy, other than the provisions of Section 7 hereof, are not applicable to governmental bonds the interest on which is includable in gross income for federal income tax purposes (i.e. "taxable bond"). If an issue of taxable governmental bonds is later refunded with the proceeds of an issue of tax-exempt governmental bonds, then the uses of the proceeds of the taxable governmental bonds and the uses of the facilities financed with the proceeds of the taxable governmental bonds will be relevant to the tax-exempt status of the refunding bonds. Therefore, if there is any reasonable possibility that an issue of taxable governmental bonds may be refunded, in whole or in part, with the proceeds of an issue of tax-exempt governmental bonds then, for purposes of this Policy, the Compliance Officer shall treat the issue of taxable governmental bonds as if such issue were an issue of tax-exempt governmental bonds and shall carry out and comply with the requirements of this Policy with respect to such taxable governmental bonds. The Compliance Officer shall seek the advice of Bond Counsel as to whether there is any reasonable possibility of issuing tax-exempt governmental bonds to refund an issue of taxable governmental bonds.

10. Qualified Tax Credit Bonds. Section 54A of the Code authorizes the issuance of certain "Qualified Tax Credit Bonds" under certain circumstances. "Qualified Tax Credit Bonds" means a qualified forestry conservation bond, a new clean renewable energy bond, a qualified energy conservation bond, a qualified zone academy bond, or a qualified school construction bond. Section 6431(f) of the Code allows for the direct payment of a portion of the interest on Qualified Tax Credit Bonds (except for qualified forestry conservation bonds) to be made to the Issuer from the United States Department of the Treasury. All of the Available Project Proceeds of a Qualified Tax Credit Bond are to be used for the purposes required for each respective Qualified Tax Credit Bond (as further described in the Code). The issuer must make an irrevocable election to (i) designate bonds as Qualified Tax Credit Bonds under the Code, and (ii) subject a Qualified Tax Credit Bond to the direct payment subsidy option under Section 6431(f) of the Code.

Since the interest on a Qualified Tax Credit Bond must be excludable from gross income under Section 103 of the Code (but for the irrevocable election of the issuer to designate the bond as a Qualified Tax Credit Bond), the Qualified Tax Credit Bond must satisfy all the requirements of the Code and applicable Treasury Regulations that are conditions to the issuance and maintenance of tax-exempt governmental bonds. Therefore, although Qualified Tax Credit Bonds are not tax-exempt bonds, for purposes of this Policy the Compliance Officer shall treat all Qualified Tax Credit Bonds as if such bonds were an issue of tax-exempt governmental bonds and shall carry out and comply with the requirements of this Policy with respect to such Qualified Tax Credit Bonds.

In addition, to the extent that less than 100 percent of the Available Project Proceeds of a Qualified Tax Credit Bond are expended by the close of the three-year period beginning on the date of issuance of such Qualified Tax Credit Bond, or by the close of any extended period granted by the United States Secretary of the Treasury under Section 54A(d)(2)(B)(iii) of the Code, the Issuer must, as required by Section 54A(d)(2)(B)(i) of the Code, redeem all nonqualified bonds within 90 days after the end of the later of the initial three-year spending period or any extension of such period. The amount of nonqualified bonds to be redeemed shall be determined in the same manner as under Section 142 of the Code.

11. Qualified 501(c)(3) Bonds. If the Issuer issues bonds to finance a facility to be owned by the Issuer but which may be used, in whole or in substantial part, by a nongovernmental organization that is exempt from federal income taxation under Section 501(a) of the Code as a result of the application of Section 501(c)(3) of the Code, the Issuer may elect to issue the bonds as “qualified 501(c)(3) bonds,” the interest on which is exempt from federal income taxation under Sections 103 and 145 of the Code and applicable Treasury Regulations. Although such qualified 501(c)(3) bonds are not governmental bonds, at the election of the Compliance Officer and after consultation with Bond Counsel, for purposes of this Policy, the Compliance Officer shall treat such issue of qualified 501(c)(3) bonds as if such issue were an issue of tax-exempt governmental bonds and shall carry out and comply with the requirements of this Policy with respect to such qualified 501(c)(3) bonds.

