
City of Clay, Alabama

City Council Meeting Agenda

City Hall Meeting Room - 2441 Old Springville Road
July 14, 2026 @ 6:30 PM

As a matter of convenience, members of the public are invited to listen and observe in public meetings by [YouTube video](#). Presenters and others interested in a particular matter for discussion are encouraged to attend the meeting in-person. The City is not responsible for technical issues that may occur that interfere with the video. The City Council, at its sole discretion, may proceed with its in-person business meeting regardless of whether virtual attendees can hear and/or observe the proceedings.

Call to Order

Invocation / Pledge of Allegiance / Roll Call

Approve Council Minutes

1. Pre-Council and Council Minutes from June 23, 2026
2. Council Minutes from Called Meeting on June 25, 2026

Approve Agendas

1. Meeting Agenda
2. Consent Agenda (Financial)

Committee Reports

1. Mayor Jane Anderton
2. Council member Nathan Thompson
3. Council member Carla Youngblood
4. Council member Chris Nail
5. Council member Joseph "Jody" Harris
6. Council member Orletta Jackson-Rush, Ed.D.

Reading of Petitions, Applications, Complaints, Appeals, Communications, Etc.

Public Hearings

1. R2026-07-04 - To consider the abatement of public nuisances.

Public Comments

Enter Unanimous Consent: Consent Agenda

1. R2026-07-04 - To consider the approval of monthly payables

End Unanimous Consent

Old Business

1. R2026-06-03 HVAC Bid - Withdrawn by Mayor

New Business

1. O2026-07-01 - To consider the annexation of property at 504 Cheryl Dr.
2. O2026-07-02 - To consider the adoption of the 2021 ICC Technical Codes and 2020 NEC
3. R2026-07-01 - To consider the use of Municipal Intercept Services
4. R2026-07-02 - To consider an Outside Agency Funding Policy
5. R2026-07-03 - To consider if certain properties are a public nuisance
6. R2026-07-04 - To consider the abatement of public nuisances.

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 205-680-1223.

City of Clay, Alabama

Pre-Council Meeting Minutes

City Hall Meeting Room – 2441 Old Springville Road
June 23, 2026

CALL PRE-COUNCIL MEETING TO ORDER

Mayor Jane Anderton called the meeting to order at 6:00 p.m.

PRESENT

Mayor Jane Anderton
Council member Nathan Thompson
Council member Carla Youngblood
Council member Chris Nail
Council member Joseph “Jody” Harris

ABSENT

Council member Orletta Jackson-Rush, E.D.

1. Mayoral Statements

Mayor Anderton reported that the City has confirmed its ownership of Ware Cemetery after a citizen provided a copy of the 2003 deed conveying the property from Shirley Construction to the City. The deed has been submitted to the Jefferson County Tax Assessor's Office so the property can be assessed in the City's name. She thanked the citizen for bringing the document forward and stated that the City remains committed to preserving and maintaining the cemetery.

Mayor Anderton explained that, although ownership has been confirmed, the cemetery is currently landlocked and lacks a legally established access route. As a result, the City cannot bring heavy equipment onto the property without crossing private land. She noted that a large tree has fallen onto the fence and will require heavy equipment for removal. The City is evaluating legal options to obtain access and is meeting with Alabama Power to discuss the possibility of a temporary easement that would allow equipment to reach the cemetery for maintenance.

Mayor Anderton also reported that the City has completed all requirements to implement the five-mill property tax approved by the Council in May, including filing the necessary documents with the Probate Court and the Jefferson County Tax Assessor's Office. During that process, the Tax Assessor's Office discovered there was no record that the prior tax levy had been removed. Had the issue not been identified, residents could have been incorrectly assessed both the previous levy and the newly adopted five-mill tax. She stated that the discrepancy has been corrected and thanked the Jefferson County Tax Assessor's Office for identifying the issue before it affected taxpayers.

Mayor Anderton emphasized the importance of accurate documentation, transparency, and correcting administrative errors as they are discovered. She concluded by noting that the evening's agenda included consideration of resolutions to award the City's HVAC contract, authorize the disposal of surplus materials, render a decision on an employee disciplinary appeal, and authorize the City's sponsorship of City Fest.

Additional Discussions

2 Education Grants, Teacher Support, and Field Trips

Council discussed the development of an education grant program focused on supporting teachers and funding educational opportunities for students. Members agreed that the program should complement, rather than duplicate, funding already provided by the school system.

Discussion included providing assistance to underfunded teachers, addressing specific needs at individual schools, such as Clay Elementary, and using grant funds to support educational field trips. Examples included fourth-grade trips to the Alabama State Capitol in Montgomery and high school visits to local industries to expose students to career opportunities.

The Council also discussed whether funding should be administered through a single grant pool or divided into separate budget line items for teacher support and field trips.

Action Items

- a) Direct the Finance Team to prepare a one-year funding model for teacher grants and educational field trips, including options for funding through a grant pool or separate budget line items.
- b) Continue discussions through the Finance Committee, maintain communication with school representatives, and identify teacher- and school-specific funding needs for future consideration.

c) Procurements, Bids, and Disposal Resolution

Council reviewed several resolutions scheduled for consideration at the regular meeting, including awarding the City's HVAC services contract, authorizing the disposal of surplus materials, rendering a decision on an employee disciplinary appeal, and authorizing the City's sponsorship of City Fest.

Regarding the disposal resolution, staff explained that the proposed method involves excavating an area, placing the approved materials as fill, and covering them. It was noted that this approach is the most cost-effective option because the City has the available space, equipment, and personnel to complete the work.

Council also discussed the HVAC bidding process. Members noted that several local HVAC contractors did not submit bids and questioned whether the City's bid advertisement reached an adequate audience, observing that reliance on the Alabama Messenger and Facebook may have limited vendor participation.

Action Item

- a) Council directed staff to evaluate additional methods for advertising future bid opportunities to improve vendor participation while proceeding with the resolutions as scheduled.

ADJOURNMENT

The meeting adjourned at 6:19 p.m.

Attest:

Jane Anderton, Mayor

Toushi Arbitelle, City Clerk

City of Clay, Alabama

Regular Council Meeting Minutes

City Hall Meeting Room – 2441 Old Springville Road
June 23, 2026

CALL COUNCIL MEETING TO ORDER

Mayor Jane Anderton called the meeting to order at 6:30 p.m.

ROLL CALL / INVOCATION / PLEDGE OF ALLEGIANCE

PRESENT

Mayor Jane Anderton
Council member Place 1 – Nathan Thompson
Council member Place 2 – Carla Youngblood
Council member Place 3 – Chris Nail
Council member Place 4 – Joseph “Jody” Harris

ABSENT

Council member Place 5 – Orletta Jackson-Rush

INVOCATION

Rev. Ronald P Wilder

PLEDGE OF ALLEGIANCE

Mayor Jane Anderton

APPROVE COUNCIL MINUTES

Motion to approve Pre-Council and Regular Council Minutes from June 9, 2026 and the Called Meeting Minutes from June 16, 2026, made by Council member Youngblood, Seconded by Council member Harris. Voting Yea: Council member Thompson, Council member Youngblood, Council member Nail, Council member Harris, and Mayor Anderton.

APPROVE MEETING AGENDA

Motion to approve amended June 9, 2026, Meeting Agenda, made by Council member Harris, Seconded by Council member Nail. Voting Yea: Council member Thompson, Council member Youngblood, Council member Nail, Council member Harris, and Mayor Anderton.

READING OF PETITIONS, APPLICATIONS, COMPLAINTS, APPEALS, or COMMUNICATIONS

Proclamation was presented to Battalion Chief Chris Horm who recently retired from Center Point Fire District with 38 years of dedicated service.

COMMITTEE REPORTS

Mayor Anderton

- Youth sports: Clay Youth Sports Board reported **about 80** kids participating in cheer and football (roughly even split).
 - Football signup deadline set for **July 1**; cheer signup already passed (**June 15**).

- Library program: "Cook the Book" session scheduled **Wednesday, July 1 at 5:30 p.m.** using a Joanna Gaines cookbook; format is a potluck where participants prepare a recipe from the book and discuss.
- Alabama Ballet: performance / visit scheduled **this Thursday at 2:00 p.m.** — recommended for students or community members interested in a field trip.
- Clean-up efforts: second Saturday cleanup occurred recently; volunteers (including Mr. Larry Porter) planted approximately **50** plants and native shrubs at Cosby Lake; good growing conditions noted after recent rain.

Council member Place 1 – Nathan Thompson

- DYS update: committee reviewed ideas and planned a **DYS town hall** to solicit public input on committee proposals; town hall scheduled for **July 13 at 6:30 p.m.** in the council chambers.
- A committee member (**Chris White**) was introduced to give a brief presentation at the town hall.
- Council discussed potentially changing the project name (DWAS/DYS).
- City intends to run a **community-wide naming initiative** to let residents propose and choose a new name, using shared local history and broad outreach to involve citizens in the project identity.

Council member Place 2 – Carla Youngblood

No report but will discuss Clay City Fest when Resolution is presented for discussion.

Council member Place 3 – Chris Nail

- Commented on the flags and flagpoles along Deerfoot Parkway and inquired about the possibility of replacing the existing poles.
- Requested a status update on the Old Springville Road bridge project, noting that Jefferson County has not recently provided an update.
- Reiterated his support for the proposed education grant program discussed during the pre-council meeting, particularly initiatives that would benefit teachers and students.

Council member Place 4

- Clarified that the public comment made at the previous meeting regarding the Jefferson County Sheriff's Office response to an incident at Cosby Lake referred to an incident that occurred last year, not a recent event.
- Reported that the Finance Committee has completed its review of the HVAC bid that appears on tonight's agenda.
- Announced the City's upcoming transition to a new email domain (.GOV) for official City email addresses.

PUBLIC HEARING

There was none.

PUBLIC COMMENTS

Mr. Kenn Galbreath announced that his radio station will broadcast live from the City Fest on Saturday and he will host three different radio shows live from the event.

Council member Nathan Thompson questioned the receipt of only one bid for the HVAC services contract and recommended that the bid be re-advertised to encourage additional vendor participation. He also expressed concern about a potential conflict of interest, noting that the sole bidder is the son of the Chairman of the City's Planning and Zoning Commission.

Council member Carla Youngblood Council Member Youngblood requested a list of the local HVAC vendors to whom the bid specifications were emailed. She asked that the list be provided to all Council Members for their review.

APPROVE CONSENT AGENDA (Resolutions)

Motion to enter unanimous consent and approve Consent Agenda (Resolutions), made by Council member Thompson, Seconded by Council member Harris. Voting Yea: Council member Thompson, Council member Youngblood, Council member Nail, Council member Harris, and Mayor Anderton.

OLD BUSINESS

There was none.

NEW BUSINESS

Resolution 2026-06-03: A Resolution awarding the City's HVAC Contract

Motion to discuss Resolution 2026-06-03 made by Council member Harris, Seconded by Mayor Anderton after she passed the gavel to Council member Youngblood.

Council member Nathan Thompson questioned the receipt of only one bid for the HVAC services contract and recommended that the bid be re-advertised to encourage additional vendor participation. He also expressed concern about a potential conflict of interest, noting that the sole bidder is the son of the Chairman of the City's Planning and Zoning Commission.

Council member Carla Youngblood Council Member Youngblood requested a list of the local HVAC vendors to whom the bid specifications were emailed. She asked that the list be provided to all Council Members for their review. She passed the gavel back to Mayor Anderton.

Motion to table Resolution 2026-06-03 made by Council member Harris, Seconded by Council member Thompson. Voting Yea: Council member Thompson, Council member Youngblood, Council member Nail, Council member Harris, and Mayor Anderton.

Resolution 2026-06-04: A Resolution authorizing the disposal of materials

Motion to approve Resolution 2026-06-04 made by Council member Thompson, Seconded by Council member Nail. Voting Yea: Council member Thompson, Council member Youngblood, Council member Nail, Council member Harris, and Mayor Anderton.

Resolution 2026-06-05: A Resolution on Employee Disciplinary Appeal Decision

Motion to approve Resolution 2026-06-05 with Option A as of June 2, 2026, made by Council member Harris, Seconded by Mayor Anderton after she passed the gavel to Council member Youngblood. Voting Yea: Council member Harris. Voting Nay: Council member Youngblood. Abstaining: Council member Thompson, Council member Nail and Mayor Anderton. Council member Youngblood passed the gavel back to Mayor Anderton.

City Attorney Rick Bearden advised that the Employee Handbook provides a 10-day timeframe for the appeal process. He noted that Council Member Rush is expected to return tomorrow and that the tenth day falls on Friday, May 29. He also advised that 24-hour notice is required for a special called meeting. Mayor Anderton stated that she will consult with Council Member Rush and coordinate a new date for the hearing. The meeting will be advertised as required by law.

Resolution 2026-06-06: A Resolution to authorize a City Sponsored Event

Motion to approve Resolution 2026-06-06 made by Council member Youngblood, Seconded by Council member Nail.

Council Member Youngblood stated that she expects a large turnout and is looking forward to seeing residents come together to enjoy City Fest. She announced that Council Members will be available throughout the day at the City's information table to visit with attendees, and the City will provide \$10 food coupons to the first 250 attendees. She expressed her excitement for the event and said she is looking forward to a successful City Fest on Saturday.

Voting Yea: Council member Thompson, Council member Youngblood, Council member Nail, Council member Harris, and Mayor Anderton.

APPROVE CONSENT AGENDA (Check Register)

Motion to approve June 23, 2026, Consent Agenda (Check Register), made by Council member Youngblood, Seconded by Council member Harris. Voting Yea: Council member Thompson, Council member Youngblood, Council member Nail, Council member Harris, Council member Rush and Mayor Anderton.

END UNANIMOUS CONSENT

Motion to end unanimous consent, made by Council member Thompson, Seconded by Council member Nail. Voting Yea: Council member Thompson, Council member Youngblood, Council member Nail, Council member Harris, and Mayor Anderton.

ADJOURNMENT

Mayor Anderton adjourned the meeting at 7:16 p.m.

The next Pre-Council Meeting will be held on Tuesday, July 14, 2026, at 6:00 p.m. at City Hall followed by the City Council meeting at 6:30 p.m.

Attest:

Jane Anderton, Mayor

Toushi Arbitelle, City Clerk

City of Clay, Alabama

Called Council Meeting Minutes

City Hall Meeting Room – 2441 Old Springville Road
June 25, 2026

CALL COUNCIL MEETING TO ORDER

Mayor Jane Anderton called the meeting to order at 5:30 p.m.

ROLL CALL / INVOCATION / PLEDGE OF ALLEGIANCE

PRESENT

Mayor Jane Anderton
Council member Place 1 – Nathan Thompson
Council member Place 2 – Carla Youngblood
Council member Place 3 – Chris Nail
Council member Place 4 – Joseph “Jody” Harris
Council member Place 5 – Orletta Jackson-Rush

INVOCATION

Ms. Kristi Howell

PLEDGE OF ALLEGIANCE

Council member Jody Harris

PUBLIC COMMENTS

Mr. Kenn Galbreath asked if they were allowed during this meeting. Mayor Anderton stated no public comments for the special meeting are being accepted.

NEW BUSINESS

Resolution 2026-06-07: A Resolution on Employee Disciplinary Appeal Decision

Motion to discuss Resolution 2026-06-07 made by Council member Rush, Seconded by Council member Youngblood.

Motion to approve Resolution 2026-06-07 with Option A as of June 3, 2026, made by Council member Rush, Seconded by Council member Harris. Voting Yea: Council member Nail, Council member Harris and Council member Rush. Voting Nay: Council member Youngblood. Abstaining: Council member Thompson and Mayor Anderton.

ADJOURNMENT

Motion to adjourn made by Council member Harris, Seconded by Council member Youngblood. Voting Yea: Council member Thompson, Council member Youngblood, Council member Nail, Council member Harris, Council member Rush and Mayor Anderton.

The meeting adjourned at 5:35 p.m.

Attest:

Jane Anderton, Mayor

Toushi Arbitelle, City Clerk

City of Clay, Alabama	
Payroll details report	
From Jun 18, 2026 to Jul 01, 2026 for all employees	
Name	Hours - OT
Administration	1.77
Library	3.8
Senior Center	2.8
Inspections	1.8
Public Works	58.8
Ballpark	7.65
Total	66.45

CITY OF CLAY, ALABAMA

RESOLUTION NO. R2026-07-04

A RESOLUTION DETERMINING CERTAIN CONDITIONS TO BE PUBLIC NUISANCES AND ORDERING THEIR ABATEMENT

WHEREAS, the City of Clay, Alabama (the “City”), is a Class 8 municipality and is authorized by Sections 11-47-117 and 11-47-118, Code of Alabama 1975, as amended, to prevent injury or annoyance from anything dangerous, offensive, or unwholesome and to cause nuisances to be abated; and

WHEREAS, with respect to grass, weeds, vegetation, and related conditions, the City is further authorized to proceed under Sections 11-67-20 through 11-67-28, Code of Alabama 1975, as amended, together with the applicable provisions of the Code of Ordinances of the City of Clay (collectively, the “Law”); and

WHEREAS, City employees or agents have inspected the properties identified in Exhibit A, attached hereto and incorporated herein, and have documented conditions alleged to be dangerous, offensive, unwholesome, injurious, or otherwise detrimental to the public health, safety, comfort, convenience, and welfare; and

WHEREAS, notice of the conditions and the required corrective action has been provided to the record owners and other persons entitled to notice, and the owners have been afforded the opportunity to abate the conditions and to be heard in accordance with applicable law; and

WHEREAS, the time allowed for voluntary compliance has expired, or the City Council has otherwise determined after notice and an opportunity to be heard that the conditions remain and constitute public nuisances; and

WHEREAS, the City Council now desires to make a formal determination concerning the conditions described in Exhibit A and, where necessary, to authorize their abatement and the lawful assessment and collection of the City’s costs;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLAY, ALABAMA, AS FOLLOWS:

Section 1. Incorporation of Recitals. The foregoing recitals are found to be true and correct and are incorporated into this Resolution as if fully set forth herein.

