



AGENDA
GULF SHORES CITY COUNCIL
COUNCIL WORK SESSION MEETING
APRIL 4, 2016

1. Councilmember Discussion Period

- A. Councilman Dyken

2. Environmental/Emergency Management

- A. Adopt 2015 Baldwin County Hazard Mitigation Plan

Documents: [BD - MEMO - BALDWIN COUNTY HAZARD MITIGATION PLAN.PDF](#),
[BD - HMGP SUMMARY.PDF](#), [BD - 2016 HMGP RESOLUTION.PDF](#)

3. Environmental / Grants Coordinator

- A. Authorize 2016 TIGER Grant Application

Documents: [EGC - TIGER GRANT APPLICATION 2016 - COUNCIL MEMO APRIL 4 2016.PDF](#), [EGC - GULF SHORES WATERWAY VILLAGE MULTIMODAL ACCESS PROJECT - APRIL 4 2016.PDF](#)

4. Finance And Administrative Services Department

- A. 2016 Bancorp South Line Of Credit

Documents: [FIN - A. MEMO - 2016 BANCORP SOUTH LOC EXTENDS 2012 LOC.DOC](#), [FIN - C.MINUTES GULF SHORES 2016 BANCORPSOUTH.PDF](#), [FIN - B.GULF SHORES CLOSING PAPERS 2016 BANCORPSOUTH.PDF](#)

- B. Adoption Of Purchasing, Procurement Card And Fixed Assets Manuals

Documents: [FIN - MEMO - PURCHASING MANUALS.PDF](#), [FIN - DRAFT RESOLUTION - ADOPT PURCHASING MANUALS.PDF](#), [FIN - PURCHASING MANUAL 2016 03 30.PDF](#), [FIN - PROCUREMENT CARD MANUAL 2016 03 15.PDF](#), [FIN - FIXED ASSETS MANUAL 2014 04 22.PDF](#)

- C. 2016 Back To School Sales Tax Holiday

Documents: [FIN 1 - MEMO FOR SALE TAX HOLIDAY 2016.PDF](#), [FIN - DRAFT ORD. SALES TAX HOLIDAY.PDF](#), [FIN 3 - ADOR BACK TO SCHOOL TAX HOLIDAY NOTICE.PDF](#), [FIN 4 - SCHOOL TAX HOLIDAY EXEMPT ITEMS.PDF](#)

- D. Acceptance Of Pelican Place Purchase Option

Documents: [FIN - PELICAN PLACE MEMO.PDF](#), [FIN - PELICAN PLACE PURCHASE NOTICE 32016.PDF](#), [FIN - PELICAN PLACE RESOLUTION.PDF](#), [FIN - PELICAN MALL CITY LOTS MAP.PDF](#)

5. Municipal Court

A. Amend Start Time Municipal Court

Documents: [MC - MEMO - AMEND COURT START TIME.PDF](#), [MC - RESO - AMEND MUNICIPAL COURT START TIME.PDF](#)

6. Planning And Zoning Department

A. Zoning Text Amendment - Off-Street Parking

Documents: [PAZ - ZA 2016-01 ARTICLE 14 OFF-STREET PARKING COW SUBMITTAL.PDF](#)

7. Recreation And Cultural Affairs

A. Public Assembly Permit Application - Hangout Music Festival

Documents: [REC - ASSEMBLY PERMIT APPLICATION - HANGOUT MUSIC FESTIVAL.PDF](#)

B. Public Assembly Permit Application - Alabama Coastal Foundation - Good Life Ride

Documents: [REC - PUBLIC ASSEMBLY PERMIT APPLICATION - GOOD LIFE RIDE.PDF](#)

C. Public Assembly Permit Application - Flora-Bama Mullet Man Triathlon

Documents: [REC - ASSEMBLY PERMIT APPLICATION - FLORA-BAMA MULLET MAN TRIATHLON.PDF](#)

D. Public Assembly Permit Application - Junction 311 Endurance Sports

Documents: [REC - ASSEMBLY PERMIT APPLICATION - JUNCTION 311.PDF](#)

8. City Clerk

A. Board Reappointments - Personnel Board And Beautification Board

Documents: [CC - MEMO - BOARD REAPPOINTMENTS.PDF](#)

B. Designation Of Polling Site

Documents: [CC - MEMO - CHANGE POLLING SITE.PDF](#), [CC - ORD - DESIGNATE POLLING SITE.PDF](#)

9. City Administrator

A. Reappointments - Municipal Court Judge And City Prosecutor

Documents: [CA - REAPPOINT JUDGE AND PROSECUTOR - MEMO.PDF](#), [CA - RESO - REAPPOINT MUNICIPAL JUDGE.PDF](#), [CA - RESO - REAPPOINT CITY PROSECUTOR.PDF](#)

10. Mayor

Updates

11. Adjourn

TO: Mayor Craft & Members of the City Council

FROM: Brandan Franklin

SUBJECT: 2015 Baldwin County Hazard Mitigation Plan

DATE: March 16, 2016

ISSUE: Adopt the 2015 Baldwin County Hazard Mitigation Plan

BACKGROUND: Baldwin County began working with the county jurisdictions in 2009 to prepare a Hazard Mitigation Plan for the entire county. The Plan was adopted in 2011 by the County and the surrounding jurisdictions. This plan is compliant with the Federal Disaster Mitigation Act 2000. This plan is required to be updated every five years. After receiving a grant from AEMA, the county again worked with the surrounding jurisdictions to update the plan in 2015. This plan has been updated and approved by FEMA. Having this plan in place allows the City to apply for future Hazard Mitigation Grants.