**CITY OF LEEDS
ORDINANCE NO.: 2020-04-01**

**RESTATEMENT OF SECTIONS 36-45 AND 6-182(C) OF THE CITY CODE OF ORDINANCES
- CARRYING WEAPONS**

WHEREAS, section 13A-11-61.3 of the Code of Alabama regulates the use of firearms throughout the State and also preempts all authority of municipalities to regulate the same; and

WHEREAS, prior to the enactment of the subject Code section, the City adopted various policies whereby citizens could not carry a firearm within certain location of the City, the language within that particular ordinance is preempted by current State law and is due to be addressed by the City; and

WHEREAS, it is prudent to restate the subject City ordinances to comply with State law.

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

1. The Recitals above are true, correct, and included herein as if fully set forth.
2. Section 36-45 of the City Code of Ordinances (i.e. Ord. No. 2007-11-01, § 2, 2-19-2007; Ord. No. 2014-07-01, art. 22) is hereby fully repealed.
3. Section 6-182 (c) of the City Code of Ordinances is hereby repealed. (Ord. No. 2002-01-01, § 14(1)-(5) is only repealed to the extent that it refers to the possessing of “firearms”).
4. The Mayor and staff shall have the full authority to do those things, perform those functions, make such decisions, and to sign necessary documentation in order to carry out and fully complete the actions so authorized herein.
5. All ordinances, resolutions and orders or parts thereof in conflict with this resolution are to the extent of such conflict, hereby repealed.

ADOPTED and APPROVED this the 6th day of April 2020.

CITY OF LEEDS, ALABAMA:

DAVID MILLER, MAYOR

DATE

ATTEST:

CITY CLERK

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

In my 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 6th day of April 2020.

Toushi Arbitelle, City Clerk

**CITY OF LEEDS
RESOLUTION NO.: 2020-04-01**

**APPROVING COST OF LIVING ADJUSTMENTS FOR CERTAIN CITY POLICE OFFICERS
AND FIRE FIGHTERS**

WHEREAS, the City is still experiencing an extreme hardship relating to the currently low salary classification for certain first responders in relation to other jurisdictions; and

WHEREAS, the City wishes to maintain the high quality first responders that the City has managed to attract, and the City has worked diligently to make available the revenues necessary to fund higher salaries; and

WHEREAS, the City of Leeds, in spite of limitations in available revenues, must compete with other municipalities and entities within the surrounding areas to retain high quality officers and fire fighters; and

WHEREAS, in addition, the loss of good employees also presents the City with public safety concerns for less manpower and a higher training cost related to new employees; and

WHEREAS, in order to alleviate the hardship of losing high quality employees and the inability to hire qualified employees for the subject positions, it has been requested that the City consider a cost of living adjustment (COLA) in the subject pay scales relative to certain job classifications most affected by retention and recruitment problems; and

WHEREAS, the Council considers the request to be valid and a likely remedy to the problem of attracting and retaining the subject employees; and

WHEREAS, section 8.4b of the Rules and Regulations of the Jefferson County Personnel Board, sets forth the procedural requirements to implement the intended COLA for certain classifications which amount to less than the entire schedule of employees.

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

1. The Recitals above are true, correct, and included herein as if fully set forth.
2. The City of Leeds Pay Plan shall be adjusted in a manner so as implement a cost of living adjustment, in the amount of \$5000.00 annually, as it relates to each of the following City job classifications and pay grades.

| | | |
|---------------------------|------|----|
| Police Officer | 6031 | 17 |
| Police Sergeant | 6033 | 20 |
| Firefighter | 5031 | 17 |
| Fire / Apparatus Operator | 5026 | 18 |
| Fire Lieutenant | 5033 | 20 |
| Fire Captain | 534 | 24 |
| Fire Chief II | 5097 | 31 |

3. The current City budget shall be adjusted to ensure that the costs associated with the COLA as set forth above will be funded through the General Fund Reserves and other available sources as may be determined by the Mayor.

15.

- 4. The Mayor and staff shall have the full authority to do those things, perform those functions, make such decisions, and to sign necessary documentation in order to carry out and fully complete the actions so authorized herein.
- 5. The COLA so authorized herein shall take affect at the beginning of the next reasonably available City pay period following the receipt of the necessary approvals from the PBJC.

ADOPTED and APPROVED this the 6th day of April 2020.

CITY OF LEEDS, ALABAMA:

DAVID MILLER, MAYOR

DATE

ATTEST:

CITY CLERK

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

In my 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 6th day of April 2020.