Section 2. Determination of Public Nuisances. Based upon the inspections, reports, notices, photographs, testimony, and other evidence presented to the City Council, the conditions identified for the properties listed in Exhibit A are hereby determined and declared to be public nuisances under applicable law and the ordinances of the City of Clay.

Section 3. Order of Abatement. The owners and other responsible persons are ordered to abate and remove the declared nuisances immediately. To the extent any nuisance remains unabated after expiration of all time periods required by law, the Mayor, City Clerk, Code Enforcement personnel, Public Works personnel, and other appropriate City employees or contractors are authorized to enter upon the property as permitted by law and to perform, procure, or complete the work reasonably necessary to abate the nuisance.

Section 4. Costs and Assessment. City staff shall maintain an accurate account of all costs incurred in connection with the inspection, notice, hearing, abatement, removal, disposal, administration, and collection associated with each property. Any recoverable costs shall be reported to the City Council and may be assessed against the property or collected from the responsible party in the manner authorized by applicable law.

Section 5. Further Authorization. The Mayor and City staff are authorized to execute notices, contracts, certifications, reports, and other documents, and to take such additional actions as may be necessary or appropriate to carry out the purposes of this Resolution, subject to applicable purchasing and contracting requirements.

Section 6. Severability. If any section, clause, phrase, or provision of this Resolution is held invalid or unenforceable, the remaining provisions shall remain in full force and effect.

Section 7. Effective Date. This Resolution shall become effective immediately upon its adoption.

ADOPTED AND APPROVED this the 14th day of July, 2026.

CITY OF CLAY, ALABAMA

JANE ANDERTON, MAYOR

ATTEST:

Toushi Arbitelle, City

AYES: _____

NAYS: _____

ABSENT: _____

ABSTAIN: _____

CERTIFICATION

I, Toushi Arbitelle, City Clerk/Treasurer of the City of Clay, Alabama, do hereby certify that the foregoing Resolution was duly adopted by the City Council of the City of Clay at a meeting held on the 14th day of July, 2026, and that the same appears of record in the official minutes of the City.

TOUSHI ARBITELLE,
CITY CLERK/TREASURER

EXHIBIT A

PROPERTIES AND CONDITIONS DECLARED TO BE PUBLIC NUISANCES

Case No.	Property Address	Parcel Identification No.	Condition / Case Type	Code
260007	5192 YORKSHIRE DR	12 00 09 3 000 028.015	Resolution to Eliminate Nuisance	104
260008	5300 BAGGETT DR	12 00 09 2 008 001.000	Resolution to Eliminate Junk Nuisance	304
260010	5901 NUTHATCH CIR	09 00 34 1 000 143.000	Resolution to Eliminate Nuisance	104
260011	5904 ELIZABETH DR	10 00 17 4 004 010.000	Resolution to Eliminate Nuisance	104
260013	7048 OLD SPRINGVILLE RD	10 00 19 3 000 003.003	Resolution to Eliminate Nuisance	104

Note: Exhibit A reflects the open matters identified in the source spreadsheet as being at the resolution-to-eliminate-nuisance stage. The City should confirm the current case status, notice history, ownership, and legal description for each property immediately before adoption.

CITY OF CLAY, ALABAMA

RESOLUTION NO. 2026-07-04

A RESOLUTION AUTHORIZING PAYMENT OF CERTAIN PAYABLES IDENTIFIED IN EXHIBIT A; AUTHORIZING THE MAYOR, CITY CLERK, FINANCE OFFICER, AND APPROPRIATE CITY STAFF TO PROCESS, ISSUE, AND RECORD SUCH PAYMENTS; AND PROVIDING FOR RELATED MATTERS.

WHEREAS, the City of Clay, Alabama, receives invoices, claims, accounts payable, and other payment obligations in the ordinary course of municipal operations; and

WHEREAS, City staff has prepared or caused them to be prepared a list of certain payables proposed for payment, which list is attached hereto as **Exhibit A** and incorporated herein by reference; and

WHEREAS, the City Council has been presented with the payables identified in Exhibit A, including the vendor or payee, description or purpose of the expenditure, account or funding source where available, and amount proposed for payment; and

WHEREAS, the City Council finds that the payables identified in Exhibit A are for lawful municipal purposes and that authorization of payment is in the best interest of the City; and

WHEREAS, the City Council desires to authorize the Mayor, City Clerk, Finance Officer, and appropriate City staff to take all actions necessary to process, issue, and record payment of the payables identified in Exhibit A, subject to applicable purchasing requirements, financial controls, account coding, documentation, and availability of funds.

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

SECTION 1. RECITALS APPROVED.

The foregoing recitals are true and correct, are approved by the City Council, and are incorporated herein by reference as findings of the City Council.

SECTION 2. AUTHORIZATION OF PAYMENT.

The City Council hereby authorizes payment of the payables identified in **Exhibit A**, attached hereto and incorporated herein by reference, in the total amount of \$_____, subject to final verification of invoices, supporting documentation, proper account coding, availability of funds, and compliance with applicable City purchasing and financial procedures.

SECTION 3. AUTHORITY OF CITY OFFICIALS.

The Mayor, City Clerk, Finance Officer, and appropriate City officials and employees are hereby authorized and directed to take all administrative actions necessary or desirable to carry out the intent of this Resolution, including, without limitation, reviewing invoices, confirming account coding, issuing purchase orders where applicable, processing checks or electronic payments, recording the payments in the City's financial records, and maintaining supporting documentation in the City's records.

SECTION 4. ACCOUNTING AND RECORDKEEPING.

The City Clerk, Finance Officer, and appropriate finance personnel are hereby authorized to make all necessary accounting entries, fund allocations, budgetary notations, and internal financial records necessary to properly reflect the payments authorized by this Resolution.

SECTION 5. NO WAIVER OF COMPLIANCE.

Nothing in this Resolution shall be construed to waive any requirement for invoice review, documentation, purchasing compliance, internal approval, audit review, legal review, or other financial control otherwise applicable to City expenditures.

SECTION 6. EFFECTIVE DATE.

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

ADOPTED AND APPROVED this ____ day of _____, 2026.

CITY OF CLAY, ALABAMA

By: _____
Jane Anderton, Mayor

Date: _____

ATTEST:

Toushi Arbitelle, City Clerk

VOTING RESULTS:

Yeas: _____

Nays: _____

Abstain: _____

Absent: _____

CERTIFICATION

I, the undersigned City Clerk of the City of Clay, Alabama, do hereby certify that the foregoing is a true and correct copy of a Resolution lawfully passed and adopted by the City Council of the City of Clay, Alabama, at a regular or special meeting of such Council held on the ____ day of _____, 2026, and that the same is on file in the City Clerk's Office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City on this ____ day of _____, 2026.

Toushi Arbitelle, City Clerk
City of Clay, Alabama

EXHIBIT A

CITY OF CLAY, ALABAMA

RESOLUTION NO. 2026-06-03

A RESOLUTION AFFIRMING THE RECEIPT AND REVIEW OF THE BID SUBMITTED FOR HVAC MAINTENANCE, REPAIR, AND STANDARD INSTALLATION SERVICES; AWARDING THE BID AND AUTHORIZING A CONTRACT WITH DAWSON TRUE HEATING & COOLING / JALEN D. DAWSON; AUTHORIZING THE MAYOR TO EXECUTE CONTRACT DOCUMENTS; AND PROVIDING FOR RELATED MATTERS.

WHEREAS, the City of Clay, Alabama (the "City") issued a Request for Sealed Bids for HVAC Maintenance, Repair, and Standard Installation Services, Bid No. 2026-05-01, for preventive maintenance, routine repair, emergency service, and standard installation services for City-owned HVAC equipment and related systems; and

WHEREAS, the bid documents provided that sealed bids would be received until June 9, 2026, at 10:00 a.m., and that bids received after the stated deadline would not be considered; and

WHEREAS, the City received a bid submission from Dawson True Heating & Cooling / Jalen D. Dawson, as identified in the submitted bid documents, affidavits, and contractor license materials (the "Contractor"); and

WHEREAS, the submitted bid includes a pricing schedule for preventive maintenance pricing, repair labor and materials, and standard installation pricing, with unit prices, hourly rates, markups, fees, and extended prices based upon evaluation quantities; and

WHEREAS, the bid documents state that extended prices are for bid-comparison purposes only, and the City Council intends for the award to be made upon the submitted unit prices, hourly rates, markups, fees, and authorized work orders rather than as a guaranteed lump-sum contract amount; and

WHEREAS, the submitted documents include a Non-Collusion Affidavit executed in connection with the bid, and contractor license documentation reflecting an active Alabama Heating, Air Conditioning, and Refrigeration Contractors certification for Jalen D. Dawson, Certification No. 2020015, effective through December 31, 2026; and

WHEREAS, the City Council finds that the maintenance, repair, emergency servicing, and proper installation of HVAC systems in City facilities serves a valid public purpose by protecting City property, supporting safe and functional public facilities, promoting continuity of City operations, and advancing the health, safety, welfare, comfort, and convenience of City employees, officials, visitors, and residents; and

WHEREAS, the City Council desires to affirm the bid process, accept the Contractor's bid, award the HVAC Maintenance, Repair, and Standard Installation Services bid to the Contractor,

and authorize the Mayor and appropriate City officials to execute and administer the necessary contract documents, subject to the conditions stated herein.

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

Section 1. Recitals Approved.

The foregoing recitals are true and correct, are approved by the City Council, and are incorporated herein by reference as findings of the City Council.

Section 2. Affirmation of Bid Process and Bid Submission.

The City Council hereby affirms the Request for Sealed Bids process for HVAC Maintenance, Repair, and Standard Installation Services, Bid No. 2026-05-01, and acknowledges receipt and review of the bid submitted by the Contractor.

Section 3. Award of Bid and Contract.

The City hereby awards the bid for HVAC Maintenance, Repair, and Standard Installation Services to Dawson True Heating & Cooling / Jalen D. Dawson, subject to:

- a. full execution of all necessary contract documents;
- b. confirmation of the Contractor's exact legal name, business status, license status, insurance, and required compliance documentation;
- c. compliance with all terms, conditions, specifications, scopes of work, pricing, response times, reporting requirements, warranty requirements, and other requirements contained in the bid documents and Contractor's submitted bid;
- d. compliance with applicable federal, state, county, and municipal laws, rules, regulations, licensing requirements, permitting requirements, insurance requirements, bond requirements where applicable, and City procedures; and
- e. annual appropriation, availability of funds, satisfactory performance, and lawful renewal authority.

Section 4. Pricing Schedule Accepted.

The Contractor's submitted pricing schedule is hereby accepted as the basis for the City's award, including the unit prices, hourly rates, trip charges, markups, fees, preventive maintenance pricing, repair labor and materials pricing, refrigerant pricing, and standard installation pricing submitted by the Contractor.

Actual amounts payable under the contract may vary depending upon the specific services requested by the City, actual quantities performed, approved work orders, authorized repairs, approved installations, emergency service needs, and applicable bid unit prices. No minimum quantity of work is guaranteed by this Resolution.

Section 5. Contract Term and Renewals.

The initial contract term shall be for one (1) year from the date stated in the notice to proceed, contract, or other written authorization approved by the City. The City may renew the contract for up to two (2) additional one-year terms at the City's option, subject to annual appropriation, satisfactory performance, lawful pricing and renewal authority, and approval by the City in accordance with applicable law and City procedures.

Section 6. Work Orders and No Obligation for Specific Work.

Nothing in this Resolution shall require the City to proceed with any particular repair, installation, replacement, maintenance visit, service call, emergency call, project, quantity, or scope of work unless and until such work is authorized by the City in accordance with the contract documents and applicable City procedures.

Non-routine repairs, installations, replacements, and work not included in routine preventive maintenance shall proceed only upon City authorization through a written work order, purchase order, not-to-exceed authorization, written estimate approval, or other lawful written direction from an authorized City representative.

Section 7. Authority of Mayor and City Officials.

The Mayor, City Clerk, City Attorney, Finance Officer, Building Official, and other appropriate City officials, employees, and agents are hereby authorized to take such actions, execute such documents, issue such notices, verify such documentation, coordinate such work orders, process such invoices, and perform such other acts as may be necessary or desirable to carry out the intent and provisions of this Resolution.

The Mayor is authorized to negotiate, execute, and deliver on behalf of the City a contract, notice to proceed, service agreement, work authorization documents, renewal documents, and related forms consistent with the bid documents, the Contractor's submitted bid, this Resolution, and applicable law, with such non-material changes, completions, corrections, or additions as the Mayor may approve, such approval to be conclusively evidenced by the Mayor's execution thereof and attestation by the City Clerk where required.

Section 8. Conforming Contractor Name and Clerical Corrections.

The City Clerk, City Attorney, Mayor, and appropriate City staff are authorized to confirm and conform the Contractor's exact legal name, trade name, business entity information, license information, insurance information, and related contract information before execution of the final

contract documents, provided that such confirmation does not materially alter the bid award approved by this Resolution.

City staff may also verify arithmetic, evaluation totals, clerical matters, and attachment references in the bid file, provided that no such verification shall change the unit prices, rates, markups, fees, or material terms submitted by the Contractor unless approved by the City Council or otherwise permitted by law.

Section 9. Compliance Documentation.

Before the City is obligated to issue work under the contract, the Contractor shall provide, maintain, and update all documentation required by the bid documents, the contract, and applicable law, including, where applicable, proof of licensure, insurance, permits, E-Verify or immigration compliance documentation, tax documentation, bonds required for particular work, subcontractor disclosures and approvals, safety compliance documentation, and any other documentation reasonably required by the City.

Section 10. Independent Contractor Relationship.

The Contractor shall perform all services as an independent contractor. This Resolution does not create any partnership, joint venture, employment relationship, agency relationship, or other relationship between the City and the Contractor except as expressly provided in the bid documents, contract documents, approved work orders, and applicable law.

Section 11. Public Purpose and Best Interest.

The City Council hereby finds, determines, and declares that the award authorized by this Resolution serves a valid public purpose and is necessary, desirable, and in the best interest of the City and the health, safety, welfare, comfort, convenience, and orderly administration of City operations.

Section 12. Severability.

If any provision, phrase, sentence, clause, section, or application of this Resolution is held invalid, illegal, or unenforceable, the validity, legality, and enforceability of the remaining provisions and applications shall not be affected or impaired thereby.

Section 13. Effective Date.

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

ADOPTED AND APPROVED this ____ day of _____, 2026.

CITY OF CLAY, ALABAMA

By: _____
Jane Anderton, Mayor

Date: _____

ATTEST:

Toushi Arbitelle, City Clerk

VOTING RESULTS:

Yeas: _____

Nays: _____

Abstain: _____

Absent: _____

CERTIFICATION

I, the undersigned City Clerk of the City of Clay, Alabama, do hereby certify that the foregoing is a true and correct copy of a Resolution lawfully passed and adopted by the City Council of the City of Clay, Alabama, at a regular or special meeting of such Council held on the ____ day of _____, 2026, and that the same is on file in the City Clerk's Office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City on this ____ day of _____, 2026.

Toushi Arbitelle, City Clerk
City of Clay, Alabama

EXHIBIT A

CITY OF CLAY, ALABAMA

ORDINANCE NO. O2026-07-01

AN ORDINANCE ASSENTING TO THE ANNEXATION OF CERTAIN PROPERTY INTO THE CORPORATE LIMITS OF THE CITY OF CLAY, ALABAMA, PURSUANT TO SECTIONS 11-42-20 THROUGH 11-42-24, CODE OF ALABAMA 1975

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLAY, ALABAMA, AS FOLLOWS:

Section 1. Findings.

WHEREAS, the City of Clay, Alabama, is an incorporated municipality organized and existing under the laws of the State of Alabama; and

WHEREAS, Glenda S. Howe, being the person in whose name the property described herein is assessed for ad valorem tax purposes, has filed with the City of Clay a written Petition for Annexation requesting that certain real property be annexed into the corporate limits of the City of Clay pursuant to Sections 11-42-20 through 11-42-24, Code of Alabama 1975; and

WHEREAS, the property proposed for annexation is commonly known as 5744 Cheryl Drive, Jefferson County, Alabama, and is identified by the Jefferson County Tax Assessor as Parcel Identification Number 09-00-34-1-000-012.000; and

WHEREAS, the petition filed with the City includes or is accompanied by an accurate description of the property proposed for annexation and a map showing the relationship of the property to the present corporate limits of the City of Clay; and

WHEREAS, the City Council finds that the property described herein is contiguous to the present corporate limits of the City of Clay, Alabama; and

WHEREAS, the City Council further finds that the property described herein does not lie within the corporate limits or police jurisdiction of any other municipality; and

WHEREAS, the City Council has considered the Petition for Annexation and finds that the requirements of Sections 11-42-20 through 11-42-24, Code of Alabama 1975, have been satisfied; and

WHEREAS, the City Council finds that annexation of the property described herein is reasonable, orderly, and in the public interest of the City of Clay and the affected property owner.