RECOMMENDATION: I recommend Mayor and Council adopt this plan

PREVIOUS COUNCIL ACTION: Approved the 2010 Plan in 2011.

BUDGET IMPLICATIONS: None

RELATED ISSUES: none

ATTACHMENTS: the plan (534 pages) can be provided if necessary; summary of changes is attached

DEPARTMENT: Building

STAFF CONTACT: Brandan Franklin

Summary of 2015 Revisions to the 2010 Baldwin County Multi-Hazard Mitigation Plan

3/22/2016

- **Generally.** The entire plan has been extensively rewritten from cover to cover to reflect new FEMA planning requirements and changed conditions since 2010.
- **Replaced cover page, title page, and table of contents.**
- **Executive Summary.** Updated to summarize new plan contents.
- **Chapter 1. Introduction.** Updated contents to include new references to previous plans, new grant requirements for plan, and other information.
- **Chapter 2. Prerequisites.** Updated contents to describe 2015 participation and other information.
- **Chapter 3. Community Profiles.** Updated community descriptions, maps, and data with latest information.
- **Chapter 4. Planning Process.** Describes new opportunities for public comment and involvement; findings of 2015 review of local plans and regulations; participation of planning committee in the 2015 update; the reestablishment and 2015 membership of planning committee; use of social media; documentation of community event; and a description of the 5-year plan review and update process.
- **Chapter 5. Risk Assessment.** Extensive changes made to the following sections:
 - Sec. 5.3 *Identification of Hazards Affecting Each Jurisdiction:* adds tsunamis.
 - Sec. 5.4 *Hazard Profiles:* add tsunamis profile; improves descriptions of locations and extents of each hazard; updates descriptions of past events; improves mapping.
 - Sec. 5.5 *Vulnerability of Structures within Each Jurisdiction:* provides new HAZUS-MH inventory data and population estimates.
 - Sec. 5.6 *Estimate of Dollar Losses to Vulnerable Structures:* provides new HAZUS-MH loss estimates and losses from historical records.
 - Sec. 5.7 *General Description of Land Uses and Development Trends:* add new description of land use and development trends.
 - Sec. 5.8 *Repetitively-Damaged NFIP-Insured Structure:* addresses new requirements.
 - Sec. 5.9 *Summary of Hazards and Community Impacts:* new summary table added.
 - Sec. 5.10 *Risks that Vary Among the Jurisdiction:* adds improved explanation of how risks vary.
- **Chapter 6. Mitigation Strategy.** Reinforces 2010 vision and goals; adds new references to 2013 State plan; updates NFIP participation of communities; reviews plan implementation status since 2010; updates overall strategy.
- **Chapter 7. Plan Maintenance.** Describes plan monitoring and maintenance since 2010.
- **Community Action Programs.** Presents updated action programs for each community, based on feedback from each community and progress towards implementation of 2010 action programs.
- **Appendices.** All appendices have been updated with new information developed during the 2015 update process.
- **New and Replacement Maps, Tables, Charts, and Figures:**

Maps 3-3 Baldwin County Municipalities, 3-7 Baldwin County Transportation, 5-5 Gulf Coast Historic Hurricanes 1851-2008, 5-6 Hurricane Paths 1900-2015, 5-7 Baldwin County Flood Zones, 5-8 Baldwin County Tornado Locations 1950-2014, 5-11 Alabama Total Acres Burned 1999-2014, 5-12 Baldwin County Fire Observations 2001-2015, 5-13 Alabama Winter Storm Interval 1993-2012, 5-14 Baldwin County Earthquakes and Geological Faults, 5-15 Baldwin County Earthquake Liquefaction Potential, 5-16 Baldwin County Soil Amplification Seismic Shaking Potential, 5-17 State of Alabama Seismic Hazard Map 2014, 5-20 Baldwin County Landslide Susceptibility, 5-21 Baldwin County Dams, 5-24 Baldwin County Sinkhole Susceptibility, 5-25 Submarine Landslide Zones, 5-26 Hazardous Materials Storage, 5-27 Baldwin County Government Facilities, 5-28 Baldwin County Public Safety Facilities, 5-29 Baldwin County Schools, 5-30 Baldwin County Medical Facilities, 5-31 Baldwin County Elderly Care Facilities, 5-32 Baldwin County Utilities, 5-33 Baldwin County Communication Facilities, 5-34 Baldwin County Communication Towers, 5-35 Baldwin County Emergency Shelters, 5-36 Baldwin County Dams, 5-37 Baldwin County Transportation Infrastructure,