Toushi Arbitelle, City Clerk

**CITY OF LEEDS
RESOLUTION NO.: 2020-04-02**

FORMAL REPEAL OF THE 2001 TAX INCREMENT DISTRICT

WHEREAS, the City implemented in 2001 a Tax Increment District pursuant to Chapter 99 of Title 11 Code of Alabama 1975 for the purpose of rehabilitating and salvaging certain blighted and distressed areas; and

WHEREAS, the subject TIF District provided taxes to fund certain capital improvements and developments; and

WHEREAS, in 2018 the City authorized via City Ordinance certain General Obligation Warrants to re-finance those improvements which originally necessitated the TIF District and the underlying obligations and restrictions related to the Financing District; and

WHEREAS, the subject re-financing alleviated the need for the District and the District is no longer of any benefit to the City since the new Warrants are General Obligation in nature; and

WHEREAS, even though the 2018 authorizing Ordinance provided a specific repealing clause which arguably effectuated the necessary repeal of Resolution 2001-10-01, it is the goal of this Resolution to formally acknowledge the repeal of the TIF District.

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

1. The Recitals above are true, correct, and included herein as if fully set forth.
2. Tax increments are no longer allocable the Leeds Tax Increment District, and Resolution 2001-10-01, which created a tax increment District, is hereby repealed in full, and the TIF District created thereby is hereby terminated and considered void.
3. The Mayor and staff shall have the full authority to do those things, perform those functions, make such decisions, and to sign necessary documentation in order to carry out and fully complete the actions so authorized herein.
4. All ordinances, resolutions and orders or parts thereof in conflict with this resolution are to the extent of such conflict, hereby repealed.

ADOPTED and APPROVED this the 6th day of April 2020.

CITY OF LEEDS, ALABAMA:

DAVID MILLER, MAYOR

DATE

ATTEST:

AYES: _____

NAYS: _____

ABSENT FROM VOTING: _____

ABSTAIN: _____

CITY CLERK

In my 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 6th day of April 2020.

Toushi Arbitelle, City Clerk

RESOLUTION NO. 2020-04-03

RESOLUTION APPROVING AND AUTHORIZING VARIOUS EQUIPMENT PURCHASES FOR THE CITY POLICE DEPARTMENT

WHEREAS, the City Police Department is in need of certain equipped vehicles for the improvement and efficiency of the Department; and

WHEREAS, the subject purchases will be generally funded by a combination of certain property acquisition funds, other unbudgeted City revenue sources and other viable sources as identified by the Mayor; and

WHEREAS, in order for these expenditures to be authorized, the City Council would have to authorize the subject purchases.

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

1. The Recitals above are true, correct, and included herein as if fully set forth.
2. The acquisition of the following equipment is hereby approved subject to applicable bid law requirements: **Five 2020 Chevrolet Tahoes to be equipped with a Police Pursuit package, or the equivalent, along with the customary City electronics package upgrade.**
3. The Mayor and staff shall have the full authority to do those things, perform those functions, make such decisions, and to sign necessary documentation in order to carry out and fully complete the actions so authorized herein.

APPROVED AND ADOPTED at a regular meeting of the City of Leeds City Council on the 6th day of April 2020.

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

CITY OF LEEDS, ALABAMA

David Miller, MAYOR

DATE

ATTEST:

City Clerk

In my capacity as the 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 6th day of April 2020.

Toushi Arbitelle, City Clerk

RESOLUTION NO. _____

WHEREAS, The Alabama Department of Transportation (“ALDOT”) has requested the City of Leeds, Alabama to execute a permit for the installation of a traffic signal at the U.S. Highway 78 (Bankhead National Highway) and Park Drive intersection pursuant to Exhibit A attached hereto, and

WHEREAS, The City Council has considered the request of the ALDOT to authorize the Mayor to enter into an agreement to permit the installation of the traffic signal as identified hereinabove.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Leeds, Alabama, at a regular meeting, duly assembled, a quorum being present, as follows:

1. That the Mayor and City Clerk are hereby authorized to execute the permit (Exhibit A) with the Alabama Department of Transportation to permit the following:
 - a. Installation of a traffic signal at the U.S. Highway 78 (Bankhead National Highway) and Park Drive intersection; and
 - b. Operation and maintenance of the traffic signal at the U.S. Highway 78 (Bankhead National Highway) and Park Drive intersection.
2. That the Mayor and City Clerk are authorized to execute any documents necessary to permit the construction of the modifications to the traffic signal provided herein above as required by the Alabama Department of Transportation.
3. That this resolution shall become effective immediately upon its adoption by the City Council of the City of Leeds, Alabama.