Section 2. Assent to Annexation.

The City Council of the City of Clay, Alabama, hereby assents to the annexation of the property described in Exhibit A, attached hereto and incorporated herein by reference, into the corporate limits of the City of Clay, Alabama.

Section 3. Extension of Corporate Limits.

The corporate limits of the City of Clay, Alabama, are hereby altered, rearranged, and extended so as to embrace and include the following real property:

Property Address: 5744 Cheryl Drive, Jefferson County, Alabama

Parcel Identification Number: 09-00-34-1-000-012.000

Owner: Glenda S. Howe

Legal Description: Lot 104, according to the map or plat of Cosby Hills Amended Map, as recorded in Plat Book 115, Page 52, in the Office of the Judge of Probate of Jefferson County, Alabama.

The above-described property shall be annexed into and become a part of the corporate limits of the City of Clay, Alabama, upon the effective date of this Ordinance.

Section 4. Applicability of City Laws.

Upon annexation, the property described herein shall be subject to all applicable ordinances, regulations, codes, licenses, taxes, fees, and municipal authority of the City of Clay, Alabama, as provided by law.

Section 5. Zoning and Land Use.

This Ordinance is an annexation ordinance only and shall not be construed as a rezoning ordinance or zoning map amendment unless separately adopted in compliance with applicable zoning law and City procedures. Upon annexation, the property shall be subject to the zoning, subdivision, building, nuisance, business license, and other regulatory ordinances of the City of Clay, Alabama, as applicable.

Section 6. Filing, Publication, and Administrative Notice.

The Mayor, City Clerk, and other appropriate City officials are hereby authorized and directed to take all actions reasonably necessary to complete this annexation, including but not limited to the following:

1. Publishing this Ordinance as required by law;
2. Recording this Ordinance in the City Ordinance book;
3. Filing a description of the annexed property, together with any required map or certified copy of this Ordinance, in the Office of the Judge of Probate of Jefferson County, Alabama;
4. Notifying the Jefferson County Revenue Commissioner, Jefferson County Board of Registrars, Jefferson County 911, applicable utility providers, and other appropriate public agencies of the annexation; and
5. Updating the City's official corporate limits map and municipal records.

Section 7. Severability.

If any section, sentence, clause, phrase, or portion of this Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect the remaining portions of this Ordinance, which shall remain in full force and effect.

Section 8. Repealer.

All ordinances, resolutions, orders, or parts thereof in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 9. Effective Date.

This Ordinance shall become effective, and the property described herein shall become a part of the corporate limits of the City of Clay, Alabama, upon publication of this Ordinance as provided by Sections 11-42-20 through 11-42-24, Code of Alabama 1975, and other applicable law.

ADOPTED AND APPROVED by the City Council of the City of Clay, Alabama, on this the ____ day of _____, 2026.

Jane Anderton, Mayor
City of Clay, Alabama

ATTEST:

Toushi Arbitelle, City Clerk/Treasurer
City of Clay, Alabama

CERTIFICATION

I, the undersigned City Clerk/Treasurer of the City of Clay, Alabama, do hereby certify that the foregoing Ordinance was duly adopted by the City Council of the City of Clay, Alabama, at a meeting of said Council held on the ____ day of _____, 2026, and that said Ordinance has been published and recorded as required by law.

Toushi Arbitelle, City Clerk/Treasurer
City of Clay, Alabama

EXHIBIT A
Legal Description of Annexed Property

Property Address	5744 Cheryl Drive, Jefferson County, Alabama
Parcel Identification Number	09-00-34-1-000-012.000
Owner	Glenda S. Howe
Legal Description	Lot 104, according to the map or plat of Cosby Hills Amended Map, as recorded in Plat Book 115, Page 52, in the Office of the Judge of Probate of Jefferson County, Alabama.

The foregoing legal description is based upon the annexation petition materials submitted to the City of Clay for the property commonly known as 5744 Cheryl Drive, Jefferson County, Alabama.

LocalLook

[illegible]

Map included from annexation petition materials.

ORDINANCE NO. 2026-07-05

AN ORDINANCE TO ADOPT THE 2021 EDITIONS OF CERTAIN INTERNATIONAL CODES PUBLISHED BY THE INTERNATIONAL CODE COUNCIL; TO PROVIDE FOR THE ADMINISTRATION AND ENFORCEMENT OF THOSE CODES WITHIN THE CORPORATE LIMITS OF THE CITY OF CLAY, ALABAMA; TO REPEAL CONFLICTING ORDINANCES; AND TO PROVIDE FOR SEVERABILITY AND AN EFFECTIVE DATE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLAY, ALABAMA, AS FOLLOWS:

SECTION 1. FINDINGS AND PURPOSE.

The City Council finds and declares that:

- A. The regulation of the construction, alteration, repair, occupancy, use, maintenance, relocation, and demolition of buildings and structures is necessary to protect the public health, safety, and general welfare;
- B. The adoption and consistent enforcement of nationally recognized construction standards will promote safe construction, improve the quality and durability of buildings and structures, protect property values, support emergency-response operations, and reduce the risk of death, injury, fire, and property damage;
- C. The International Code Council publishes a coordinated family of model construction codes that may be adopted and enforced by local governments;
- D. The State of Alabama has adopted certain construction, residential, energy, fire-safety, accessibility, and related requirements that may apply within the City independently of this Ordinance; and
- E. It is in the best interest of the City and its residents to adopt the 2021 editions of the International Codes identified in this Ordinance, subject to applicable Alabama law and the amendments and administrative provisions contained herein.

SECTION 2. ADOPTION OF TECHNICAL CODES BY REFERENCE.

Subject to the provisions, amendments, deletions, and limitations contained in this Ordinance, the following codes published by the International Code Council, Inc., are hereby adopted by reference as though fully set forth herein:

1. 2021 International Building Code, hereinafter referred to as the “Building Code”;
2. 2021 International Residential Code for One- and Two-Family Dwellings, hereinafter referred to as the “Residential Code”;

3. 2021 International Existing Building Code, hereinafter referred to as the “Existing Building Code”;
4. 2021 International Plumbing Code, hereinafter referred to as the “Plumbing Code”;
5. 2021 International Mechanical Code, hereinafter referred to as the “Mechanical Code”;
6. 2021 International Fuel Gas Code, hereinafter referred to as the “Fuel Gas Code”;
7. 2021 International Fire Code, hereinafter referred to as the “Fire Code”;
8. 2021 International Energy Conservation Code, hereinafter referred to as the “Energy Conservation Code”;
9. 2021 International Property Maintenance Code, hereinafter referred to as the “Property Maintenance Code”; and
10. 2021 International Swimming Pool and Spa Code, hereinafter referred to as the “Swimming Pool and Spa Code.”

Collectively, the codes adopted in this section may be referred to as the “Construction Codes of the City of Clay” or the “Technical Codes.”

SECTION 3. ELECTRICAL CODE.

Electrical installations, equipment, alterations, repairs, and maintenance within the City shall comply with the edition of NFPA 70, National Electrical Code, currently adopted or required by the State of Alabama, together with applicable state amendments.

To the extent the City is authorized to adopt a specific edition independently, the City hereby adopts the 2020 edition of NFPA 70, National Electrical Code, as referenced by the 2021 International Codes, unless a later edition is required by controlling state law or regulation.

If the State of Alabama adopts a later edition that is mandatory within the City, the state-required edition shall control without the necessity of further municipal action to the extent required by state law.

SECTION 4. STATE CODES AND AMENDMENTS.

A. The codes adopted by this Ordinance shall be interpreted and enforced consistently with all applicable statutes and administrative regulations of the State of Alabama.

B. Any mandatory amendment, supplement, deletion, exception, design criterion, or other requirement adopted by the following state agencies or their successors shall be incorporated into and shall control over any conflicting provision of the codes adopted by this Ordinance:

1. Alabama Department of Finance, Division of Construction Management;
2. Alabama Energy and Residential Codes Board;
3. Alabama Department of Insurance, Office of the State Fire Marshal;
4. Alabama Department of Public Health;
5. Alabama Plumbers and Gas Fitters Examining Board;
6. Alabama Board of Heating, Air Conditioning and Refrigeration Contractors;
7. Alabama State Board of Electrical Contractors; and

8. Any other state agency having jurisdiction over a particular building, occupancy, system, installation, contractor, or regulated activity.

C. Nothing in this Ordinance shall be interpreted as reducing, replacing, or superseding any more stringent or controlling state requirement.

D. Where state law reserves jurisdiction over a particular building, occupancy, installation, or regulated activity to a state agency, the City's administration and enforcement shall be limited accordingly.

SECTION 5. LOCAL ADMINISTRATIVE AMENDMENTS.

The following administrative amendments shall apply to each code adopted by this Ordinance whenever the corresponding bracketed information or administrative provision appears:

A. Name of Jurisdiction.

Where a code requires insertion of the name of the jurisdiction, the following shall be inserted:

“City of Clay, Alabama.”

B. Code Official.

References to the “building official,” “code official,” “fire code official,” or similar enforcing official shall mean the person designated by the Mayor to administer the applicable code, subject to the Mayor's supervisory authority and applicable law.

The Mayor may designate qualified City employees, contract inspectors, intergovernmental personnel, consultants, or other authorized representatives to perform particular plan reviews, inspections, or administrative duties.

C. Department.

References to a “Department of Building Safety” or similar department shall mean the department, office, employee, or authorized representative designated by the Mayor to administer the applicable code.

D. Fees.

Permit, plan-review, inspection, reinspection, certificate, licensing, administrative, and other fees shall be established by ordinance or resolution of the City Council, as permitted by law.

The adoption of the Technical Codes shall not itself establish or increase a fee unless the fee is expressly approved by the City Council.

E. Refunds.

Refunds of permit or review fees may be authorized in accordance with a written policy approved by the City, provided that no refund shall be required for work already performed by the City or its authorized representatives.

F. Records.

Applications, plans, specifications, reports, inspection records, permits, certificates, and other documents shall be retained in accordance with the records-retention schedules applicable to Alabama municipalities.

G. Notices.

Whenever a code requires notice to an owner, occupant, contractor, permit holder, or other responsible person, notice may be delivered personally, sent by first-class mail, sent by certified mail, posted at the property, transmitted electronically when authorized, or delivered by any other method reasonably calculated to provide notice and permitted by law.

H. References to Other Codes.

References in one adopted code to another International Code shall mean the corresponding 2021 code adopted by this Ordinance, as amended, except where controlling state law requires a different edition or standard.

SECTION 6. BUILDING AND RESIDENTIAL DESIGN CRITERIA.

A. Buildings and structures shall be designed in accordance with the climatic, geographic, geotechnical, wind, flood, frost, weathering, seismic, termite, rainfall, and other design criteria applicable to the City of Clay and the site of the proposed construction.

B. The Building Official may prepare and maintain written design-criteria tables based upon:

1. The applicable International Codes;
2. Official federal and state maps and publications;
3. Federal Emergency Management Agency flood maps and studies;
4. National Weather Service and National Oceanic and Atmospheric Administration data;
5. United States Geological Survey data;
6. Alabama-specific code amendments;
7. Accepted engineering standards; and
8. Site-specific reports prepared by qualified design professionals.

C. The Building Official shall not administratively reduce a minimum requirement established by an adopted code or controlling state law.

D. Where site-specific conditions require engineering analysis, the Building Official may require documentation prepared and sealed by an architect or professional engineer licensed in the State of Alabama.

SECTION 7. FIRE CODE ADMINISTRATION.

- A. The 2021 International Fire Code shall be administered consistently with the statutes and regulations enforced by the Alabama State Fire Marshal.
- B. Where the Alabama State Fire Marshal has declined to adopt, has amended, or has reserved enforcement of a provision of the International Fire Code, the applicable state regulation shall control.
- C. The City's adoption of the Fire Code shall not be interpreted as assuming exclusive jurisdiction over any matter reserved to the State Fire Marshal or another governmental authority.
- D. The City may coordinate fire-code review and enforcement with the Center Point Fire District, the Alabama State Fire Marshal, Jefferson County, or another agency having lawful jurisdiction.
- E. Fire-flow requirements, fire-department access requirements, hydrant placement, and similar provisions shall be applied in consultation with the fire-protection authority serving the property, when appropriate.

SECTION 8. PROPERTY MAINTENANCE CODE LIMITATIONS.

- A. The Property Maintenance Code shall apply to existing residential and nonresidential structures and premises within the City, subject to the limitations of Alabama law.
- B. The Property Maintenance Code shall be administered in conjunction with the City's nuisance, unsafe-building, weed, litter, zoning, and other applicable ordinances.
- C. Where Alabama law establishes a particular notice, hearing, abatement, demolition, assessment, or lien procedure, the state-law procedure and any ordinance adopted specifically to implement that procedure shall control over a conflicting provision of the Property Maintenance Code.
- D. Adoption of the Property Maintenance Code does not authorize entry into a dwelling or other constitutionally protected area without consent, an administrative inspection warrant, a judicial warrant, an emergency circumstance recognized by law, or other lawful authority.

SECTION 9. PERMITS AND APPROVALS.

- A. No person shall construct, enlarge, alter, repair, move, demolish, change the occupancy of, or perform regulated work upon a building, structure, system, or premises without first obtaining all permits and approvals required by the applicable Technical Code and City ordinance.

B. Issuance of a permit shall not constitute approval of a violation of this Ordinance, another City ordinance, state law, private covenant, easement, deed restriction, or other applicable legal requirement.

C. A permit issued on the basis of materially incorrect, incomplete, or misleading information may be suspended or revoked in accordance with applicable law.

D. The City may require evidence that contractors and design professionals hold all licenses, registrations, and certifications required by the State of Alabama.

E. No permit shall authorize work beyond the scope of the contractor's state license or professional authority.

SECTION 10. PLAN REVIEW AND INSPECTIONS.

A. The Building Official may require construction documents, calculations, specifications, surveys, site plans, geotechnical reports, flood-elevation information, energy-compliance documentation, and other information reasonably necessary to determine code compliance.

B. Construction documents shall be prepared and sealed by an Alabama-licensed architect or professional engineer when required by state law.

C. Work for which a permit is required shall remain accessible and exposed for inspection until approved.

D. Approval resulting from an inspection shall not relieve any person from the obligation to comply with applicable codes and laws.

E. The Building Official may accept reports and inspections from qualified third-party inspectors, testing agencies, design professionals, or governmental entities when such acceptance is consistent with law and City policy.

F. The cost of a specialized third-party review or inspection necessitated by the complexity of a project may be charged to the applicant when authorized by the City's adopted fee schedule or by an agreement permitted by law.

SECTION 11. ALTERNATIVE MATERIALS AND METHODS.

A. Nothing in this Ordinance is intended to prevent the use of a material, design, system, or method of construction that is not specifically prescribed by the Technical Codes.

B. The Building Official may approve an alternative when sufficient evidence is provided to establish that the proposed alternative:

1. Satisfies the intent of the applicable code;

2. Is at least equivalent in quality, strength, effectiveness, fire resistance, durability, accessibility, and safety; and
3. Does not conflict with controlling Alabama law.

C. The Building Official may require supporting tests, engineering analysis, research reports, evaluations, or other documentation prepared by a qualified person.

D. Approval of an alternative shall be documented in writing and maintained in the City's records.

SECTION 12. MODIFICATIONS.

When there are practical difficulties involved in carrying out a specific provision of an adopted code, the Building Official may approve a limited modification upon finding that:

1. The strict letter of the code is impractical under the particular circumstances;
2. The modification is consistent with the intent and purpose of the code;
3. The modification does not lessen health, accessibility, life-safety, or fire-safety requirements;
4. The modification is not prohibited by state law; and
5. The facts and reasons supporting the modification are documented in writing.

This section shall not authorize the Building Official to grant a variance from the City's zoning ordinance, subdivision regulations, flood-damage-prevention ordinance, or another requirement for which a separate variance or appeal procedure is established.

SECTION 13. APPEALS.

A. A person directly affected by a written decision, interpretation, order, or determination of the Building Official under the Technical Codes may file a written administrative appeal within fifteen calendar days after notice of the decision.

B. The appeal shall identify the decision appealed from, the alleged error, and the relief requested.

C. Appeals shall be heard by a qualified hearing officer, appeals board, or other reviewing authority designated by the City Council in accordance with applicable law.

D. The reviewing authority shall not waive a requirement imposed by state law and shall not approve a condition that would create an unreasonable threat to public health or safety.

E. An appeal shall not automatically stay emergency action necessary to address an imminent danger.

F. A final municipal decision shall be subject to judicial review to the extent provided by Alabama law.

SECTION 14. STOP-WORK ORDERS.

A. The Building Official may issue a written stop-work order when work is being performed:

1. Contrary to an adopted code;
2. Contrary to an approved permit or construction document;
3. Without a required permit;
4. In an unsafe or dangerous manner; or
5. In violation of a lawful order of the City.

B. Upon service or posting of the order, the work identified in the order shall cease, except for work expressly authorized to make the property safe.

C. Work may resume only after the Building Official determines that the violation has been corrected and authorizes resumption in writing.

SECTION 15. UNSAFE CONDITIONS AND EMERGENCIES.

A. Unsafe buildings, structures, equipment, and conditions shall be addressed in accordance with applicable Alabama law, the Technical Codes, and any separate unsafe-building or nuisance ordinance adopted by the City.