5-38 100 Year Hurricane Direct Economic Loss, 5-39 100 Year Hurricane Event Debris Volume, 5-40 Hurricane Frederic Direct Economic Loss, 5-41 Hurricane Frederic Debris Volume, 5-42 Hurricane Frederic Wind Speeds, 5-43 100 Year Earthquake Ground Motion, 5-44 Population Density in Baldwin County, and 5-45 Baldwin County Land Cover.

Tables 3-1 Summary of Plan Updates, 4-1 Summary of Plan Updates, 4-2 HMPC Membership, 5-1 Plan Updates, 5-2 Identified Baldwin County Hazards, 5-3 Comparison of Identified Baldwin County Hazards to State Plan, 5-4 1973-2014 Federal Declarations Affecting Baldwin County, 5-5 Baldwin County Area Hurricane History, 5-6 Baldwin County Hurricane/Tropical Storm Events 1995-2014, 5-7 Baldwin County Flood Events 1995-2014, 5-8 Baldwin County Severe Storm Events 1995-2014, 5-10 Baldwin County Tornado Events 1995-2014, 5-11 Baldwin County Drought/Extreme Heat Events 1995-2014, 5-12 Winter Weather Observations Baldwin County, 5-13 Baldwin County Winter storm Damages 1995-2014, 5-14 Baldwin County Dams, 5-15 Baldwin County Dams Risk, 5-16 2014 Population Distribution by Jurisdiction, 5-17 2035 County Growth Projection, 5-18 Annual Growth Rates by Jurisdiction, 5-19 2035 Growth Projections and Multipliers, 5-20 2035 Population Distribution by Jurisdiction, 5-22 HAZUS-MH Population and Building Value Data, 5-23 HAZUS-MH Building Inventory by Occupancy, 5-24 HAZUS-MH Building Inventory by Construction Type. 5-25 Building Exposure by Occupancy, 5-26 Building Values by Jurisdiction, 5-27 Building Count by Occupancy and Jurisdiction, 5-28A Building Exposure by Jurisdiction and Hazard Part A, 5-28B Building Exposure by Jurisdiction and Hazard Part B, 5-29 HAZUS-MH Essential Facilities Data, 5-30 HAZUS-MH Transportation Systems Lifeline Inventory, 5-31 HAZUS-MH Utilities Systems Lifeline Inventory, 5-32 Baldwin County Government Facilities, 5-33 Baldwin County Public Safety Facilities, 5-34 Baldwin County Schools, 5-35 Baldwin County Medical Facilities, 5-36 Baldwin County Elderly Care Facilities, 5-37 Baldwin County Utilities, 5-38 Baldwin County Communication Facilities, 5-39 Baldwin County Emergency Shelters, 5-41 Baldwin County Port Facilities
5-42 Population Distribution by Jurisdiction 2014 & 2035, 5-43 100 Year Hurricane Event Loss Estimates
5-44 Hurricane Frederic Loss Estimates, 5-45 Comparative Hurricane Scenarios Economic Losses
5-46 Expected Building Damage by Occupancy 500 Yr. Earthquake Event, 5-47 Expected Building Damage by Type 500 Yr. Earthquake Event, 5-48 Building Related Economic Loss Estimates 500 Yr. Earthquake Event, 5-49 Baldwin County Historic Growth Trends, 5-50 Population 2000-2010 & Projections 2015-2035, 5-51 Population Projections by Jurisdiction, 5-52 Repetitive Loss Properties by Jurisdiction, 5-53 Severe Repetitive Loss Properties by Jurisdiction, 5-54 Summary of Hazards and Community Impacts, 5-55 Jurisdictional Risk Variations, 6-1 Summary of Plan Updates, 6-2 NFIP Community Status Baldwin County Jurisdictions, and 6-3 2015-2020 Baldwin County Multi-Jurisdictional Mitigation Action Programs.

Charts 3-1 2014 Population by Municipality, 3-2 2010 Population Distribution by Age Baldwin County, 3-3 Racial Composition of Baldwin County, 3-4 Educational Attainment of Baldwin County, 3-5 Employment by Industry Baldwin County, 3-6 Poverty Rates by Demographic Group, and 3-7 Distribution of Income Baldwin County.