ADOPTED this the _____ day of _____, 2020.

APPROVED:

ATTEST:

Mayor

City Clerk

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned City Clerk of the City of Leeds, do hereby certify that the foregoing Resolution No. _____ is a true and correct copy of the resolution passed by the City Council of said City at a regular meeting, a quorum being present, on _____, 2020.

Given under my hand and corporate seal of the City of Leeds, this the _____ day of _____, 2020.

City Clerk

Region Tracking Number: _____ Project Number: _____

Region: ECR - Birmingham County: JEFFERSON

STATE OF ALABAMA acting by and through the
ALABAMA DEPARTMENT OF TRANSPORTATION: AGREEMENT for the
INSTALLATION and/or OPERATION and/or MAINTENANCE OF TRAFFIC CONTROL SIGNALS and/or
ROADWAY LIGHTING

This Agreement, in accordance with resolution number _____ dated (or minutes dated) _____ attached hereto and made part of this Agreement, is made and entered into by and between the Alabama Department of Transportation (herein referred to as STATE) and the CITY OF LEEDS, ALABAMA (herein referred to as **MAINTAINING AGENCY**) for the accomplishment of the following work as hereinafter indicated by the alphabetic letter of "X" marked in the check-boxes below, to wit:

| | (A) New Installation | (B) Equipment Upgrade | (C) Complete Removal | (D) Operation | (E) Maintenance |
|--------------------------------------|-------------------------------------|-----------------------------|----------------------------|-------------------------------------|-------------------------------------|
| Traffic Control Signal: | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| Intersection Flashing Signal/Beacon: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Roadway Lighting: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Other: _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

The accomplishment of the work indicated by the alphabetic letter of "X" marked in the check-box(es) above and hereinafter signified by the use of the corresponding alphabetic letter A, B, C, D, and/or E as applicable, will be at the following location(s): {Example: AL-3/US-31 @ Main Street [A, D, & E] denotes the installation, operation, and maintenance of the equipment installed} **NOTE** – if more space is needed, please use continuation sheets.

U.S. HIGHWAY 78 (BANKHEAD NATIONAL HIGHWAY) AT PARK DRIVE [A, D, & E]

- In the event the work to be accomplished above is identified by (A) and/or (B), the STATE MAINTAINING AGENCY will furnish and the STATE MAINTAINING AGENCY will install the equipment and/or associated hardware utilized in the accomplishment of the work. In the event the STATE contributes funds to the work and the MAINTAINING AGENCY will be credited or debited for under-runs or overruns respectively, the "Exhibit O" is attached to and made part of this Agreement.

2. The equipment and/or associated hardware shall be installed in accordance with the applicable portions of the:
 - A. Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD), current ALDOT approved edition.
 - B. State of Alabama Project Details and Special and Standard Highway Drawings, current year version.
 - C. National Electrical Code, current edition.
 - D. Alabama Department of Transportation (ALDOT) Standard Specifications for Highway Construction, current edition and applicable special provisions.
 - E. Code of Alabama, 1975 (as Amended) with specific reference to:
 - (1) §23-1-113, Municipal Connecting Link Roads – Stipulations and Conditions [specifically sub-paragraphs (6) and (7)].
 - (2) §32-5A-32, Traffic – Control signal legend.
 - (3) §32-5A-33, Pedestrian – Control signals.
 - (4) §32-5A-34, Flashing signals.
 - (5) §32-5A-35, Lane – Direction – Control signals.
3. The STATE shall determine the quantity of the equipment and/or associated hardware to be utilized in the accomplishment of the work identified by (A) and/or (B) above. In the event the MAINTAINING AGENCY furnishes the equipment and/or associated hardware to be utilized in the accomplishment of the work identified by (A) and/or (B) above, the MAINTAINING AGENCY shall ascertain that the type and quality of the equipment and/or associated hardware is in accordance with the STATE's Materials, Sources, and Devices with Special Acceptance Requirements (APL) as maintained by the STATE's Bureau of Materials and Tests.
4. Title to any and all equipment and/or associated hardware furnished by the STATE shall remain in the STATE and the STATE is deemed to be the sole owner of such equipment and/or hardware.
5. The equipment and/or associated hardware shall be operated and maintained at the sole expense of the MAINTAINING AGENCY. The MAINTAINING AGENCY agrees to provide electrical energy on a continuing basis as required, beginning at the time of the initial electrical service connection during the construction of the system. The MAINTAINING AGENCY agrees further to maintain the equipment and/or associated hardware in a good state of repair at all times, as required in accordance with the applicable documents: Manual on Uniform Traffic Control Devices for Streets and Highways and the Alabama Department of Transportation Standard Specifications for Highway Construction and applicable special provisions. Any traffic control signal equipment and/or associated hardware must also be maintained in accordance with any traffic signal operating plan of the STATE which is in effect at the applicable time of the maintenance. If a malfunction of the equipment and/or associated hardware should ever occur, the MAINTAINING AGENCY shall make or cause to be made any repairs immediately. If a malfunction presents a potential hazard to the motoring public and the MAINTAINING AGENCY is unable to repair the equipment and/or associated hardware in a timely manner as determined by the STATE, the MAINTAINING AGENCY agrees that the STATE reserves the right to and may repair the equipment and/or associated hardware, and invoice the MAINTAINING AGENCY for all costs incurred. The MAINTAINING AGENCY agrees to pay the STATE all such costs incurred by the STATE promptly upon receipt of the invoice from the STATE.