B. When an imminent danger to life or property exists, the City may take temporary emergency action reasonably necessary to secure the area and protect the public, subject to constitutional and statutory limitations.

C. Permanent repair, vacation, condemnation, demolition, removal, or assessment of costs shall be undertaken through the procedure required by Alabama law.

SECTION 16. VIOLATIONS AND ENFORCEMENT.

A. It shall be unlawful for any person to erect, construct, alter, extend, repair, move, remove, demolish, occupy, use, maintain, or permit a building, structure, system, premises, or equipment to exist in violation of this Ordinance or a lawful order issued pursuant to it.

B. The City may enforce this Ordinance through any lawful remedy, including:

1. Issuance of correction notices and orders;
2. Suspension or revocation of permits or approvals;
3. Stop-work orders;
4. Denial or withholding of certificates of occupancy or completion;
5. Civil actions for injunctive or declaratory relief;
6. Abatement proceedings;
7. Recovery of costs when authorized by law;
8. Prosecution of ordinance violations in a court having jurisdiction; and
9. Any other remedy authorized by Alabama law.

C. Each day that a violation continues after notice and expiration of any applicable correction period may constitute a separate offense, subject to constitutional and statutory limitations.

D. Any criminal fine or punishment imposed for violation of this Ordinance shall not exceed the maximum punishment authorized for municipal ordinance violations under Alabama law.

E. The imposition of one remedy shall not prevent the City from pursuing another lawful remedy.

SECTION 17. CONFLICTS WITH OTHER LAWS.

A. When a provision of an adopted Technical Code conflicts with a provision of federal law, Alabama law, or a mandatory state regulation, the federal or state requirement shall control.

B. When a provision of an adopted Technical Code conflicts with another City ordinance, the more specific provision shall control unless application of that provision would violate federal or state law.

C. When two provisions regulate the same condition, the provision providing the greater protection to public health and safety shall apply, unless otherwise prohibited by law.

D. Nothing in this Ordinance shall be construed to amend the City's zoning ordinance, subdivision regulations, flood-damage-prevention ordinance, or other land-use regulations unless expressly stated.

SECTION 18. EXISTING PERMITS AND PROJECTS.

A. A valid permit issued before the effective date of this Ordinance may proceed under the code in effect when the permit was issued, provided:

1. The permit has not expired, been revoked, or become void;
2. Work begins and proceeds within the time allowed by the permit and applicable code;
and
3. The Building Official determines that continued application of the prior code will not create an imminent threat to life or safety.

B. An applicant may request permission to use the newly adopted codes for an existing project, provided the codes are applied consistently to the entire project unless otherwise approved by the Building Official.

C. Repairs required to address an imminent danger may be required to comply with current life-safety provisions regardless of the date of the original permit.

SECTION 19. COPIES TO BE KEPT ON FILE.

At least one copy of each code adopted by reference, together with applicable amendments, shall be maintained or made reasonably available for public inspection through the office of the City Clerk or the office responsible for code administration, as required by Alabama law.

The City Clerk is authorized to maintain the adopted codes in printed or legally accessible electronic form, subject to applicable copyright and licensing requirements.

SECTION 20. CODIFICATION.

The provisions of this Ordinance may be codified in the Code of Ordinances of the City of Clay. The codifier is authorized to renumber sections, correct manifest typographical errors, standardize references, and make no substantive formatting changes, provided that no substantive provision is altered.

SECTION 21. REPEAL OF CONFLICTING PROVISIONS.

All ordinances or portions of ordinances in direct conflict with this Ordinance are hereby repealed to the extent of the conflict.

The repeal of a prior code-adoption ordinance shall not:

1. Affect a right accrued or liability incurred under the prior ordinance;
2. Abate a pending enforcement action;
3. Excuse a violation committed before the effective date of this Ordinance; or
4. Invalidate a permit, order, or proceeding lawfully issued under the prior ordinance.

SECTION 22. SEVERABILITY.

If any section, subsection, sentence, clause, phrase, or provision of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, the declaration shall not affect the validity of the remaining provisions. The City Council declares that it would have adopted this Ordinance and each remaining provision without the invalid provision.

SECTION 23. PUBLICATION AND EFFECTIVE DATE.

This Ordinance shall be recorded, authenticated, and published or posted as required by Alabama law.

The Ordinance shall become effective upon publication or posting as provided by law, or on _____, 2026, whichever occurs later.

ADOPTED AND APPROVED this ____ day of _____, 2026.

CITY OF CLAY, ALABAMA

JANE ANDERTON, MAYOR

ATTEST:

TOUSHI ARBITELLE, CITY CLERK/TREASURER

YEA:

NAY:

ABSTAIN:

ABSENT:

CERTIFICATION

I, Toushi Arbitelle, City Clerk/Treasurer of the City of Clay, Alabama, hereby certify that the foregoing Ordinance was duly adopted by the City Council of the City of Clay at a regular or lawfully called meeting held on the _____ day of _____, 2026, and that the vote was as follows:

TOUSHI ARBITELLE, CITY CLERK/TREASURER

RESOLUTION NO. R2026-07-03

A RESOLUTION AUTHORIZING THE CITY OF CLAY, ALABAMA, TO ENTER INTO A MEMORANDUM OF UNDERSTANDING AND AGREEMENT WITH MUNICIPAL INTERCEPT SERVICES, LLC, FOR THE SUBMISSION AND PROCESSING OF ELIGIBLE DELINQUENT DEBTS FOR SET-OFF THROUGH THE ALABAMA DEPARTMENT OF REVENUE, AND AUTHORIZING THE MAYOR AND CITY STAFF TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT AND EXECUTE THE AGREEMENT

WHEREAS, the City of Clay, Alabama, is a municipal corporation organized and existing under the laws of the State of Alabama; and

WHEREAS, Article 3 of Chapter 18 of Title 40, Code of Alabama 1975, authorizes qualifying claimant agencies to submit eligible delinquent debts to the Alabama Department of Revenue for interception and set-off against certain taxpayer refunds; and

WHEREAS, Municipal Intercept Services, LLC, commonly referred to as “MIS,” provides services to local governmental entities for the submission and processing of eligible delinquent debts for possible interception through the Alabama Department of Revenue; and

WHEREAS, the proposed Memorandum of Understanding and Agreement provides that MIS may process qualifying delinquent debts submitted by the City for interception, subject to the City’s responsibility to verify the debt, comply with applicable notice and hearing requirements, and update debt files upon payment, partial payment, stay, or other legal action; and

WHEREAS, the Agreement further provides that MIS will submit eligible debt files to the Alabama Department of Revenue, provide access to the MIS system through a secure web-based portal, and remit intercepted funds to the City by direct deposit after applicable holding periods; and

WHEREAS, the Agreement provides for compensation to MIS in the amount of Twenty-Five Dollars (\$25.00) for each debt collected through a successful interception, with such fee retained from intercepted proceeds as set forth in the Agreement; and

WHEREAS, the Agreement remains in effect from year to year unless modified or terminated in writing by either party upon ninety (90) days’ written notice, and includes provisions relating to confidentiality, indemnification, assignment, governing law, and related administrative obligations; and

WHEREAS, the City Council finds that participation in the MIS program may assist the City in the lawful collection of eligible delinquent debts owed to the City, improve collection efficiency, and support the responsible administration of municipal accounts and obligations; and

WHEREAS, the City Council desires to authorize the City to enter into the Memorandum of Understanding and Agreement with Municipal Intercept Services, LLC, substantially in the form

presented to the Council, and to authorize the mayor and appropriate City staff to take all actions necessary to execute and implement the same.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLAY, ALABAMA, as follows:

Section 1. Authorization to Enter Agreement.

The City of Clay, Alabama, is hereby authorized to enter into the Memorandum of Understanding and Agreement with Municipal Intercept Services, LLC, for the submission and processing of eligible delinquent debts for possible set-off through the Alabama Department of Revenue.

Section 2. Authorization of Mayor.

The Mayor is hereby authorized and directed to execute the Memorandum of Understanding and Agreement on behalf of the City, together with any related participation forms, direct deposit authorizations, certifications, implementation documents, or other instruments reasonably necessary to carry out the intent of this Resolution.

Section 3. Authorization of City Staff.

The City Clerk, Finance Department, Revenue Department, administrative staff, and any other appropriate City personnel are hereby authorized to take such administrative actions as may be necessary to implement the Agreement, including, but not limited to, establishing user access, designating a debt set-off coordinator, submitting eligible delinquent debt files, updating account information, maintaining records, processing remittances, and coordinating with MIS and the Alabama Department of Revenue.

Section 4. Compliance With Applicable Law and Procedures.

All debts submitted under the Agreement shall be submitted only after the City has complied with applicable law, including any required notice, hearing, appeal, limitation, certification, accounting, and recordkeeping requirements applicable to the type of debt submitted. Nothing in this Resolution shall be construed to authorize the submission of any debt that is not legally eligible for collection or set-off.

Section 5. Approval of Non-Material Revisions.

The Mayor, in consultation with the City Attorney as needed, is authorized to approve such non-material revisions, corrections, or administrative modifications to the Agreement and related implementation documents as may be necessary or appropriate, provided that such revisions do not materially alter the City's obligations as approved by this Resolution.

Section 6. Effective Date.

This Resolution shall become effective immediately upon its adoption and approval as provided by law.

ADOPTED AND APPROVED this ____ day of _____, 2026.

Jane Anderton, Mayor
City of Clay, Alabama

ATTEST:

Toushi Arbitelle, City Clerk/Treasurer
City of Clay, Alabama

CERTIFICATION

I, the undersigned City Clerk/Treasurer of the City of Clay, Alabama, hereby certify that the foregoing is a true and correct copy of a Resolution duly adopted by the City Council of the City of Clay, Alabama, at a regular/called meeting held on the ____ day of _____, 2026, and that the same has not been repealed, amended, or rescinded and remains in full force and effect.

Toushi Arbitelle, City Clerk/Treasurer
City of Clay, Alabama

YEAS: _____

NAYS: _____

ABSTENTIONS: _____

ABSENT: _____



MEMORANDUM OF UNDERSTANDING AND AGREEMENT

This agreement is entered into by and between the _____ (“CLAIMANT AGENCY”) and Municipal Intercept Services (“MIS”)

WHEREAS, Article 3 of Chapter 18 of Title 40, Code of Alabama 1975, (the Act), authorizes claimant agencies to submit debts to the Alabama Department of Revenue (“ADOR”) for interception under the procedures established in the Act, namely by setting off against any refund, as defined in subdivision (5) of Section 40-18-100, Code of Alabama 1975, the sum of any debt owed to the claimant agency; and

WHEREAS, pursuant to the Act, MIS, an entity established by the Alabama League of Municipalities, is authorized to submit delinquent debts on behalf of a local government, CLAIMANT AGENCY, as defined in the Act; and

WHEREAS, CLAIMANT AGENCY is a county or municipal government or entity authorized to submit a debt owed to it pursuant to the Act; and

WHEREAS, CLAIMANT AGENCY desires to enter into this agreement with MIS in order to participate under the Act in an effort to increase the collection rate of delinquent debts owed to CLAIMANT AGENCY; and

WHEREAS, MIS agrees to submit delinquent debts on behalf of CLAIMANT AGENCY.

NOW THEREFORE, in consideration of the mutual covenants and agreements, terms and conditions contained herein, CLAIMANT AGENCY and MIS mutually agree as follows:

SECTION I: TERM/TERMINATION.

This memorandum of understanding and agreement shall remain and continue in full force and effect from year to year unless modified or terminated in writing by either party upon ninety (90) days written notice to the other party. Upon termination of this agreement all sums due and owing from either party to the other shall remain a lawful obligation of the party and be due and payable.

SECTION II: REPRESENTATIONS AND OBLIGATIONS OF CLAIMANT AGENCY.

A. CLAIMANT AGENCY hereby designates, appoints, and authorizes MIS to process delinquent debts to be submitted to ADOR for interception. For purposes of this agreement, “DELINQUENT DEBT” is defined to mean any liquidated sum of \$25.00 or more due and owing a claimant agency which has accrued through contract, subrogation, tort or operation of law regardless of whether there is an outstanding judgment for that sum. To become a delinquent debt, a minimum period of sixty (60) days must have elapsed between the time CLAIMANT AGENCY declares all of the applicable accounts or monetary obligations delinquent and the date the delinquent debt is submitted to MIS for interception.

B. CLAIMANT AGENCY shall, upon execution of this agreement file a “Participation Form” with MIS designating a debt set-off coordinator/contact as well as execute a “Direct Deposit Authorization Form”. Both forms will be provided to the CLAIMANT AGENCY by MIS. Information contained on the participation form will be used to set up a user profile in the MIS system including a unique username and password. If CLAIMANT AGENCY is submitting



debts to MIS through the use of a third party administrator, said third party shall be designated on the participation form. Information contained on the participation form can be updated by the CLAIMANT AGENCY through the MIS system. The debt set-off coordinator and/or third party administrator shall be the designated person or entity authorized to receive notices and communication from MIS to insure that the requirements of this agreement and the requirements of the Act are met. The debt set-off coordinator or third party administrator shall supply MIS with any and all information that in the opinion of MIS is necessary for the proper implementation of this agreement. MIS will only discuss or share information regarding debts submitted to MIS by the CLAIMANT AGENCY with the debt setoff coordinator or third party administrator designated in the CLAIMANT AGENCY'S user profile on the MIS system.

C. Using the MIS system, CLAIMANT AGENCY shall input debt files and/or any adjustments to debt files that CLAIMANT AGENCY certifies to MIS are owed to CLAIMANT AGENCY and that CLAIMANT AGENCY desires to have MIS submit to ADOR for interception. If, in the opinion of MIS, changes to the file format are necessary to carry out this program, MIS will timely notify the CLAIMANT AGENCY. The CLAIMANT AGENCY covenants and agrees that it shall immediately implement any changes required by MIS.

D. CLAIMANT AGENCY shall comply with and certify to MIS that, prior to submitting a debt to MIS for interception, it has complied with all statute of limitations, notice and hearing procedures for the type of debt submitted, including obtaining a final judgment where required by law, and that it does not have notice of any legal action staying the collection of the debt.

E. CLAIMANT AGENCY shall, after a debt file has been submitted to MIS for interception, advise MIS of any debtor repayment, partial or paid in full, or any notice of a legal action staying the collection of the debt, by logging into the MIS system and updating the debt file information by close of business on the day the repayment or notice of stay is received by the CLAIMANT AGENCY.

SECTION III: REPRESENTATIONS AND OBLIGATIONS OF MIS

A. MIS shall, upon receipt of CLAIMANT AGENCY'S debt file in the MIS system, submit the debt to the ADOR for possible interception within fourteen (14) days of receipt of the debt file.

B. Upon notice to MIS from ADOR that a debt will be intercepted on behalf of the CLAIMANT AGENCY, and as soon as practicable thereafter, MIS will mail notice to the taxpayer/debtor notifying the taxpayer/debtor of the CLAIMANT AGENCY's intention to set-off the taxpayer's refund against the debt owed to the CLAIMANT AGENCY and that any refund in excess of the claimed debt will be sent to the taxpayer/debtor by the State of Alabama. The notice will also provide that the taxpayer/debtor has thirty (30) days from the date of the mailing of the notice to contest the set-off and request a hearing with the CLAIMANT AGENCY. The notice will include the name and address of the CLAIMANT AGENCY and will also notify the taxpayer/debtor that failure to apply for a hearing in writing within the thirty (30) day period will be deemed a waiver of the opportunity to contest the set-off. MIS will email a copy of the notice sent to the taxpayer/debtor to the CLAIMANT AGENCY at the email address designated in CLAIMANT AGENCY'S user profile in the MIS system.

C. Once funds are actually received and deposited with MIS by the State of Alabama with regard to a successful interception on behalf of CLAIMANT AGENCY, MIS will hold said funds for a minimum of thirty (30) days. Within forty-five (45) days of receipt and deposit of funds by the State of Alabama, MIS will remit to the



CLAIMANT AGENCY, by way of direct deposit as authorized on the Direct Deposit Authorization Form, any funds received on behalf of the CLAIMANT AGENCY.

D. MIS will provide the CLAIMANT AGENCY with access to the MIS system through a secure web based portal. MIS will provide, at no cost to CLAIMANT AGENCY, technical support for the MIS system. Further, MIS will provide, at no cost to CLAIMANT AGENCY, opportunities for training at least annually on the use of the MIS system.

SECTION IV: UNDERSTANDING OF PARTIES

A. ADOR gives priority to debt set-off claims of State agencies over local governments or entities. With regard to debts submitted by CLAIMANT AGENCIES to MIS, the date and time of submission of the debt file into the MIS system will constitute the date and time to establish the priority within the MIS system in the event there are multiple CLAIMANT AGENCIES seeking debt set-off from the same taxpayer/debtor. Any submitted changes or additions to a debt file will result in a new date and time for that file. A delinquent debt submitted to MIS that has been reduced, by set-off or otherwise, to an amount of less than \$25.00 will lose its existing priority and cannot be submitted to ADOR for interception. If such delinquent debt is thereafter combined with a future delinquent debt submission of at least \$25.00 for the same taxpayer/debtor and thereby becomes eligible for interception by ADOR, it will be treated as a new debt file and will have a new submission date and time for that file.

B. MIS shall not accept a debt file that is not prepared as specified by MIS. MIS agrees to submit delinquent debts to ADOR; provided, however the CLAIMANT AGENCY is solely responsible for complying with the Act except as expressly provided in this agreement.