Figures 4-1 Website Image and 4-2 Social Media Image

RESOLUTION OF THE (City of Gulf Shores, AL)**A RESOLUTION ADOPTING THE 2015 BALDWIN COUNTY MULTI-HAZARD MITIGATION PLAN, IN FULFILLMENT OF THE FEDERAL DISASTER MITIGATION ACT OF 2000 AND THE LOCAL MITIGATION PLAN REQUIREMENTS OF 44 C.F.R. SECTION 201.6 AND FEMA LOCAL MULTI-HAZARD MITIGATION PLANNING GUIDANCE**

WHEREAS, The Federal Disaster Mitigation Act of 2000 (DMA 2000), as administered by the Alabama Emergency Management Agency (AEMA) and the Federal Emergency Management Agency (FEMA) provides Federal assistance to local governments to alleviate suffering and damage from disasters, and broadens existing relief programs to encourage disaster preparedness plans and programs, coordination and responsiveness, insurance coverage, and hazard mitigation measures; and,

WHEREAS, the DMA 2000 requirements for local mitigation plans are set forth in 44 C.F.R. Section 201.6 and the Local Multi-Hazard Mitigation Planning Guidance, FEMA, July 1, 2008 (Federal planning criteria); and,

WHEREAS, as a prerequisite for each Baldwin County jurisdiction to continue to qualify for FEMA mitigation grant assistance programs, the DMA 2000 requires the five year update of the Baldwin County, Alabama, Natural Hazards Mitigation Plan, which was approved by FEMA on February 1, 2011; and,

WHEREAS, the AEMA had awarded a planning grant funded through the FEMA Hazard Mitigation Grant Program (HMGP) to the Baldwin County EMA to fund 75% of the total cost of the five year plan update for all jurisdictions within Baldwin County; and,

WHEREAS, the 2015 Baldwin County Multi-Hazard Mitigation Plan has been prepared in accordance with DMA 2000 requirements under the direction of the Baldwin County Hazard Mitigation Planning Committee with the support of the Baldwin County EMA, on behalf of all of the jurisdictions within Baldwin County; and,

WHEREAS, said mitigation plan addresses all natural hazards deemed to threaten property and persons within the unincorporated and incorporated areas of Baldwin County; and,

WHEREAS, the Federal planning criteria require formal adoption of the FEMA-approved plan update by each participating jurisdiction.

NOW THEREFORE, BE IT RESOLVED that the 2015 Baldwin County Multi-Hazard Mitigation Plan is hereby adopted and immediately made effective.

ADOPTED this the _____ day of _____, 20____.

APPROVED: _____

ITS: _____

ATTEST: _____

ITS: _____



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DATE: April 4, 2016

ISSUE: 2016 TIGER Grant Application.

RECOMMENDATIONS: Authorize staff to pursue TIGER Grant funding from the U.S. Department of Transportation for construction of multimodal transportation infrastructure in the Waterway Village District of the City of Gulf Shores.

BACKGROUND: The Transportation Investment Generating Economic Recovery, or TIGER Discretionary Grant Program provides a unique opportunity for the DOT to invest in road, rail, transit and port projects that promise to achieve critical national objectives. Since 2009, Congress has dedicated more than \$4.6 billion for seven rounds to fund projects that have a significant impact on the Nation, a region or a metropolitan area.

The City, in partnership with ALDOT and private landowners, would like to apply for funding through the TIGER program for the "**Gulf Shores Waterway Village Multimodal Access Project**", a system of roads and pedestrian access improvements that will create economic opportunities, improve traffic conditions, enhance pedestrian access/safety, and increase community resilience for our region.

Components of the project (See Attached Map) will include a major pedestrian bridge over the Intracoastal Waterway, a new road connecting the Gulf Shores Business and Aviation Park to the Waterway Village business district, as well as street improvements throughout the district. The proposed improvements will provide multimodal connectivity between the airport, business aviation park, Foley Beach Express, intracoastal canal waterfront, mixed use business districts, the beach front economic center, and residential areas in Gulf shores.

The total project cost is estimated at **\$15,240,000** (See Attached Budget). The federal share from the TIGER program is estimated at **\$7,620,000** (50%). The City's total match is estimated at **\$4,343,000**; with the remainder of non-federal funds coming from ALDOT and private landowners.

PREVIOUS COUNCIL ACTION: Council previously approved an application for a 2015 TIGER Grant for this project. The application did not receive funding last year, but was given a favorable review by DOT and recommended for re-submittal in 2016.



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BUDGET IMPLICATIONS:

Total Project Cost: **\$15,240,000**
Federal Match: **\$7,620,000**
City Match: **\$4,343,000**
ALDOT Match: **\$1,652,000**
Private Partner Match: **\$1,625,000**

The City will have to cover construction costs and DOT will reimburse quarterly. The project is expected to take three years to complete, starting in FY 2017. The annual budget implications for the City are:

FY 2017 – City will cover engineering, permitting, and CE&I costs (\$1,562,000) in 2016 as part of City match. As construction begins, City will cover costs and submit quarterly invoices to DOT for reimbursement.