5a. In instances where ALDOT maintains a fiber-optic trunk line that is used in conjunction with a closed-loop signal system, the MAINTAINING AGENCY shall maintain the fiber-optic cable from the splice point in the trunk line out to the traffic control equipment.

6. A. Unwarranted traffic control signal. (Mark with "X" if applicable in check-box)

If the installation is identified on page one as (A) "New Installation" or (B) "Equipment Upgrade" with "Traffic Control Signal:" marked, and this installation is requested by the MAINTAINING AGENCY and the signal is unwarranted as marked above, then upon installation of the equipment and/or associated hardware, the MAINTAINING AGENCY agrees to accept any and all responsibility for any damage or injury that may be caused by or related to the installation, location, operation, sequencing, and/or maintenance of the equipment and/or associated hardware and shall defend, indemnify, and hold harmless the State of Alabama, the Alabama Department of Transportation, and its agents, servants, employees, in their official or individual capacities and/or facilities from and against all claims, damages, losses and expenses, including but not limited to attorney's fees, arising out of or resulting from the installation, operation, and maintenance of the equipment and/or associated hardware, or any claim, damage, loss, or expense to the person or property caused.

B. All other work. (Mark with "X" for the appropriate type of MAINTAINING AGENCY in appropriate check-box)

The CITY (Incorporated Municipality)

Subject to the limitations on damages applicable to municipal corporations under Alabama Code § 11-47-190(1975), the CITY shall indemnify and hold harmless the State of Alabama, the Alabama Department of Transportation, its officers, officials, agents, servants, and employees from and against (1) claims, damages, losses, and expenses, including but not limited to attorney's fees arising out of, connected with, resulting from, or related to the work performed by the CITY, or its officers, employees, contracts, agents or assigns (2) the provision of any services or expenditure of funds required, authorized, or undertaken by the CITY pursuant to the terms of this Agreement, or (3) any damage, loss, expense, bodily injury, or death, or injury or destruction or tangible property (other than the work itself), including loss of use therefrom, and including but not limited to attorney's fees, caused by the negligent, careless, or unskillful acts of the CITY, its agents, servants, representatives, or employees, or the misuse, misappropriation, misapplication, or misexpenditure of any source of funding, compensation, or reimbursement by the CITY, its agents, servants, representatives, or employees, or anyone for whose acts the CITY may be liable.

The COUNTY (County Government or Agency)

The COUNTY shall be responsible at all times for all of the work performed under this agreement and, as provided in Alabama Code § 11-93-2(1975), the COUNTY shall indemnify and hold harmless the State of Alabama, the Alabama Department of Transportation, its officers, officials, agents, servants, and employees.

For all claims not subject to Alabama Code § 11-93-2(1975), the COUNTY shall indemnify and hold harmless the State of Alabama, the Alabama Department of Transportation, its officers, officials, agents, servants, and employees from and against any and all damages, claims, loss, liabilities, attorney’s fees or expense whatsoever, or any amount paid in compromise thereof arising out of, connected with, or related to (1) work performed under this Agreement, (2) the provision of any services or expenditure of funds required, authorized, or undertaken by the COUNTY pursuant to the terms of this Agreement, or (3) misuse, misappropriation, misapplication, or misexpenditure of any source of funding, compensation or reimbursement by the COUNTY, its officers, officials, agents, servants, and employees.