C. CLAIMANT AGENCY acknowledges and accepts that it is solely responsible for verifying any data submitted to MIS and that CLAIMANT AGENCY is solely responsible for any hearing and appeal requirements should a taxpayer file a protest or application in writing contesting a set-off. Further, CLAIMANT AGENCY acknowledges that any monies disbursed as provided in Section III of this agreement, are required to be held in escrow until a final determination is made regarding the validity of a debt submitted for set-off.

D. CLAIMANT AGENCY acknowledges that MIS cannot validate or verify a debtor's name or social security number nor can MIS validate or verify the amount of debt or type of debt being submitted for set-off. Further, CLAIMANT AGENCY acknowledges that it is solely responsible for validating or verifying whether or not a debtor has filed any legal action, including but not limited to bankruptcy, staying any collection efforts. CLAIMANT AGENCY is solely responsible for validating this information and providing the same to MIS using the MIS system.

SECTION V: COMPENSATION

A. MIS shall receive as compensation for its services a \$25.00 fee on each debt that is submitted on behalf of CLAIMANT AGENCY by MIS and collected through a successful interception. "SUCCESSFUL INTERCEPTION" is defined to mean the ADOR matched all or a portion of a debt submitted by MIS against a State tax refund for interception and payment towards a debt owed to CLAIMANT AGENCY.

B. CLAIMANT AGENCY, by the execution of this agreement, authorizes MIS to retain the \$25 collection



fee imposed on each delinquent debt for each successful interception. CLAIMANT AGENCY further authorizes MIS to retain said fee collected by it in the event CLAIMANT AGENCY is required, by law or otherwise, to return funds to a debtor that have been intercepted by ADOR.

C. CLAIMANT AGENCY may not combine individual debts of \$25.00 or more by an individual debtor/taxpayer for submission to MIS.

D. In the event of the partial payment of a debt, the CLAIMANT AGENCY may continue to submit the balance of the debt, if \$25.00 or more, as a part of subsequent submissions to ADOR for interception. If the previously submitted debt is reduced to an amount of less than \$25.00, it may be combined with a future debt submission of at least \$25.00 for the same debtor/taxpayer, and will be treated as a part of the “new” debt for purposes of priority and imposition of the collection fee.

SECTION VI: INDEMNIFICATION/REIMBURSEMENT

CLAIMANT AGENCY fully understands and warrants to MIS that by submission of any delinquent debt to MIS for set-off CLAIMANT AGENCY has complied with all of the provisions of the Act, any laws relating to debt collection, and this agreement. The CLAIMANT AGENCY shall hold MIS free and harmless and shall indemnify MIS against any and all damages, claims, injuries, actions, liability, or proceedings arising from the interception of debt as provided in the Act and pursuant to this agreement. CLAIMANT AGENCY shall be solely responsible for the repayment of any and all sums intercepted on CLAIMANT AGENCY’S behalf pursuant to this agreement, including any fees, interest, penalties and court costs to a taxpayer/debtor in the event a court of competent jurisdiction rules that said repayment is due and owing.

SECTION VII: ASSIGNMENT

This Agreement is not assignable by either party.

SECTION VIII: CONFIDENTIAL INFORMATION

In the course of performance of this Agreement, the parties may find it necessary to disclose to the other party certain confidential information (“Confidential Information”). Confidential Information includes, but is not limited to, information relating to the parties’ employees, trade secrets, customers, vendors, finances, operations, products, and other business information. Except as otherwise provided by law, the following terms apply to Confidential Information:

(a) the non-disclosing party shall treat as confidential and use the same degree of care as it employs in the protection of its own similar confidential information, but in no event less than a reasonable degree of care; and,

(b) the non-disclosing party will only use the information in connection with its business dealings with the disclosing party, and shall disclose information only to employees or contractors having a need to know and who agree to be bound by the terms of this Section, unless otherwise authorized in writing by the disclosing party. Information shall not be subject to these terms if: (i) it is in the public domain at the time of disclosure, or enters the public domain without breach of this Agreement; (ii) it is known to the non-disclosing party prior to the disclosure, or it is independently developed by the non-disclosing party; (iii) it is obtained by non-disclosing



party in good faith from a third party not under obligation of secrecy to the disclosing party; or, (iv) it is the subject of a court or government agency order to disclose, provided the non-disclosing party gives prompt notice to the disclosing party to allow the disclosing party to contest such order. The obligations set forth in this Section survive termination, rescission, non-renewal or expiration of this Agreement.

All information, including but not limited to printed, written, oral or computer-formatted information, which MIS may gain access to during the course of the performance of this Agreement shall be the property of CLAIMANT AGENCY, shall be held in the strictest confidence, and shall be used solely for the business purposes that are the subject of this Agreement. MIS shall maintain confidentiality of such information not only during the course of the performance of this Agreement, but following its termination.

SECTION IX: MISCELLANEOUS

A. This Agreement represents the full and final understanding of the parties with respect to the subject matter described herein and supersedes any and all prior agreements or understandings, written or oral, express or implied. This Agreement may be modified or amended only by a written statement signed by both parties.

B. The laws of the State of Alabama shall govern the terms and conditions of this Agreement. Should any dispute arise between the parties concerning any matter under this Agreement, such disputes shall be submitted to binding arbitration before the American Arbitration Association, in accordance with applicable rules.

C. CLAIMANT AGENCY shall enter into no other contract for submission of debts to ADOR for interception with any other entity so long as this Agreement remains in effect.

D. The invalidity or unenforceability of any provisions of this Agreement shall not affect the validity or enforceability of any other provision of this Agreement, which shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed on the day and date indicated by the signatures below and have been granted all authority of their respective governing bodies to do so.

CLAIMAINT AGENCY:

I, _____, certify, by signing below, that I am authorized to enter into and execute this Agreement in the name and on behalf of the CLAIMANT AGENCY.

By: _____ Date: _____
(title) _____

MUNICIPAL INTERCEPT SERVICES:

By: _____ Date: _____

Richard Buttenshaw,
President, Municipal Intercept Services, LLC

CITY OF CLAY, ALABAMA

RESOLUTION NO. 2026-____

**OUTSIDE AGENCY FUNDING AND PUBLIC SCHOOL SUPPORT FUNDING
RESOLUTION**

A RESOLUTION ADOPTING TWO SEPARATE AND DISTINCT FUNDING PROCESSES FOR THE CITY OF CLAY, ALABAMA; ESTABLISHING AN OUTSIDE AGENCY FUNDING POLICY AND PROCEDURES; ESTABLISHING A PUBLIC SCHOOL SUPPORT FUNDING POLICY AND FORMS; PROVIDING FOR PUBLIC PURPOSE, DOCUMENTATION, ACCOUNTABILITY, AUDIT, REPAYMENT, AND LEGAL COMPLIANCE REQUIREMENTS; AUTHORIZING CITY OFFICIALS TO ADMINISTER THE PROCESSES; AND PROVIDING FOR RELATED MATTERS.

WHEREAS, the City Council of the City of Clay, Alabama (the "City") values its public schools, civic partners, nonprofit organizations, public agencies, and community groups and desires a clear, practical, and welcoming process for considering lawful requests that benefit the citizens of Clay;

WHEREAS, the City Council is authorized to expend municipal funds only for lawful public purposes in accordance with the Constitution of Alabama, as amended, including Section 94, applicable statutes, and other controlling law;

WHEREAS, Alabama Code Section 11-47-13 authorizes municipalities to support certain public-school purposes for the use and benefit of the citizens of the municipality, subject to applicable constitutional and statutory limitations;

WHEREAS, Article IV, Section 94 of the Alabama Constitution restricts the granting of public money or things of value to private persons, associations, or corporations, and the City Council desires to ensure that City support is not treated as an unrestricted donation or gift;

WHEREAS, guidance published by the Alabama Department of Examiners of Public Accounts reminds municipalities that public expenditures must be supported by legal authority, a public purpose, proper documentation, and appropriate accountability;

WHEREAS, the City Council finds that public-school support should be considered through a separate and distinct public-school process because such requests are generally made by public schools, boards of education, or board-approved public-school accounts, rather than by private outside agencies;

WHEREAS, the Alabama State Department of Education Financial Procedures for Local Schools recognize that local school funds must be collected, expended, documented, recorded, and supervised through appropriate school and board accounting controls;

WHEREAS, the City Council further finds that outside agency requests, including requests from private nonprofits, civic organizations, school-affiliated private organizations, booster organizations, parent-teacher organizations, foundations, or other entities not under City control, should be handled through a separate outside agency process with documentation scaled to amount, purpose, risk, and review needs;

WHEREAS, the City Council desires that both processes remain practical and not place unnecessary administrative burden on applicants, while still requiring enough information to confirm the public purpose, permitted use, public benefit, and completion of the funded purpose; and

WHEREAS, the City Council finds that adoption of these separate funding processes is in the best interest of the City and its residents.

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

Section 1. Recitals Approved. The foregoing recitals are true and correct, are approved by the City Council, and are incorporated herein by reference as findings of the City Council.

Section 2. Separate Funding Tracks Established. The City Council hereby establishes two separate and distinct funding tracks: (a) an Outside Agency Funding Process for private nonprofits, civic organizations, charitable organizations, quasi-governmental entities, public agencies, and other outside entities not processed

as public-school recipients; and (b) a Public School Support Funding Process for public schools, public school systems, boards of education, and board-approved public-school accounts serving Clay students, residents, families, or the Clay community. The public-school process is not intended to require public schools to complete the outside agency application unless the City Council determines that the particular request should be reviewed under the outside agency process.

Section 3. Adoption of Outside Agency Funding Policy. The City Council hereby adopts the Outside Agency Funding Policy and Procedures attached as Exhibit A and incorporated herein by reference. Exhibit A shall govern requests from Outside Agencies and shall not govern public-school support requests processed under Exhibit B, except where expressly stated or where the City Council determines that the outside agency process is appropriate.

Section 4. Adoption of Public School Support Funding Process. The City Council hereby adopts the City of Clay Public School Support Funding Policy attached as Exhibit B, together with the Public School Support Funding Request Form, Public School Support Funding Acceptance and Certification, Final Use Certification, and Annual Public School Funding Schedule Template attached as Exhibits B-1 through B-4. This process is intended to be minimal, clear, and accountable.

Section 5. Public Purpose Required. No funds or other City support shall be approved, appropriated, or expended unless the City Council determines that the action serves a lawful public municipal purpose and provides an identifiable public benefit to the City, its residents, or the public served by the City. For public schools, the public purpose may include educational, civic, recreational, cultural, safety, community, technology, library, athletic, extracurricular, facility, or other public-school purposes benefiting Clay students, residents, families, or the Clay community.

Section 6. No Unrestricted Donations or Improper Direct Payments. City support must be tied to a lawful public purpose, adequate consideration, an identifiable public benefit, or an approved public-school purpose. No payment shall be treated as an unrestricted donation or gift. Public-school support shall ordinarily be paid only to the applicable board of education, public school, or official public-school account approved by the applicable board of education. No funds shall be paid directly to an individual, employee, student, parent, private vendor, booster club, parent-teacher organization, foundation, nonprofit corporation, or private association unless separately approved by the City Council after review by the City Attorney.

Section 7. Approval and Payment. Funding may be approved by the City Council as part of the annual budget, by a separate funding resolution, by approval of an outside agency funding schedule, by approval of a public-school funding schedule, or by other formal Council action reflected in the minutes. The Mayor and City Clerk/Treasurer are authorized to process payments approved by the City Council, subject to the requirements of this Resolution and the applicable policy.

Section 8. Documentation, Reporting, and Records. The City shall maintain the request, approval, payment record, funding instrument or certification, final report or final use certification, and related documentation as part of the City's financial records. Documentation requirements shall be scaled to the nature of the request, but shall be sufficient to show the recipient, amount, public purpose, permitted use, public benefit, and completion or use of funds.

Section 9. Audit, Inspection, Repayment, and Remedies. The City shall have the right to audit, inspect, and examine financial records, documents, and data related to the use of City funds or City support, with the scope reasonably tailored to the amount, type, and review needs of the award. Any funds used outside this Resolution, the applicable policy, the applicable funding instrument or certification, or the approved public purpose shall be subject to repayment to the City, and the City may pursue all available legal and equitable remedies.

Section 10. Compliance With Other Laws. Recipients are responsible for using City funds in accordance with applicable federal law, state law, board of education policy when applicable, public-school accounting procedures when applicable, procurement requirements, public works requirements, ethics requirements, conflict-of-interest requirements, and any other applicable restrictions. When a funded activity involves the purchase or lease of goods, services, equipment, materials, construction, repair, maintenance, public works, or

improvements, the City and recipient shall consider whether competitive bidding, public works procurement, prevailing wage approval, or other legal requirements apply.

Section 11. Attorney Review. The City Attorney should review unusual, recurring, large-dollar, scholarship-related, private-benefit, economic-development, capital-improvement, real-property, construction, public-works, or legally uncertain requests before approval or payment. Nothing in this Resolution limits the Council's ability to request legal review for any matter.

Section 12. Annual Appropriation; No Entitlement. All funding approved under this Resolution shall be subject to annual appropriation by the City Council and availability of funds. Prior-year funding shall not create any entitlement, expectation, or presumption of future funding. No funding instrument shall create a binding financial obligation beyond the current fiscal year unless expressly authorized by law and Council action.

Section 13. Administration; Council Discretion. The City Council retains authority to approve appropriations and funding instruments under this Resolution. The Mayor, City Clerk/Treasurer, Finance Officer, City Attorney, and other designated City personnel are authorized to receive applications, review requests for completeness, prepare recommendations, monitor compliance, review reports, maintain records, prepare forms, and administer the policies adopted herein. The City Council may approve, deny, reduce, condition, defer, refer, waive, or modify procedural requirements for any request when consistent with law and this Resolution.

Section 14. Severability. If any provision, phrase, sentence, clause, section, or application of this Resolution or the policies adopted herein is held invalid, illegal, or unenforceable, the validity, legality, and enforceability of the remaining provisions and applications shall not be affected or impaired thereby.

Section 15. Effective Date. This Resolution shall become effective immediately upon its adoption and approval.

ADOPTED AND APPROVED this ____ day of _____, 2026.

CITY OF CLAY, ALABAMA

By: _____

Jane Anderton, Mayor

Date: _____

ATTEST:

Toushi Arbitelle, City Clerk/Treasurer

VOTING RESULTS:

Yeas: _____

Nays: _____

Abstain: _____

Absent: _____

CERTIFICATION

I, the undersigned City Clerk/Treasurer of the City of Clay, Alabama, do hereby certify that the foregoing is a true and correct copy of a Resolution lawfully passed and adopted by the City Council of the City of Clay, Alabama, at a regular or special meeting of such Council held on the ____ day of _____, 2026, and that the same is on file in the City Clerk/Treasurer's Office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City on this ____ day of _____, 2026.

Toushi Arbitelle, City Clerk/Treasurer
City of Clay, Alabama

EXHIBIT A
CITY OF CLAY, ALABAMA
OUTSIDE AGENCY FUNDING POLICY AND PROCEDURES

1. Purpose and Guiding Approach

This Policy establishes standards and procedures governing the appropriation and expenditure of municipal funds and other City support to Outside Agencies. The purpose is to ensure that support is lawful, transparent, accountable, appropriately documented, and beneficial to residents of the City of Clay.

The City intends to administer this Policy in a practical and welcoming manner. The goal is to help worthwhile community partners understand what information the City needs, without turning every request into an unnecessarily complicated grant process.

This Policy applies to Outside Agency requests. Public-school support requests from public schools, boards of education, public school systems, or board-approved public-school accounts shall be processed under Exhibit B unless the City Council determines that the outside agency process should apply.

2. Practical Legal Guardrails

Public funds and City property must be used for a lawful public purpose and not for an unrestricted private gift.

For private nonprofits, civic groups, charitable organizations, and similar outside entities, the safer approach is usually a written contract, memorandum of understanding, restricted-use award, sponsorship approval, reimbursement authorization, or Council resolution that identifies the public purpose, permitted use, and documentation required.

School-affiliated private entities, including booster clubs, PTOs, foundations, and similar organizations, are treated as Outside Agencies unless the City Council, after City Attorney review, approves a different lawful structure. When practical, school-related support should be paid to the board of education, public school, or official public-school account under Exhibit B.

For all recipients, the amount of paperwork should be scaled to the amount, risk, timing, and nature of the request.

When a request is unusual, large, recurring, scholarship-related, capital-related, or uncertain, the City should involve the City Attorney before approval or payment.

3. Definitions

Outside Agency. Any nonprofit organization, quasi-governmental entity, public agency, charitable organization, civic organization, educational or cultural organization, public corporation, private organization, school-affiliated private organization, booster organization, parent-teacher organization, foundation, or other external entity not under the direct control of the City. This term does not include a public school, board of education, public school system, or official board-approved public-school account when the request is processed under Exhibit B.

Funding. Money, grants, sponsorships, reimbursements, waivers, in-kind support, use of City property or facilities without ordinary charge, staff time, equipment use, or any other thing of value provided by the City.

Public Purpose. A use or activity that provides a direct, substantial, and demonstrable benefit to the residents of the City, to a significant portion of the public served by the City, or that otherwise advances a lawful municipal purpose.

Funding Instrument. A written agreement, memorandum of understanding, service contract, restricted-use award letter, reimbursement authorization, short-form funding approval, Council resolution, or other written approval that identifies the recipient, amount or value of support, public purpose, permitted use, and applicable accountability requirements.