Total Budget Implication FY 2017 - \$5,080,000 Total with 50-75% reimbursed, \$1,562,000 City Expense

FY 2018 – Project will be constructed in phases – roads, pedestrian bridge, and sidewalks. City will cover construction costs as each phase is started and submit quarterly invoices to DOT for reimbursement.

Total Budget Implication FY 2017 - \$5,080,000 with 50-75% reimbursed.

FY 2019 – Project will continue as in FY 2017 until completion.

Total Budget Implication FY 2018 - \$5,080,000, with 50-75% reimbursed.

RELATED ISSUES: None.

ATTACHMENTS:

- Map, Estimated Budget

DEPARTMENTS: Executive, Public Works

STAFF CONTACT: Daniel Bond, Mark Acreman

Total Project Cost
\$15,240,000
Tiger Grant Request
\$7,620,000
Local Partnership Funding
\$7,620,000
Total City Match
\$4,343,000

Gulf Shores Pkwy

Cotton Creek Dr

Existing Road

Business & Aviation
Road Improvements
Total - \$2,361,000
City Match - \$1,180,500

Waterway East Improvements
Total - \$1,233,500
City Match - \$616,250

Existing Road

E Canal Dr

Highway 59 Improvements
Total - \$6,608,000
Tiger - \$3,304,000
City Match - \$1,652,000
ALDOT Match - \$1,652,000

Complete Street Improvements
Total - \$1,788,500
City Match - \$894,250

Proposed New Road
Total - \$3,250,000
Private Partner Match - \$1,625,000



Gulf Shores Waterway Village
Multimodal Access Project
April 4, 2016





SMALL TOWN, BIG BEACH

COUNCIL AGENDA SUMMARY

TO: Mayor Craft & Members of the City Council

THROUGH: Steve Griffin, City Administrator

FROM: Cindy King Dooley, Finance & Administrative Services Director

SUBJECT: 2016 Bancorp South Line of Credit (extension of 2012 Line of Credit)

DATE: March 31, 2016

ISSUE: Bancorp South has offered to extend the original \$4 million taxable 2012 Line of Credit (LOC) for another 30 months at the same term of 2.83% interest annually payable quarterly on the outstanding balance.

BACKGROUND: Proceeds from the 30 month 2016 extension of the original 2012 Taxable line of credit can be used for land acquisition for educational purposes and beach improvements. Specifically \$187,500 was added in the 2016 Budget Amendment 1 for design and engineering costs for the public beach area parking and common space.

PREVIOUS COUNCIL ACTION: None

BUDGET IMPLICATIONS: Approximately \$5,000 additional interest expense, contingent upon the amount ultimately borrowed.

RELATED ISSUES: None

ATTACHMENTS: Minutes document and Ordinance attached

DEPARTMENT: Finance and Administrative Services

STAFF CONTACT: Cindy King Dooley

**EXCERPTS FROM THE MINUTES OF A REGULAR MEETING OF
THE CITY COUNCIL OF THE CITY OF GULF SHORES**

The City Council of the City of Gulf Shores met in regular public session at Gulf Shores City Hall, 1905 West First Street, Gulf Shores, Alabama, at 5:00 p.m. on April 11, 2016. The meeting was called to order by the Mayor. The roll was called with the following results:

Present: Robert Craft, Mayor
 Carolyn Doughty
 Stephen E. Jones
 Philip Harris
 Jason Dyken
 Joe Garris

Absent: None

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

* * *

Councilmember _____ moved for unanimous consent of those present to suspend the rules of procedure to allow for the immediate consideration of the following ordinance:

* * *

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE ISSUANCE, SALE, DELIVERY AND PAYMENT OF THE CITY'S \$4,000,000 GENERAL OBLIGATION TAXABLE WARRANT, SERIES 2016-A, TO BE DATED THE DATE OF DELIVERY, TO BANCORPSOUTH

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

Section 1. Findings and Representations.

The City of Gulf Shores (the "City") by and through the City Council, its governing body, does hereby find and determine and represent and warrant as follows:

(a) The City has heretofore issued its \$4,000,000 original principal amount General Obligation Taxable Warrant, Series 2012-A, dated July 13, 2012 (the "Series 2012-A Warrant") to BancorpSouth (the "Bank") pursuant to Ordinance No. 1684 adopted on July 9, 2012 (the "Authorizing Ordinance") in order to establish a revolving line of credit to provide funds to (1) purchase certain property resulting from the settlement of *Pickard ET AL. v City of Gulf Shores* (Baldwin County Circuit Court Case No. CV-07-900187) and (2) for land acquisition for educational purposes and beach improvements.

(b) The City is not in default under the Authorizing Ordinance. The present outstanding balance of the Series 2012-A Warrant is \$3,979,000. The Series 2012-A Warrant matures on July 13, 2016.

(c) The City has found and determined that it is in the best public and financial interest of the City to renew the revolving line of credit evidenced by the Series 2012-A Warrant through a final maturity of January 13, 2019.