The term “hold harmless” includes the obligation of the MAINTAINING AGENCY to pay damages on behalf of the State of Alabama, the Alabama Department of Transportation, and its agents, servants, and/or employees.

- 7. Complete removal of the equipment and/or associated hardware, hereinabove identified by (C), will be at the sole expense of the STATE MAINTAINING AGENCY.
- 8. The STATE reserves the right to demand the removal of the equipment and/or associated hardware should the STATE determine that the signal is no longer required or deem its condition or operation hazardous. Further, the STATE shall have the right to remove the equipment and/or associated hardware should the MAINTAINING AGENCY fail to do so upon demand by the STATE. The MAINTAINING AGENCY agrees to reimburse the STATE for its costs associated with the removal. Any equipment and/or associated hardware which is deemed by the STATE to be non-uniform or obsolete will be removed and disposed of by the MAINTAINING AGENCY. None of the non-uniform or obsolete equipment and/or associated hardware which has been removed shall be reused on the STATE highway system.
- 9. If future traffic conditions require changes and/or adjustments to said equipment and/or associated hardware (other than ordinary timing), the MAINTAINING AGENCY shall obtain the approval of the STATE before such changes are implemented and the STATE shall make a determination on whether a new Agreement is required to be submitted for the UPGRADING, OPERATION, and MAINTENANCE of the new equipment and/or associated hardware. All such changes shall be at the sole cost and expense of the MAINTAINING AGENCY.
- 10. In the event Federal funds are utilized in the accomplishment of the work hereinbefore described, “*Exhibit M*” is attached to and made a part of this Agreement.
- 11. FUNDS SHALL NOT BE CONSTITUTED AS A DEBT

It is agreed that the terms and commitments contained herein shall not be construed as a debt of the State of Alabama in violation of Article 11, Section 213 of the Constitution of Alabama, 1901, as amended by Amendment Number 26. It is further agreed that if any provision of this Agreement shall contravene any statute or Constitutional Provision or Amendment, then the conflicting provision in this Agreement shall be deemed null and void.

For any and all disputes arising under the terms of this Agreement, the parties hereto agree, in compliance with the recommendations of the Governor and Attorney General, when considering settlement of such disputes, to utilize appropriate forms of non-binding alternative dispute resolution including, but not limited to, mediation by and through the Attorney General’s Office of Administrative Hearings or where appropriate, private mediators.

12. The type and number of signal & pedestrian heads per intersection or roadway lighting hardware are as follows: {Example: 5 – 3 sec, 12”, red ball, yellow/green left arrow. OPTION: If plans are available to convey information below, just enter “SEE ATTACHED PLANS”.} NOTE – If more space is needed, please use continuation sheets.

SEE ATTACHED PLANS

| TYPE OF SIGNAL | | CONTROLLER | |
|---|---|--|---|
| <input checked="" type="checkbox"/> Traffic Control | <input type="checkbox"/> Pedestrian Control | Make: | Model #: |
| <input type="checkbox"/> Flashing | <input type="checkbox"/> Lane Control | <input type="checkbox"/> Fixed Time | <input type="checkbox"/> Two Phase |
| <input type="checkbox"/> School Flasher | <input type="checkbox"/> Railroad Crossing | <input type="checkbox"/> Semi Actuated | <input type="checkbox"/> Four Phase |
| <input type="checkbox"/> Other: _____ | | <input checked="" type="checkbox"/> Full Actuated | <input checked="" type="checkbox"/> Eight Phase |
| _____ | | <input type="checkbox"/> Other: _____ | |
| _____ | | SYSTEM <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO | |

13. In the event the work to be accomplished is identified by (A), (B), and/or (C) and [1] in part or wholly constitutes an interconnected, coordinated, fixed time relationship, signal control operation between two or more intersections (herein referred to as a SYSTEM and hereinabove indicated by the SYSTEM check-box for YES marked in the controller box above), [2] is located within the limits of a SYSTEM, or [3] is within close proximity as to adjoin a SYSTEM, the STATE MAINTAINING AGENCY shall substantiate the work identified by (A), (B), and/or (C) to be SYSTEM compatible.
14. By entering into this agreement, the MAINTAINING AGENCY is not an agent of the State, its officers, employees, agents or assigns. The MAINTAINING AGENCY is an independent entity from the State and nothing in this agreement creates an agency relationship between the parties.
15. By signing this contract, the contracting parties affirm, for the duration of this agreement, that they will not violate federal immigration law or knowingly employ, hire for employment, or continue to employ an unauthorized alien within the State of Alabama. Furthermore, a contracting party found to be in violation of this provision shall be deemed in breach of this agreement and shall be responsible for all damages resulting there from.