Funding Agreement. A written, legally binding contract between the City and an Outside Agency specifying obligations, deliverables, conditions, reporting requirements, audit rights, and remedies.

Small-Dollar Request. A request for Funding in an amount of two thousand five hundred dollars (\$2,500.00) or less, unless the City Council establishes a different threshold by resolution.

Standard Request. A request for Funding that exceeds the Small-Dollar Request threshold but does not exceed ten thousand dollars (\$10,000.00), unless the City Council establishes different thresholds by resolution.

Larger Dollar Review Request. A request exceeding ten thousand dollars (\$10,000.00), a recurring annual request, a request involving significant use of City property or facilities, a request involving material insurance or public exposure, or any request that the City Council or Finance Committee determines warrants large-dollar review based on amount, activity, recipient, compliance history, or review needs.

4. Public Purpose Requirement: No Unrestricted Donations or Gifts

No funds shall be appropriated or expended unless the City Council makes a finding, documented in the approving motion, resolution, ordinance, budget action, or Funding Instrument, that the expenditure serves a lawful public purpose.

City support for an Outside Agency must be tied to adequate consideration or a lawful, identifiable public benefit. All expenditures must be structured as contractual exchanges, restricted-use public-purpose expenditures, reimbursements, sponsorships, or other lawful transactions in which the City receives identifiable services, activities, deliverables, or public benefits.

A general statement that a request is worthwhile or helpful is not enough by itself. The City should identify what public benefit is being purchased, supported, reimbursed, sponsored, or otherwise produced for the City or its residents.

5. Required Funding Instrument; Agreement Requirements Scaled to Amount and Review Needs

All appropriations to Outside Agencies shall be documented by an appropriate Funding Instrument approved by the City Council or otherwise authorized under this Policy. The form of documentation may be scaled based on the amount requested, the nature of the recipient, the public purpose, the type of support, and the City's review needs.

For Small-Dollar Requests, the City may use a simplified application, short-form award letter, reimbursement form, purchase authorization, event sponsorship form, short-form funding approval, or Council resolution, provided the document identifies the recipient, approved amount or value, public purpose, permitted use, required documentation, non-allowable uses, and repayment obligation for use outside the approved purpose or undocumented use.

For Standard Requests, the City should use a written Funding Agreement, memorandum of understanding, restricted-use award letter, service contract, or Council resolution that states the scope of services or activities, permitted uses, reporting requirements, records-retention obligations, and repayment remedies.

For Larger Dollar Review Requests, the City should require a formal Funding Agreement approved by the City Council. Each such agreement should include, as applicable, a detailed scope of services, performance standards, budget, reporting requirements, audit provisions, repayment provisions, term and closeout provisions, insurance or indemnity requirements, and any other measurable conditions attached to the appropriation.

No funds shall be disbursed until the required Funding Instrument for that award is completed, unless the Council expressly authorizes reimbursement or payment after sufficient documentation is provided.

6. Application Timing; Budget-Cycle and Out-of-Cycle Requests

Outside Agency Funding requests should ordinarily be submitted during the City's annual budget preparation process so that the Mayor, City Council, and Finance Committee may evaluate requests in an orderly and comparable manner. The City may announce an annual application period and preferred submission deadline for requests to be considered for the upcoming fiscal year budget.

Failure to submit a request during the annual budget process shall not automatically bar consideration. The City Council may consider an out-of-cycle request when the Council determines that the request involves a time-sensitive public purpose, unanticipated community need, small-dollar request, public event, matching grant, regional partnership, or other circumstance that supports consideration during the fiscal year.

Out-of-cycle consideration shall not create any entitlement to funding, shall not excuse noncompliance with Alabama law, and shall not permit any unrestricted donation, gift, or grant of public funds.

7. Tiered Review Based on Dollar Amount, Review Needs, and Type of Request

Small-Dollar Requests may be reviewed using a simplified application process. At a minimum, the applicant should provide the organization name and contact information, the amount or value requested, a brief description of the event or public purpose, an explanation of how the request benefits City residents, a proposed use of City funds or support, and an acknowledgment of documentation or repayment requirements.

Standard Requests should generally include a completed application, organizational status and contact information, statement of public purpose, description of services or activities benefiting Clay residents, requested amount and proposed budget, identification of other funding sources, proof of nonprofit, governmental, or legal status if applicable, conflict-of-interest disclosure, insurance information if applicable, and final report or reimbursement documentation after funds are used.

Larger Dollar Review Requests shall require, as determined by the City, a detailed scope of services, line-item budget, recent financial statements or IRS Form 990 if applicable, board roster and governing documents, proof of insurance and additional-insured endorsement where appropriate, Clay-specific beneficiary data or service-area information, performance measures or deliverables, interim reporting, final expenditure and performance reporting, and a formal Funding Agreement approved by the City Council.

The City may require a full application, formal Funding Agreement, insurance documentation, or reporting for any request, regardless of amount, if the request involves unusual circumstances, use of City facilities, recurring funding, services to vulnerable populations, public-facing activities, political or advocacy concerns, prior documentation or compliance concerns, or any question about whether the expenditure serves a lawful municipal public purpose.

8. Performance Thresholds and Accountability

The City shall require funded activities to meet performance, documentation, or completion standards designed to ensure that public funds are used efficiently, are traceable, and produce a documented public benefit. Requirements may be simplified for Small-Dollar Requests when the Council determines that a simplified process is reasonable and sufficient.

Unless a different standard is expressly approved by the City Council in the approving action or Funding Instrument, Standard Requests and Larger Dollar Review Requests should use City funds primarily for direct program services, direct service personnel, direct program materials, or capital items directly tied to the approved public purpose.

City funds shall not be used for lobbying, political activity, campaign activity, fundraising expenses, entertainment, gifts, bonuses, penalties, fines, or any purpose not stated in the Funding Instrument.

Where services are delivered to identifiable persons, facilities, or locations, the Outside Agency shall maintain records reasonably showing that the City-funded portion of the program benefits residents of the City of Clay or facilities, programs, or activities serving the City.

9. Reporting Requirements Scaled to the Award

Reporting requirements shall be scaled to the amount and review needs of the award.

For Small-Dollar Requests, the City may require only a receipt, invoice, proof of purchase, event flyer, attendance estimate, completion statement, photograph, brief written confirmation, or other simple documentation showing that funds were used for the approved public purpose.

For Standard Requests, the City may require a final report describing how funds were spent, what services or activities were provided, and how Clay residents or the Clay community benefited.

For Larger Dollar Review Requests, the City may require interim reports, final reports, itemized expenditure documentation, performance data, beneficiary information, and any additional documentation required by the Funding Agreement.

Failure to provide required documentation may be treated as material noncompliance and may affect future funding eligibility, allow the City to hold unpaid balances pending completion of documentation, end the funding arrangement, or require repayment of funds, depending on the circumstances.

10. Audit and Inspection Rights

The City shall have the right to audit, inspect, and examine financial records, documents, and data related to the use of funds or City support. The scope of audit or inspection may be reasonably tailored to the amount, type, and review needs of the award. The Outside Agency shall maintain records in a manner that facilitates such review and shall cooperate with any audit, inspection, or verification conducted by or on behalf of the City.

11. Repayment Safeguards and Remedies

Any funds used outside this Policy, the applicable Funding Instrument, or the approved public purpose shall be subject to repayment to the City. The City may pursue all available legal and equitable remedies, including ending agreements, holding unpaid balances, declining future funding where warranted, offsetting future amounts otherwise payable, and requiring the return of funds used outside the approved purpose or not reasonably documented.

12. Non-Allowable Uses

Funds or City support provided under this Policy shall not be used for private benefit unrelated to the approved public purpose; excessive or unrelated administrative overhead; political activities, campaign activities, or lobbying; gifts, entertainment, bonuses, penalties, fines, fundraising expenses unless expressly authorized by law and approved by the City Council as part of the public purpose; religious worship or sectarian instruction; or any activity not expressly authorized in the Funding Instrument.

13. Administration, Follow-Up, and Council Discretion

The City Council retains sole authority to approve appropriations and Funding Instruments under this Policy. The City may designate administrative personnel to receive applications, review requests for completeness, prepare recommendations, monitor compliance, review reports, and administer and apply this Policy.

The City Council may approve, deny, reduce, condition, defer, or refer any Outside Agency request. The Council may also waive or modify procedural application requirements when strict compliance is unnecessary due to the amount of the request, the public nature of the recipient, the limited review needs involved, the time-sensitive nature of the public purpose, or the existence of other reliable documentation.

No waiver or modification shall permit an unrestricted donation or gift of public funds, a payment that lacks a lawful public purpose, use of City funds for private benefit unrelated to the approved public purpose, political activity, campaign activity, lobbying, gifts, entertainment, or disbursement without sufficient documentation to show the amount approved, the recipient, the public purpose, and the permitted use.

APPENDIX A-1 TO EXHIBIT A

OPTIONAL OUTSIDE AGENCY SMALL-DOLLAR REQUEST SHORT FORM

The City may use the following short-form content for Small-Dollar Requests or other straightforward Outside Agency requests approved for simplified review:

Field	Information to be Provided
Recipient	Name of agency, organization, civic group, or other requester.
Contact Information	Name, mailing address, email, and phone number for responsible representative.
Amount or Value Requested	Dollar amount or description of in-kind City support requested.
Public Purpose	Brief description of the public purpose served by the request.
Clay Resident or Community Benefit	Brief description of how City of Clay residents, facilities, programs, or the community will benefit.
Permitted Use	Specific use of funds or City support.
Documentation Required	Receipts, invoice, proof of event, photograph, attendance estimate, completion statement, or other simple proof required by the City.

Non-Allowable Uses	Political activity, private benefit, gifts, entertainment, or any use outside the approved purpose.
Repayment Acknowledgment	Funds used outside the approved purpose or not reasonably documented may be subject to repayment.
Applicant Certification	Signature certifying that the information is true and that the request will comply with the approved purpose and City requirements.

Applicant: _____ Date: _____

City Review / Approval: _____ Date: _____

Approved Amount or Value: \$ _____ GL Account: _____

Required Documentation / Conditions:

EXHIBIT B
CITY OF CLAY, ALABAMA
PUBLIC SCHOOL SUPPORT FUNDING POLICY

1. Purpose.

The purpose of this Policy is to establish a minimal, uniform, friendly, and accountable process for the City of Clay to consider funding requests from public schools and public school systems that serve the citizens of Clay.

This Policy is intended to ensure that each funding award serves a valid public municipal purpose; benefits Clay residents, students, families, or public facilities serving the Clay community; is approved by the City Council; is paid to an appropriate public-school or public-system recipient; and is documented in a simple manner sufficient for financial accountability.

This Public School Support Funding Policy is separate from the Outside Agency Funding Policy in Exhibit A. A public school or board of education should not be required to complete the outside agency process for routine public-school support requests processed under this Exhibit.

2. Eligible Recipients.

Funding under this Policy may be considered for a public school located within the City of Clay; a public school that serves residents or students of the City of Clay; a county or city board of education that operates a public school serving residents or students of the City of Clay; or a public-school account or program approved by the applicable board of education.

For clarity, a booster club, PTO, foundation, nonprofit corporation, private association, or private vendor is not an eligible direct recipient under this Public School Support Funding Policy unless separately approved by the City Council after review by the City Attorney. When practical, City support for school-related purposes should be paid to the applicable board of education, public school, or board-approved public-school account.

3. Eligible Uses.

The City Council may consider funding for public-school purposes including, but not limited to:

1. Educational programs, classroom materials, books, instructional supplies, and technology;
2. Student safety, security, health, and welfare needs;
3. Public-school facility improvements, equipment, or maintenance serving Clay students or residents;
4. Library, arts, music, science, technology, career-tech, and academic enrichment programs;
5. Athletic, band, extracurricular, civic, and community programs that serve Clay students or the Clay community;
6. Transportation or participation costs for school activities that benefit Clay students;
7. Community events, public programs, or school-sponsored activities open to or benefiting Clay citizens; and
8. Other public-school purposes approved by the City Council.

4. Ineligible Uses.

City funds shall not be used for:

9. Personal gifts, awards, bonuses, or compensation to individuals;
10. Political activities, campaign activities, lobbying, or partisan events;
11. Religious instruction, worship, or sectarian activities;
12. Private benefit unrelated to a public municipal purpose;
13. Payments to private individuals, private businesses, booster clubs, PTOs, foundations, or nonprofit entities unless separately reviewed and approved; or
14. Any use prohibited by state law, federal law, board of education policy, or City policy.

5. Minimal Application Process.

A school or school system requesting funds shall submit the Public School Support Funding Request Form. The request may be submitted by the superintendent, principal, assistant principal, or other authorized school-system representative.

The request shall identify the school or school system, amount requested, intended use of funds, public purpose served, anticipated benefit to Clay citizens, students, or families, requested payment recipient, and authorized representative responsible for the request.

No lengthy grant application shall be required unless the City Council determines that the size or nature of the request requires additional information.

6. Review.

The Mayor, City Clerk/Treasurer, Finance Officer, or other designated City staff may review each request for completeness before it is placed on a City Council agenda. Review shall be limited to confirming that the recipient is eligible, that the request states a public purpose, that the amount requested is identified, that funds are available or can be appropriated, that the payment recipient is appropriate, and that the request is ready for Council consideration.

7. Council Approval.

The City Council may approve funding by annual budget line item identifying the recipient and purpose, by a public-school funding schedule approved by resolution, by a separate resolution for a specific request, or by other formal Council action reflected in the minutes. The Council's approval should identify the recipient, amount, purpose, and public benefit.

8. Payment.

Payment should be made directly to the applicable county or city board of education, the applicable public school, or an official public-school account approved by the applicable board of education. The City may require payment to be made payable to the board of education "for the benefit of" a specific school, program, or project.

No funds shall be paid directly to an individual, employee, student, parent, private vendor, booster club, PTO, foundation, nonprofit corporation, or private association unless separately approved by the City Council after review by the City Attorney.

9. Acceptance and Certification.

Before payment is issued, the recipient shall sign the Public School Support Funding Acceptance and Certification, confirming that funds will be used only for the approved public purpose; funds will be handled through public-school or board-approved accounting procedures; the recipient will comply with applicable law and policies; the recipient will submit a final use certification; and unused or improperly used funds shall be returned upon request.

10. Final Use Certification.

Within 60 days after the funded purpose is completed, or by the end of the City's fiscal year unless otherwise approved, the recipient shall submit the Final Use Certification. The final certification may be simple and shall include the amounts received and spent, a brief description of how the funds were used, confirmation that the funds were used for the approved purpose, and the signature of an authorized school or school-system representative.

Receipts, invoices, purchase orders, photographs, or other supporting documentation may be attached but shall not be required for routine requests unless requested by the City or required by the nature of the award.

11. Annual Funding Schedule.

To reduce administrative burden, the City may use an annual public-school funding schedule. Schools may submit requests during the City's budget process, and the City Council may approve a list of awards for the fiscal year. Once the annual schedule is approved, payments may be processed without additional Council action, provided the amount, recipient, and purpose remain unchanged and the required acceptance and certification is received.

12. Off-Cycle Requests.

A public school may submit an off-cycle request during the fiscal year. Off-cycle requests shall follow the same minimal request, approval, payment, and reporting process.

13. Compliance With Other Laws.

Any recipient receiving funds shall be responsible for using the funds in accordance with applicable state law, federal law, board of education policies, public-school accounting procedures, procurement requirements, public works requirements, and any other applicable restrictions.

14. No Guarantee of Funding.

Submission of a request does not guarantee funding. Funding is discretionary and subject to public purpose, Council approval, legal compliance, annual appropriation, availability of funds, and compliance with this Policy.

EXHIBIT B-1

CITY OF CLAY PUBLIC SCHOOL SUPPORT FUNDING REQUEST FORM

This form is intended to provide the minimum information necessary for City Council consideration of a public-school funding request.

1. School / School System:

2. Contact Person and Title:

3. Email / Phone:

4. Amount Requested:

5. Requested Payment Recipient:

6. Program, Project, or Purpose:

7. Brief Description of Request:

8. Public Purpose / Benefit to Clay:

9. Estimated Date Funds Will Be Used:

10. Certification.

I certify that the requested funds will be used for the public-school purpose described above and will be handled in accordance with applicable public-school accounting procedures, board policies, and state law.

Authorized Representative Signature

Printed Name / Title

Date

EXHIBIT B-2

PUBLIC SCHOOL SUPPORT FUNDING ACCEPTANCE AND CERTIFICATION

The undersigned, on behalf of _____, acknowledges receipt or anticipated receipt of public-school support funding from the City of Clay, Alabama, in the amount of \$_____.

The recipient certifies as follows:

15. The funds will be used only for the purpose approved by the City Council;
16. The approved purpose serves a public-school and public municipal purpose benefiting Clay students, residents, families, or the Clay community;
17. The funds will be deposited, receipted, expended, and documented through appropriate public-school or board-approved accounting procedures;
18. The recipient will comply with applicable federal law, state law, board of education policy, procurement requirements, public works requirements, and accounting controls;
19. The recipient will submit a final use certification after the funds are spent; and
20. Any funds not used for the approved purpose shall be returned to the City upon request.