(d) The renewal will be evidenced by a General Obligation Taxable Warrant, Series 2016-A, to be dated the date of delivery (the "Warrant"), which will be executed and delivered to the Bank on or about April 12, 2016.

(e) The City expects to use the proceeds of the Warrant for the purposes of land acquisition for educational purposes and engineering/redesign of beach parking and boardwalk areas.

(f) The net assessed valuation of the taxable property in the corporate limits of the City for the fiscal year ending September 30, 2015 is not less than \$_____ and the total indebtedness of the City following the issuance of the Warrant chargeable against the debt limitation for the City prescribed by the Constitution of Alabama of 1901, as amended, will not be more than twenty percent of said assessed valuation.

Section 2. Authorization and Description of Warrant; Payments of Warrant.

(a) The City shall borrow an aggregate amount not exceeding \$4,000,000 in such amounts and at such times as shall be necessary for the purposes set forth in Section 1 hereof, and the City shall issue the aforesaid Warrant therefor to the Bank, to evidence a revolving line of credit extended thereby to the City for such purposes.

(b) The Warrant shall (1) be dated the date of initial delivery and payment, (2) bear interest at the fixed per annum interest rate of 2.83%, (3) be payable in quarterly installments of interest only with the principal due at maturity on January 13, 2019, (4) be subject to redemption prior to maturity at any time, without premium or penalty, and (5) be registered and transferred, all as provided therefor in the form of the Warrant in Section 4 herein.

(c) The principal of and interest on the Warrant shall be payable in lawful money of the United States of America, at the designated office of the registered owner thereof at par and without discount, exchange or deduction or charge therefor.

Section 3. Authorization of Advances and Payments.

The Mayor and City Clerk are authorized and directed to request advances under the Warrant at such times and in such amounts as the Mayor and the City Clerk shall consider necessary or desirable to carry out the purposes of this Ordinance.

Section 4. Form of Warrant.

The Warrant shall be in substantially the following form:

**UNITED STATES OF AMERICA
STATE OF ALABAMA
CITY OF GULF SHORES
GENERAL OBLIGATION TAXABLE WARRANT
SERIES 2016-A**

No. R-1

\$4,000,000

THE CITY OF GULF SHORES, a municipal corporation organized and existing under and by virtue of the laws of the State of Alabama (the "City"), for value received, hereby acknowledges itself indebted to and does hereby order and direct the Finance and Administration Director of the City to pay, solely out of the special warrant fund hereinafter described, to BancorpSouth (herein called the "Payee"), its successors and assigns, the principal sum of

**FOUR MILLION DOLLARS
(\$4,000,000)**

or so much thereof as may be advanced or paid and re-advanced hereunder, as hereinafter provided, and to pay solely from said warrant fund interest on the unpaid balance of said principal amount advanced and outstanding hereunder from time to time, from the date advanced until payment in full, at a fixed per annum rate of interest equal to 2.83% (computed on the basis of the actual number of days elapsed over a 360-day year), said principal and interest being payable as follows:

(a) On July 13, 2016 and on the 13th day (or next business day) of each January, April, July and October thereafter, through and including January 13, 2019, the interest accrued on the outstanding principal balance of this Warrant to each such date of payment; and

(b) On January 13, 2019, the entire outstanding principal balance of this Warrant plus all accrued interest thereon.

Payment of the principal hereof and interest hereon shall be made at the office of the Payee or at such other place as shall be designated to the City in writing by the Payee, provided the final payment of principal of and interest on this Warrant shall be made only upon presentation and surrender of this Warrant to the City for cancellation.

The City may, on any date, pay in advance the entire unpaid principal balance of this Warrant or any lesser portion or portions thereof by paying to the Payee the principal amount to be prepaid, plus interest accrued on such principal amount to the date of such prepayment, without premium or penalty.

This Warrant is a master Warrant under a revolving line of credit extended by the Payee to the City, and it is contemplated that the proceeds of the loan evidenced hereby will be advanced, or paid and re-advanced, by the Payee to the City in installments, as requested by the City (as to amount and date), and it is further contemplated that by reason of prepayments hereon there may be times when no indebtedness is owing hereunder; notwithstanding any such occurrence, this Warrant shall remain valid and shall be in full force and effect as to each principal advance made hereunder subsequent to each such occurrence. Each principal advance and each payment made on this Warrant shall be reflected by the notations made by the Payee on its internal records (which may be kept by computer or by other means determined by the Payee) and the Payee is hereby authorized so to record thereon all such principal advances and payments. The aggregate unpaid principal amount of this Warrant reflected on the internal records of the Payee (whether by computer or otherwise) shall be rebuttably presumptive evidence of the principal amount of this Warrant outstanding and unpaid. No failure of the Payee so to record any advance or payment shall limit or otherwise affect the obligation of the City hereunder with respect to any advance, and no payment of the principal by the City shall be affected by the failure of the Payee so to record the same.