18.

WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by those officers, officials, and persons thereunto duly authorized, and the Agreement is deemed to be dated and to be effective on the date stated hereinafter as the date of the approval of the Region Engineer.

(Seal of OWNER)

CITY OF LEEDS, ALABAMA
Legal Name of MAINTAINING AGENCY

Attest: _____
(Seal or notary signature)

By: _____
Authorized Signature for MAINTAINING AGENCY

Agreement Recommended for approval:

By: _____
Area Traffic Engineer Signature

STATE OF ALABAMA acting by and through the ALABAMA DEPARTMENT OF TRANSPORTATION

The within and foregoing Agreement is hereby approved on this _____ day of _____, 20_____.

APPROVED:

RECORDED:

By: _____
Region Engineer Signature

By: _____
State Traffic Engineer Signature

Date: _____
(Added to Archive)

RESOLUTION NO. 2020-04-05**RESOLUTION AUTHORIZING AND IMPLEMENTING VARIOUS BUDGET MEASURES AS A RESULT OF CITY STATE OF EMERGENCY**

WHEREAS, the United States, the State of Alabama, and the City of Leeds remains in a state of emergency as a result of COVID 19; and

WHEREAS, the City approved a Resolution in March 2020 declaring a State of Emergency and thereby authorizing various measures and actions by and through the Mayor; and

WHEREAS, although the Mayor has previously been provided the subject authority to implement certain cost saving and expense reduction measures, the Finance Committee has recommended that certain actions be taken to further those efforts; and

WHEREAS, it is recommended by the City Finance Committee to implement certain emergency measures, in relation to Library, Court and Senior services, to save certain non-essential expenditures which will also provide added protections to the general public.

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

1. The Recitals above are true, correct, and included herein as if fully set forth.
2. The current budget for City Library services shall be in part curtailed and thereby limited indefinitely, depending highly on the ultimate effects of the pandemic, to allow only those mandatory and essential costs which ensure the continuity of the City Library, as may be further determined by the Mayor, to include, without limitation, the following:
 - a. Building lease payments
 - b. Ongoing technology costs attributable to the library budget
 - c. Ongoing insurance costs attributable to the library budget
 - d. Ongoing maintenance costs attributable to the library budget
 - e. Employment costs solely associated with the Librarian
3. The budget cuts for the City Library identified herein above are intended to limit non-essential expenditures within that department especially in regard to personnel costs. The expenditures for all personnel other than the Librarian is proscribed until further notice subject only to the requirement of applicable State law, and all other personnel shall be furloughed.
4. The current budget for the City Senior Program services shall be curtailed in its entirety for an indefinite period of time depending highly on the ultimate effects of the pandemic.
5. The budget cuts for the City Senior Program identified herein are intended to limit all related expenditures especially in regard to personnel costs, and the expenditures for all personnel is proscribed until further notice subject only to the requirements of applicable State law.
6. The current budget for the City Court system shall be curtailed and thereby limited in part for an indefinite period of time, depending highly on the ultimate effects of the pandemic, causing the furlough of any administrative assistant personnel within that department subject only to the requirements of applicable State law.

19.

- 7. The actions due to be taken and so authorized herein this Resolution are considered to be in the best interest, for the general health and welfare of the City, and hereby determined to provide a real public good for the City and its citizens.
- 8. The Mayor and staff shall have the full authority to do those things, perform those functions, make such decisions, and to sign necessary documentation in order to carry out and fully complete the actions so authorized herein.

APPROVED AND ADOPTED at a regular meeting of the City of Leeds City Council on the 6th day of April 2020.

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

CITY OF LEEDS, ALABAMA

David Miller, MAYOR

DATE

ATTEST:

City Clerk

In my capacity as the 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 6th day of April 2020.

Toushi Arbitelle, City Clerk