Authorized Representative Signature

Printed Name / Title

School / School System

Date

EXHIBIT B-3
FINAL USE CERTIFICATION

1. School / School System:

2. Amount Received from City of Clay:

3. Amount Spent:

4. Date Funds Were Spent or Project Completed:

5. Description of How Funds Were Used:

6. Certification.

I certify that the funds received from the City of Clay, Alabama, were used for the approved public-school purpose and were handled in accordance with applicable public-school accounting procedures, board policies, and state law.

Authorized Representative Signature

Printed Name / Title

Date

EXHIBIT B-4

ANNUAL PUBLIC SCHOOL FUNDING SCHEDULE TEMPLATE

Fiscal Year: _____ Council Approval Date: _____

School / System	Program or Purpose	Public Benefit to Clay	Amount Approved	Payment Recipient	Notes / Conditions

Council Finding:

The City Council finds that each listed award serves a valid public municipal purpose by supporting public-school programs, facilities, services, or activities that benefit Clay residents, Clay students, Clay families, or the Clay community.

Payment Direction:

Payments shall be made only to the listed public-school, public-school-system, or board-approved recipient after receipt of the required acceptance and certification form, unless otherwise approved by the City Council.

+CITY OF CLAY, ALABAMA
R2026-06-29B
OUTSIDE AGENCY FUNDING ORDINANCE

AN ORDINANCE ADOPTING AN OUTSIDE AGENCY FUNDING POLICY AND PROCEDURES; ESTABLISHING PUBLIC PURPOSE, DOCUMENTATION, REPORTING, AUDIT, REPAYMENT, AND ACCOUNTABILITY REQUIREMENTS FOR APPROPRIATIONS OR OTHER CITY SUPPORT TO OUTSIDE AGENCIES; AUTHORIZING FLEXIBLE APPLICATION TIMING AND TIERED REVIEW BASED ON AMOUNT AND REVIEW NEEDS; APPROVING A SMALL-DOLLAR REQUEST SHORT FORM; AUTHORIZING CITY OFFICIALS TO ADMINISTER THE POLICY; AND PROVIDING FOR RELATED MATTERS.

WHEREAS, the City Council of the City of Clay, Alabama (the "City") is authorized to expend municipal funds only for lawful public purposes in accordance with Section 94 of the Constitution of Alabama of 1901, as amended, and other applicable law; and

WHEREAS, the City Council finds that appropriations, reimbursements, sponsorships, grants, in-kind support, and other things of value provided to outside agencies must be structured in a manner that ensures accountability, transparency, adequate consideration, and a demonstrable public benefit; and

WHEREAS, the City Council desires to establish uniform standards governing the appropriation and expenditure of municipal funds to outside agencies in order to protect the public interest, support consistent review, and ensure compliance with applicable law; and

WHEREAS, the City Council further desires to administer those standards in a practical manner that does not impose the same process on every request regardless of amount, timing, purpose, recipient, or review needs; and

WHEREAS, the City Council finds that small-dollar and straightforward requests may be reviewed through a simplified process while larger, recurring, or more complex requests may require more detailed documentation and formal agreement terms; and

WHEREAS, the City Council finds that adoption of an outside agency funding policy is in the best interest of the City and its residents.

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

Section 1. Recitals Approved. The foregoing recitals are true and correct, are approved by the City Council, and are incorporated herein by reference as findings of the City Council.

Section 2. Authority; Public Purpose. The City Council finds that it has authority to regulate the expenditure of municipal funds and to impose conditions ensuring that such expenditures comply with constitutional and statutory requirements. No funds or other City support shall be approved, appropriated, or expended for an Outside Agency unless the City Council determines that the action serves a clear and substantial public purpose, provides adequate consideration or an identifiable public benefit, and advances a lawful municipal purpose.

Section 3. Adoption of Outside Agency Funding Policy. The City Council hereby adopts the Outside Agency Funding Policy and Procedures attached as Exhibit A and incorporated herein by reference. The policy shall guide City review, documentation, approval, administration, reporting, audit, repayment, and follow-up for City support to Outside Agencies.

Section 4. No Unrestricted Donations or Gifts. City support for an Outside Agency must be tied to adequate consideration or a lawful, identifiable public benefit. All expenditures must be structured as contractual exchanges, restricted-use public-purpose expenditures, reimbursements, sponsorships, or other

lawful transactions in which the City receives identifiable services, activities, deliverables, or public benefits. No waiver, exception, or simplified procedure shall authorize an unrestricted donation or gift of public funds.

Section 5. Funding Instruments Required. Each appropriation or other City support approved for an Outside Agency shall be documented by an appropriate Funding Instrument approved by the City Council or otherwise authorized under this ordinance and the policy adopted herein. The form of documentation may be scaled based on the amount requested, the nature of the recipient, the public purpose, the type of support, and the City's review needs. No funds shall be disbursed until the required Funding Instrument for that award is completed, unless the Council expressly authorizes reimbursement or payment after sufficient documentation is provided.

Section 6. Application Timing: Tiered Review. Outside Agency funding requests should ordinarily be submitted during the City's annual budget preparation process. However, the City Council may consider out-of-cycle requests when justified by time-sensitive public purpose, unanticipated community need, small-dollar request, public event, school-related program, matching grant, regional partnership, or other circumstance the Council determines to be in the best interest of the City. The City may apply a tiered review process for Small-Dollar Requests, Standard Requests, and Larger Dollar-Review Requests as described in Exhibit A.

Section 7. Performance, Documentation, and Reporting. The City shall require funded activities to meet performance, documentation, completion, or reporting standards designed to ensure that public funds are traceable, are used for the approved purpose, and produce a documented public benefit. Reporting requirements shall be scaled to the amount and review needs of the award, but may include receipts, invoices, proof of purchase, event documentation, completion statements, beneficiary information, final reports, expenditure documentation, performance data, and any additional documentation required by the Funding Instrument.

Section 8. Audit, Inspection, Repayment, and Remedies. The City shall have the right to audit, inspect, and examine financial records, documents, and data related to the use of City funds or City support, with the scope reasonably tailored to the amount, type, and review needs of the award. Any funds used outside this ordinance, the policy, the applicable Funding Instrument, or the approved public purpose shall be subject to repayment to the City, and the City may pursue all available legal and equitable remedies.

Section 9. Administration; Council Discretion. The City Council retains sole authority to approve appropriations and Funding Instruments under this ordinance. The Mayor, City Clerk, Finance Officer, City Attorney, and other designated City personnel are authorized to receive applications, review requests for completeness, prepare recommendations, monitor compliance, review reports, maintain records, prepare forms, and administer the policy adopted herein. The City Council may approve, deny, reduce, condition, defer, refer, waive, or modify procedural requirements for any Outside Agency request when consistent with law and this ordinance.

Section 10. Annual Appropriation; No Entitlement. All funding approved under this ordinance shall be subject to annual appropriation by the City Council. No Funding Instrument shall create a binding financial obligation beyond the current fiscal year unless expressly authorized by law and Council action. Prior-year funding shall not create any entitlement, expectation, or presumption of future funding.

Section 11. Severability. If any provision, phrase, sentence, clause, section, or application of this ordinance or the policy adopted herein is held invalid, illegal, or unenforceable, the validity, legality, and enforceability of the remaining provisions and applications shall not be affected or impaired thereby.

Section 12. Effective Date. This ordinance shall become effective immediately upon its adoption and approval.

ADOPTED AND APPROVED this ____ day of _____, 2026.

CITY OF CLAY, ALABAMA

ATTEST:

By: _____
Jane Anderton, Mayor
Date: _____

Toushi Arbitelle, City Clerk

VOTING RESULTS:

Yeas: _____
Nays: _____
Abstain: _____
Absent: _____

CERTIFICATION

I, the undersigned City Clerk of the City of Clay, Alabama, do hereby certify that the foregoing is a true and correct copy of a ordinance lawfully passed and adopted by the City Council of the City of Clay, Alabama, at a regular or special meeting of such Council held on the ____ day of _____, 2026, and that the same is on file in the City Clerk's Office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City on this ____ day of _____, 2026.

Toushi Arbitelle, City Clerk
City of Clay, Alabama

EXHIBIT A
CITY OF CLAY, ALABAMA
OUTSIDE AGENCY FUNDING POLICY AND PROCEDURES

1. Purpose and Authority

This Policy establishes standards and procedures governing the appropriation and expenditure of municipal funds and other City support to Outside Agencies. The purpose of this Policy is to ensure that such support is lawful, transparent, accountable, adequately documented, and demonstrably beneficial to residents of the City of Clay.

This Policy shall be administered consistently with the Constitution of Alabama of 1901, as amended, including Section 94, applicable provisions of the Code of Alabama, City ordinances, City Council ordinances, and direction from the City Attorney.

2. Definitions

Outside Agency. Any nonprofit organization, quasi-governmental entity, public agency, charitable organization, civic organization, educational or cultural organization, public corporation, private organization, or other external entity not under the direct control of the City.

Funding. Money, grants, sponsorships, reimbursements, waivers, in-kind support, use of City property or facilities without ordinary charge, or any other thing of value provided by the City.

Public Purpose. A use or activity that provides a direct, substantial, and demonstrable benefit to the residents of the City or advances a lawful municipal purpose.

Funding Instrument. A written agreement, memorandum of understanding, service contract, restricted-use award letter, reimbursement authorization, short-form funding approval, or Council ordinance that identifies the recipient, amount or value of support, public purpose, permitted use, and applicable accountability requirements.

Funding Agreement. A written, legally binding contract between the City and an Outside Agency specifying obligations, deliverables, conditions, reporting requirements, audit rights, and remedies.

Appropriation. The formal allocation of funds by the City Council by budget adoption, motion, resolution, ordinance, or other lawful Council action.

Performance Standards. Measurable or documentable criteria used to evaluate the effectiveness, completion, permitted use, resident benefit, and compliance of funded activities.

Small-Dollar Request. A request for Funding in an amount of two thousand five hundred dollars (\$2,500.00) or less, unless the City Council establishes a different threshold by ordinance.

Standard Request. A request for Funding that exceeds the Small-Dollar Request threshold but does not exceed ten thousand dollars (\$10,000.00), unless the City Council establishes different thresholds by ordinance.

Larger Dollar - Review Request. A request exceeding ten thousand dollars (\$10,000.00), a recurring annual request, a request involving significant use of City property or facilities, a request involving material insurance or public exposure, or any request that the City Council or Finance Committee determines warrants a large-dollar review based on amount, activity, recipient, compliance history, or review needs.

3. Public Purpose Requirement; No Unrestricted Donations or Gifts

No funds shall be appropriated or expended unless the City Council makes an explicit finding, documented in the approving motion, resolution, ordinance, budget action, or Funding Instrument, that the expenditure serves a clear and substantial public purpose.

City support for an Outside Agency must be tied to adequate consideration or a lawful, identifiable public benefit. All expenditures must be structured as contractual exchanges, restricted-use public-purpose expenditures, reimbursements, sponsorships, or other lawful transactions in which the City receives identifiable services, activities, deliverables, or public benefits. A transaction that does not meet this requirement shall be subject to correction, repayment, or other appropriate action to the fullest extent permitted by law.

4. Required Funding Instrument; Agreement Requirements Scaled to Amount and Review Needs

All appropriations to Outside Agencies shall be documented by an appropriate Funding Instrument approved by the City Council or otherwise authorized under this Policy. The form of documentation may be scaled based on the amount requested, the nature of the recipient, the public purpose, the type of support, and the City's review needs.

For Small-Dollar Requests, the City may use a simplified application, short-form award letter, reimbursement form, purchase authorization, event sponsorship form, short-form funding approval, or Council ordinance, provided the document identifies the recipient, approved amount or value, public purpose, permitted use, required documentation, non-allowable uses, and repayment obligation for use outside the approved purpose or undocumented use.

For Standard Requests, the City should use a written Funding Agreement, memorandum of understanding, restricted-use award letter, service contract, or Council ordinance that states the scope of services or activities, permitted uses, reporting requirements, records-retention obligations, and repayment remedies.

For Larger Dollar Review Requests, the City should require a formal Funding Agreement approved by the City Council. Each such agreement should include, as applicable, a detailed scope of services, performance standards, budget, reporting requirements, audit provisions, repayment provisions, term and closeout provisions, insurance or indemnity requirements, and any other measurable conditions attached to the appropriation.

No funds shall be disbursed until the required Funding Instrument for that award is completed, unless the Council expressly authorizes reimbursement or payment after sufficient documentation is provided.

5. Application Timing; Budget-Cycle and Out-of-Cycle Requests

Outside Agency Funding requests should ordinarily be submitted during the City's annual budget preparation process so that the Mayor, City Council, Finance Committee, and City staff may evaluate requests in an orderly and comparable manner. The City may announce an annual application period and preferred submission deadline for requests to be considered for the upcoming fiscal-year budget.

Failure to submit a request during the annual budget process shall not automatically bar consideration. The City Council may consider an out-of-cycle request when the Council determines that one or more of the following circumstances exist:

- The request addresses an unanticipated community need, public safety concern, public health issue, emergency condition, or other time-sensitive public purpose.
- The requesting agency did not have a reasonable opportunity to submit the request during the regular budget cycle.
- The request involves a new program, event, opportunity, or service that became available after the regular application period.
- The request is a Small-Dollar Request that can be reviewed without materially disrupting the City's budget process.
- The request is connected to a matching grant, regional partnership, intergovernmental program, school-related program, public event, civic event, or community-service opportunity with a deadline outside the City's normal budget calendar.
- The Council otherwise determines, in its discretion, that consideration of the request is in the best interest of the City.

Out-of-cycle consideration shall not create any entitlement to funding, shall not excuse compliance with Alabama law, and shall not permit any unrestricted donation, gift, or grant of public funds.

6. Tiered Review Based on Dollar Amount, Review Needs, and Type of Request

Small-Dollar Requests. Small-Dollar Requests may be reviewed using a simplified application process. At a minimum, the applicant may provide the organization name and contact information, the amount or value requested, a brief description of the event or public purpose, an explanation of how the request benefits City residents, a proposed use of City funds or support, a statement concerning prohibited uses, and an acknowledgment of documentation or repayment requirements.

Standard Requests. Standard Requests should generally include a completed application, organizational status and contact information, statement of public purpose, description of services or activities benefiting Clay residents, requested amount and proposed budget, identification of other funding sources, proof of nonprofit, governmental, or legal status if applicable, conflict-of-interest disclosure, insurance information if applicable, and final report or reimbursement documentation after funds are used.

Larger Dollar-Review Requests. Larger Dollar-Review Requests may require, as determined by the Finance Committee, a detailed scope of services, detailed line-item budget, recent financial statements or IRS Form 990 if applicable, board roster and governing documents, proof of insurance and additional-insured endorsement where appropriate, Clay-specific beneficiary data or service-area information, performance measures or deliverables, interim reporting, final expenditure and performance reporting, and a formal Funding Agreement approved by the City Council.

Large-dollar When Warranted. The City may require a full application, formal Funding Agreement, insurance documentation, or reporting for any request, regardless of amount, if the request involves unusual circumstances, use of City facilities, recurring funding, services to vulnerable populations, public-facing activities, political or advocacy concerns, prior documentation or compliance concerns, or any question about whether the expenditure serves a lawful municipal public purpose.

7. Annual Appropriation and Non-Obligatory Nature

All funding under this Policy shall be subject to annual appropriation by the City Council. No Funding Instrument shall create a binding financial obligation beyond the current fiscal year, and all agreements or approvals shall expressly state, where applicable, that continuation of funding is contingent upon future appropriations. Prior-year funding shall not create any entitlement, expectation, or presumption of future funding.

8. Performance Thresholds and Accountability

The City shall require funded activities to meet performance, documentation, or completion standards designed to ensure that public funds are used efficiently, are traceable, and produce a documented public benefit. Unless a different standard is expressly approved by the City Council in the approving action or Funding Instrument based on written findings, the following default thresholds shall apply to Standard Requests and Larger Dollar-Review Requests. The City may modify, simplify, or waive these thresholds for Small-Dollar Requests when the Council determines that a simplified process is reasonable and sufficient.

Direct Program Use Threshold. At least sixty percent (60%) of City funds shall be used for direct program services, direct service personnel, direct program materials, or capital items directly tied to the approved public purpose, unless the Council approves a different standard based on the nature of the funded activity.

Administrative Cost Threshold. No more than twenty percent (20%) of City funds shall be used for administrative overhead, management, or indirect support costs unless the City Council approves a different cap in writing based on the nature of the funded activity.

Non-Allowable Cost Threshold. Zero percent (0%) of City funds shall be used for lobbying, political activity, campaign activity, fundraising expenses, entertainment, gifts, bonuses, penalties, fines, or any purpose not stated in the Funding Instrument.

Documentation Threshold. Expenditures of City funds shall be supported by contemporaneous invoices, receipts, payroll records, contracts, proof of event, proof of completion, photographs, attendance information, or other records acceptable to the City, with the level of documentation scaled to the amount and review needs of the award.

Performance Attainment Threshold. The Outside Agency shall substantially achieve the output measures, service units, milestones, completion requirements, or other deliverables stated in the Funding Instrument unless the City Council approves a waiver based on documented circumstances.

Clay-Benefit Threshold. Where services are delivered to identifiable persons, facilities, or locations, the Outside Agency shall maintain records reasonably showing that the City-funded portion of the program benefits residents of the City of Clay or facilities, programs, or activities serving the City. If a recipient serves multiple jurisdictions, the recipient shall allocate costs on a reasonable and documented basis when practical.