THIS WARRANT SHALL BE VALID AND ENFORCEABLE AS TO THE AGGREGATE PRINCIPAL AMOUNT ADVANCED AT ANY TIME HEREUNDER, WHETHER OR NOT THE FULL FACE AMOUNT HEREOF IS ADVANCED.

This Warrant is issued pursuant to the Constitution and laws of the State of Alabama, including the provisions of Section 11-47-2 et seq. of the CODE OF ALABAMA 1975, as amended, and an Ordinance and proceedings of the governing body of the City (the "Authorizing Proceedings") for the purposes described in the Authorizing Proceedings.

The principal of and interest on this Warrant is a general obligation of the City and the full faith and credit of the City are pledged to the payment of the principal of and interest on the Warrant.

The City has established in the Authorizing Proceedings a special fund designated "Series 2016-A General Obligation Taxable Warrant Fund" for the payment of the principal of and interest on the Warrant, and has obligated itself to pay or cause to be paid into said Fund from the taxes and revenues of the City sums sufficient to provide for the payment of the principal of and interest on this Warrant as the same matures and comes due.

This Warrant and the interest hereon constitutes a charge on the general credit of the City and an indebtedness of the City within the meaning of state constitutional provisions and or statutory limitations.

This Warrant is recorded and registered as to principal and interest in the name of the owner on the book of registration maintained for that purpose by the City. The person in whose name this Warrant is registered shall be deemed and regarded as the absolute owner hereof for all purposes and payment of the principal of and interest on this Warrant shall be made only to or upon the order of the registered owner hereof or its legal representative, and neither the City nor any agent of the City shall be affected by any notice to the contrary. Payment of principal of and interest on this Warrant shall be valid and effectual to satisfy and discharge the liability of the City upon this Warrant to the extent of the amounts so paid.

This Warrant may be transferred only upon written request of the registered owner or its legal representative addressed to the City, such transfer to be recorded on said book of registration and endorsed hereon by the City. Upon presentation to the City for transfer, this Warrant must be accompanied by a written instrument or instruments of transfer satisfactory to the City, duly executed by the registered owner or its attorney duly authorized in writing, and the City shall endorse on the schedule attached hereto for such purpose the principal amount of this Warrant unpaid and the interest accrued hereon to the date of transfer. No charge shall be made for the privilege of transfer, but the registered owner of this Warrant requesting any such transfer shall pay any tax or other governmental charge required to be paid with respect thereto.

It is hereby recited, certified and declared that the indebtedness evidenced and ordered paid by this Warrant is lawfully due without condition, abatement or offset of any description and that all acts, conditions and things required by the Constitution and laws of the State of Alabama to happen, exist and be performed precedent to and in the execution, registration and issuance of this Warrant and the adoption of the Authorizing Proceedings have happened, do exist and have been performed in time, form and manner as so required.

IN WITNESS WHEREOF, the City, acting by and through its governing body, has caused this Warrant to be executed in its name and on its behalf by its Mayor and its municipal seal to be hereunto affixed and attested by its City Clerk, and has caused this Warrant to be dated April __, 2016.

CITY OF GULF SHORES

SEAL

By _____
Its Mayor

Attest: _____
City Clerk

REGISTRATION CERTIFICATE

I hereby certify that this Warrant has been duly registered by me as a claim against the City of Gulf Shores and the Series 2016-A Warrant Fund referred to herein.

Finance and Administration Director

REGISTRATION OF OWNERSHIP

This Warrant is recorded and registered on the registry books of the City of Gulf Shores in the

name of the last owner named below. The principal of and interest on this Warrant shall be payable only to or upon the order of such registered owner.

<u>Date of Registration</u>	<u>In Whose Name Registered</u>	<u>Signature of Authorized Officer of City</u>
<u>April , 2016</u>	<u>BancorpSouth</u>	_____, City Clerk
_____	_____	_____

**ENDORSEMENT BY CITY OF UNPAID PRINCIPAL AND
ACCRUED INTEREST ON DATE OF TRANSFER**

<u>Date of Transfer</u>	<u>Principal Unpaid</u>	<u>Accrued Interest on Date of Transfer</u>	<u>Signature of Authorized Officer of City</u>
_____	_____	_____	_____
_____	_____	_____	_____

Section 5. Execution of the Warrant.

The Warrant shall be manually executed in the name and on behalf of the City by the Mayor and shall be manually attested by the City Clerk of the City, and the official seal of the City shall be manually imprinted thereon. The Registration Certificate shall be executed by the Finance and Administration Director. The Registration of Ownership of the Warrant shall be executed by the City Clerk of the City who shall make the endorsements provided at the time of any transfer. Said officers are hereby directed to so execute, attest and register the Warrant and to make the appropriate endorsements and notations, if any, thereon.

Section 6. General Obligation; Warrant Fund.

(a) The Warrant and the interest thereon shall constitute a general obligation debt of the City. The Warrant is an obligation of the City to which the general faith and credit of the City is pledged.