Equipment and Capital Threshold. Any equipment or durable item purchased in whole or in part with City funds having a useful life of more than one year and a cost of five hundred dollars (\$500.00) or more shall be inventoried and used only for the approved public purpose unless otherwise approved by the City.

Unexpended Funds Threshold. Unspent City funds remaining at the end of the contract term, or at the end of the funded project if earlier, shall be returned to the City within thirty (30) days unless the City approves a different disposition in writing.

9. Reporting Requirements Scaled to the Award

Reporting requirements shall be scaled to the amount and review needs of the award.

Small-Dollar Requests. The City may require only a receipt, invoice, proof of purchase, event flyer, attendance estimate, completion statement, photograph, brief written confirmation, or other simple documentation showing that funds were used for the approved public purpose.

Standard Requests. The City may require a final report describing how funds were spent, what services or activities were provided, and how Clay residents or the Clay community benefited.

Larger or Dollar-Review Requests. The city may require interim reports, final reports, itemized expenditure documentation, performance data, beneficiary information, and any additional documentation required by the Funding Agreement.

Noncompliance. Failure to provide required documentation may be treated as material noncompliance and may affect future funding eligibility, allow the City to hold unpaid balances pending completion of documentation, end the funding arrangement, or require repayment of funds, depending on the circumstances.

10. Audit and Inspection Rights

The City shall have the right to audit, inspect, and examine financial records, documents, and data related to the use of funds or City support. The scope of audit or inspection may be reasonably tailored to the amount, type, and review needs of the award, as determined by the Finance Committee. The Outside Agency shall maintain records in a manner that facilitates such review and shall cooperate with any audit, inspection, or verification conducted by or on behalf of the City.

11. Repayment Safeguards and Remedies

Any funds used outside this Policy, the applicable Funding Instrument, or the approved public purpose shall be subject to repayment to the City. The City may pursue all available legal and equitable remedies, including ending agreements, holding unpaid balances, declining future funding where warranted, offsetting future amounts otherwise payable, and requiring the return of funds used outside the approved purpose or not reasonably documented.

12. Non-Allowable Uses

Funds or City support provided under this Policy shall not be used for private benefit unrelated to the approved public purpose; excessive or unrelated administrative overhead; political activities, campaign activities, or lobbying; gifts, entertainment, bonuses, penalties, fines, or fundraising expenses unless expressly authorized by law and approved by the City Council as part of the public purpose; or any activity not expressly authorized in the Funding Instrument.

13. Administration, Follow-Up, and Council Discretion

The City Council retains sole authority to approve appropriations and Funding Instruments under this Policy. The City may designate administrative personnel to receive applications, review requests for completeness, prepare recommendations, monitor compliance, review reports, and administer and apply this Policy.

The City Council may approve, deny, reduce, condition, defer, or refer any Outside Agency request. The Council may also waive or modify procedural application requirements when the Council determines that strict compliance is unnecessary due to the amount of the request, the public nature of the recipient, the limited review needs involved, the time-sensitive nature of the public purpose, or the existence of other reliable documentation.

No waiver or modification shall permit an unrestricted donation or gift of public funds, a payment that lacks a lawful public purpose, use of City funds for private benefit unrelated to the approved public purpose, political

activity, campaign activity, lobbying, gifts, entertainment, or disbursement without sufficient documentation to show the amount approved, the recipient, the public purpose, and the permitted use.

APPENDIX 1 TO EXHIBIT A OPTIONAL SMALL-DOLLAR REQUEST SHORT FORM

The City may use the following short-form content for Small-Dollar Requests or other straightforward requests approved for simplified review:

Field	Information to be Provided
Recipient	Name of agency, organization, school, civic group, or other requester.
Contact Information	Name, mailing address, email, and phone number for responsible representative.
Amount or Value Requested	Dollar amount or description of in-kind City support requested.
Public Purpose	Brief description of the public purpose served by the request.
Clay Resident or Community Benefit	Brief description of how City of Clay residents, facilities, programs, or the community will benefit.
Permitted Use	Specific use of funds or City support.
Documentation Required	Receipts, invoice, proof of event, photograph, attendance estimate, completion statement, or other simple proof required by the City.
Non-Allowable Uses	Political activity, private benefit, gifts, entertainment, or any use outside the approved purpose.
Repayment Acknowledgment	Funds used outside the approved purpose or not reasonably documented may be subject to repayment.
Applicant Certification	Signature certifying that the information is true and that the request will comply with the approved purpose and City requirements.

Applicant: _____ Date: _____

City Review / Approval: _____ Date: _____

Approved Amount or Value: \$ _____ GL Account: _____

Required Documentation / Conditions: _____

Resolution 2026-07-01

A RESOLUTION DECLARING CERTAIN CONDITIONS TO BE PUBLIC NUISANCES AND SETTING A PUBLIC HEARING

WHEREAS, the City Council of the City of Clay, Alabama, has adopted ordinances regulating and providing for the abatement of public nuisances, including overgrown grass and weeds, accumulated junk and debris, and junked, abandoned, or inoperable vehicles; and

WHEREAS, such conditions may endanger or adversely affect the public health, safety, comfort, convenience, and general welfare; provide breeding grounds or shelter for vermin, insects, and pests; create fire or physical hazards; conceal dangerous debris; impair neighborhood appearance; and otherwise constitute public nuisances under applicable law and the ordinances of the City of Clay; and

WHEREAS, the City's code enforcement personnel have inspected or investigated the properties and conditions identified in Exhibit A, which is attached hereto and incorporated herein by reference, and the listed matters remain open as of the preparation of this Resolution; and

WHEREAS, the City Council finds that sufficient cause exists to proceed with the public-nuisance hearing and abatement process for the properties and conditions identified in Exhibit A, subject to the property owners' rights to receive notice and to present evidence, objections, and protests at the public hearing.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLAY, ALABAMA, as follows:

Section 1. Declaration of Nuisance. The conditions identified in Exhibit A are hereby declared to be public nuisances for purposes of initiating and continuing the City's applicable notice, hearing, and abatement procedures. Each property and each alleged nuisance condition shall be considered separately.

Section 2. Public Hearing. The City Council shall conduct a public hearing during its regularly scheduled meeting on Tuesday, August 11, 2026, at 6:00 p.m., at Clay City Hall, 2441 Old Springville Road, Clay, Alabama, to receive and consider evidence, objections, and protests concerning the proposed removal, correction, or abatement of the nuisance conditions identified in Exhibit A.

Section 3. Notice. The appropriate City officials and employees are authorized and directed to provide all notices required by applicable law and City ordinance to the owners, occupants, mortgagees, lienholders, or other interested parties, as applicable, and to publish or post notice when required.

Section 4. Authority to Proceed. Following the public hearing, the City Council may take further action as authorized by law and City ordinance, including ordering the nuisance conditions corrected or abated and assessing lawful costs against the affected property.

Section 5. Severability and Effective Date. If any provision of this Resolution is determined to be invalid, the remaining provisions shall remain in full force and effect. This Resolution shall become effective immediately upon adoption and approval.

ADOPTED AND APPROVED, this the 14th day of July, 2026.

COUNCIL VOTE:

Yeas: _____

Nays: _____

Abstentions: _____

Absent: _____

Jane Anderton
Mayor

Toushi Arbitelle
City Clerk/Treasurer

EXHIBIT A
PROPERTIES AND ALLEGED PUBLIC NUISANCE CONDITIONS

Resolution 2026-____

Case No.	Property Address	Parcel ID	Alleged Nuisance Condition	Code
260014	6329 Stonehaven Lane	09 00 34 2 000 048.000	Investigate Junk	301
260017	6488 Pine Tree Lane	09 00 23 4 000 035.001	Investigate Junk	301
260019	5821 Marchester Circle	12 00 03 3 000 127.000	Investigate Junk	301
260020	6530 Clay Palmerdale Road	09 00 25 2 000 020.001	Investigate Junk	301
260021	4496 Winchester Hills Way	12 00 08 1 000 080.000	Junk Vehicle	301
260022	4469 Winchester Hills Way	12 00 08 1 000 104.000	Junk Vehicle	301
260024	7436 Hines Lane	10 00 19 2 000 010.000	Junk Vehicle	301
260028	5759 Cherry Road	12 00 03 3 000 006.007	Junk Vehicle	301
260029	5759 Cherry Road	12 00 03 3 000 006.007	Investigate Junk	301
260032	6524 Kathy Circle	09 00 27 4 000 029.000	Junk Vehicle	301
260033	6524 Kathy Circle	09 00 27 4 000 029.000	Weeds Inspection	101
260034	6798 Old Springville Road	09 00 25 2 000 018.000	Junk Vehicle	301
260036	4596 Winchester Hills Way	12 00 08 1 000 198.000	Junk Vehicle	301
260037	4521 Winchester Hills Way	12 00 08 1 000 160.000	Junk Vehicle	301
260038	4521 Winchester Hills Way	12 00 08 1 000 160.000	Weeds Inspection	101
260039	4473 Winchester Hills Way	12 00 08 1 000 105.000	Junk Vehicle	301
260040	5181 Alex Way	12 00 09 3 000 110.000	Junk Vehicle	301
260043	6771 Markham Drive	09 00 25 1 000 012.009	Junk Vehicle	301
260044	5405 Balboa Avenue	12 00 04 4 002 054.000	Weeds Inspection	101
260045	5405 Balboa Avenue	12 00 04 4 002 054.000	Junk Vehicle	301
260047	5267 Balboa Avenue	12 00 04 3 005 023.000	Junk Vehicle	301
260048	5345 Balboa Avenue	12 00 04 4 002 003.000	Junk Vehicle	301
260049	5361 Balboa Avenue	12 00 04 4 005 001.000	Junk Vehicle	301
260051	5413 Balboa Avenue	12 00 04 4 002 052.000	Junk Vehicle	301
260052	5414 Balboa Avenue	12 00 04 4 002 031.000	Junk Vehicle	301
260053	5418 Balboa Avenue	12 00 04 4 002 032.000	Junk Vehicle	301
260054	5550 Woodcreek Drive	12 00 03 2 001 012.000	Weeds Inspection	101
260055	5550 Woodcreek Drive	12 00 03 2 001 012.000	Junk Vehicle	301
260057	7001 Countryside Circle	10 00 19 3 000 086.000	Junk Vehicle	301
260059	5746 Cherry Road	12 00 03 3 000 011.000	Weeds Inspection	101
260060	5647 Goodwin Court	12 00 03 3 000 017.007	Weeds Inspection	101
260061	5925 Debbie Drive	10 00 17 4 004 004.000	Junk Vehicle	301
260062	5928 Debbie Drive	10 00 17 4 006 011.000	Junk Vehicle	301
260063	5918 Debbie Drive	10 00 17 4 006 006.000	Junk Vehicle	301
260064	584 Bessie Lane	10 00 17 4 004 012.000	Junk Vehicle	301
260065	589 Bessie Lane	10 00 17 4 003 005.000	Junk Vehicle	301
260066	694 Brandy Drive	10 00 20 1 000 023.000	Junk Vehicle	301
260068	5825 Janet Drive	10 00 20 1 000 018.000	Junk Vehicle	301
260069	5838 Janet Drive	10 00 20 1 000 021.000	Junk Vehicle	301
260070	5842 Janet Drive	10 00 17 4 008 008.000	Junk Vehicle	301
260071	7301 Whitney Drive	10 00 19 3 000 025.000	Junk Vehicle	301

Case No.	Property Address	Parcel ID	Alleged Nuisance Condition	Code
260072	7257 Frazier Circle	10 00 19 3 000 014.001	Junk Vehicle	301
260073	7304 Frazier Circle	10 00 19 3 000 010.001	Junk Vehicle	301
260074	7129 Old Springville Road	10 00 19 3 000 007.001	Junk Vehicle	301
260075	107 Sunnybrook Lane	09 00 36 4 004 003.000	Junk Vehicle	301
260076	6800 Candlewood Lane	09 00 36 4 002 063.000	Junk Vehicle	301
260077	5878 Brenda Drive	10 00 17 4 007 014.000	Junk Vehicle	301

Note: This exhibit includes only matters identified as “Open” in the source spreadsheet dated July 14, 2026. Duplicate addresses or parcel numbers reflect separate alleged nuisance conditions or case records.

Resolution 2026-____

I, the undersigned City Clerk/Treasurer of the City of Clay, Alabama, do hereby certify that the above and foregoing is a true and correct copy of a Resolution lawfully passed and adopted by the City Council of the City of Clay at a regular meeting of the Council, and that the Resolution is on file in the Office of the City Clerk.

I further certify that the Resolution was posted or otherwise made available as required by applicable law at the customary public-notice locations of the City of Clay.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Clay on this ____ day of _____, 2026.

Toushi Arbitelle
City Clerk/Treasurer

CITY OF CLAY, ALABAMA

RESOLUTION NO. R2026-07-04

A RESOLUTION DETERMINING CERTAIN CONDITIONS TO BE PUBLIC NUISANCES AND ORDERING THEIR ABATEMENT

WHEREAS, the City of Clay, Alabama (the “City”), is a Class 8 municipality and is authorized by Sections 11-47-117 and 11-47-118, Code of Alabama 1975, as amended, to prevent injury or annoyance from anything dangerous, offensive, or unwholesome and to cause nuisances to be abated; and

WHEREAS, with respect to grass, weeds, vegetation, and related conditions, the City is further authorized to proceed under Sections 11-67-20 through 11-67-28, Code of Alabama 1975, as amended, together with the applicable provisions of the Code of Ordinances of the City of Clay (collectively, the “Law”); and

WHEREAS, City employees or agents have inspected the properties identified in Exhibit A, attached hereto and incorporated herein, and have documented conditions alleged to be dangerous, offensive, unwholesome, injurious, or otherwise detrimental to the public health, safety, comfort, convenience, and welfare; and

WHEREAS, notice of the conditions and the required corrective action has been provided to the record owners and other persons entitled to notice, and the owners have been afforded the opportunity to abate the conditions and to be heard in accordance with applicable law; and

WHEREAS, the time allowed for voluntary compliance has expired, or the City Council has otherwise determined after notice and an opportunity to be heard that the conditions remain and constitute public nuisances; and

WHEREAS, the City Council now desires to make a formal determination concerning the conditions described in Exhibit A and, where necessary, to authorize their abatement and the lawful assessment and collection of the City’s costs;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLAY, ALABAMA, AS FOLLOWS:

Section 1. Incorporation of Recitals. The foregoing recitals are found to be true and correct and are incorporated into this Resolution as if fully set forth herein.

Section 2. Determination of Public Nuisances. Based upon the inspections, reports, notices, photographs, testimony, and other evidence presented to the City Council, the conditions identified for the properties listed in Exhibit A are hereby determined and declared to be public nuisances under applicable law and the ordinances of the City of Clay.

Section 3. Order of Abatement. The owners and other responsible persons are ordered to abate and remove the declared nuisances immediately. To the extent any nuisance remains unabated after expiration of all time periods required by law, the Mayor, City Clerk, Code Enforcement personnel, Public Works personnel, and other appropriate City employees or contractors are authorized to enter upon the property as permitted by law and to perform, procure, or complete the work reasonably necessary to abate the nuisance.

Section 4. Costs and Assessment. City staff shall maintain an accurate account of all costs incurred in connection with the inspection, notice, hearing, abatement, removal, disposal, administration, and collection associated with each property. Any recoverable costs shall be reported to the City Council and may be assessed against the property or collected from the responsible party in the manner authorized by applicable law.

Section 5. Further Authorization. The Mayor and City staff are authorized to execute notices, contracts, certifications, reports, and other documents, and to take such additional actions as may be necessary or appropriate to carry out the purposes of this Resolution, subject to applicable purchasing and contracting requirements.

Section 6. Severability. If any section, clause, phrase, or provision of this Resolution is held invalid or unenforceable, the remaining provisions shall remain in full force and effect.

Section 7. Effective Date. This Resolution shall become effective immediately upon its adoption.

ADOPTED AND APPROVED this the 14th day of July, 2026.

CITY OF CLAY, ALABAMA

JANE ANDERTON, MAYOR

ATTEST:

Toushi Arbitelle, City

AYES: _____

NAYS: _____

ABSENT: _____

ABSTAIN: _____

CERTIFICATION

I, Toushi Arbitelle, City Clerk/Treasurer of the City of Clay, Alabama, do hereby certify that the foregoing Resolution was duly adopted by the City Council of the City of Clay at a meeting held on the 14th day of July, 2026, and that the same appears of record in the official minutes of the City.

TOUSHI ARBITELLE,
CITY CLERK/TREASURER

EXHIBIT A

PROPERTIES AND CONDITIONS DECLARED TO BE PUBLIC NUISANCES

Case No.	Property Address	Parcel Identification No.	Condition / Case Type	Code
260007	5192 YORKSHIRE DR	12 00 09 3 000 028.015	Resolution to Eliminate Nuisance	104
260008	5300 BAGGETT DR	12 00 09 2 008 001.000	Resolution to Eliminate Junk Nuisance	304
260010	5901 NUTHATCH CIR	09 00 34 1 000 143.000	Resolution to Eliminate Nuisance	104
260011	5904 ELIZABETH DR	10 00 17 4 004 010.000	Resolution to Eliminate Nuisance	104
260013	7048 OLD SPRINGVILLE RD	10 00 19 3 000 003.003	Resolution to Eliminate Nuisance	104

Note: Exhibit A reflects the open matters identified in the source spreadsheet as being at the resolution-to-eliminate-nuisance stage. The City should confirm the current case status, notice history, ownership, and legal description for each property immediately before adoption.