(b) To secure the payment of the principal of and interest on the Warrant and to secure for the benefit of the registered owner of the Warrant the faithful performance of all of the covenants and provisions contained herein, in the manner and to the extent so provided, the City (1) does hereby pledge unto the registered owner of the Warrant and its registered assigns the full faith and credit of the City, (2) does hereby create and establish a special fund designated the "Series 2016-A General Obligation Taxable Warrant Fund" (the "Warrant Fund"), which shall be held by the Bank, as custodian and paying agent of the Warrant and (3) does hereby covenant and agree to pay or cause to be paid into the Warrant Fund a sufficient amount of the revenues and taxes of the City.

(c) The City further covenants and agrees to collect or cause to be collected all taxes and revenues when due and to apply the same as provided in this Ordinance.

Section 7. Expenses of Collection; Interest After Maturity.

The City covenants and agrees that, if the principal of and interest on the Warrant are not paid promptly as such principal and interest matures and comes due, it will pay to the registered owner of the Warrant or its registered assignees all expenses incident to the collection of any unpaid portion thereof, including a reasonable attorney's fee. To the extent permitted by applicable law, the Warrant and the interest thereon shall bear interest at the rate of 2.83% per annum from and after the maturity or due dates thereof, if not then paid.

Section 8. No Federal Tax Exemption for Interest; No Designation of Warrant Pursuant to Section 265 of the Code.

(a) The interest payable on the Warrant is not excludable from gross income of the registered owner thereof for federal income taxation purposes under Section 103 of the Internal Revenue Code of 1986, as amended (the "Code").

(b) The City has not designated the Warrant as a "qualified tax-exempt obligation" for the purposes of Section 265(b)(3) of the Code. The Warrant is not "bank qualified."

Section 9. Authorization of Issuance of Warrant.

The Mayor and the City Clerk, or either of them, are hereby authorized and directed to effect delivery of the Warrant to the Bank and in connection therewith to deliver such closing papers containing such representations as are required to demonstrate the legality and validity of the Warrant and the absence of pending or threatened litigation with respect thereto.

The City Clerk of the City shall give a receipt to the said purchaser for the purchase price paid, and such receipt shall be full acquittal to the said purchaser and the said purchaser shall not be required to see to or be responsible for the application of the proceeds of the Warrant. Nevertheless, the proceeds of the Warrant shall be applied solely to the purposes herein referenced.

Section 10. Severability.

The provisions of this Ordinance are severable. In the event that any one or more of such provisions or the provisions of the Warrant shall, for any reason, be held illegal or invalid, such illegality or invalidity shall not affect the other provisions of this Ordinance or of the Warrant, and this Ordinance and the Warrant shall be construed and enforced as if such illegal or invalid provision had not been contained herein or therein.

Section 11. Repeal of Conflicting Provisions.

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

Section 12. Provisions of Ordinance a Contract.

The terms, provisions and conditions set forth in this Ordinance constitute a contract between the City and the registered owner of the Warrant and shall remain in effect until the principal of and interest on the Warrant shall have been paid in full.

It was moved by _____ that all rules and regulations which, unless suspended, would prevent the immediate consideration and adoption of the said ordinance be suspended and that unanimous consent to the immediate consideration and adoption of the said ordinance be given. The motion was seconded by _____ and on roll call was unanimously adopted, those answering aye being:

Ayes:	Robert Craft, Mayor Carolyn Doughty Stephen E. Jones Philip Harris Jason Dyken Joe Garris
Nays:	None

The Mayor declared the motion unanimously carried.

After said ordinance had been discussed and considered in full by the City Council, it was moved by _____ that said ordinance be now placed upon its final passage and adopted. The motion was seconded by _____. The question being put as to the adoption of said motion and the final passage and adoption of said ordinance, the roll was called with the following results:

Ayes:	Robert Craft, Mayor Carolyn Doughty Stephen E. Jones Philip Harris Jason Dyken Joe Garris
Nays:	None

The Mayor thereupon declared said motion carried and the ordinance passed and adopted as introduced and read.

* * *

There being no further business to come before the meeting, it was moved and seconded that the meeting be adjourned. Motion carried.

Minutes Approved

Mayor

Member of City Council

CITY SEAL

Attest: _____
City Clerk

STATE OF ALABAMA
BALDWIN COUNTY

CERTIFICATE OF CITY CLERK

I, the undersigned, do hereby certify as follows: (1) I am the duly elected, qualified and City Clerk of the City of Gulf Shores (the "City"), (2) as City Clerk of the City I have access to all original records of the City and I am duly authorized to make certified copies of its records on its behalf, (3) the above and foregoing pages constitute a complete, verbatim and compared copy of excerpts from the minutes of a regular meeting of the City Council of the City duly held on April 11, 2016, (4) the ordinance set forth in such excerpts is a complete, verbatim and compared copy of such ordinance as introduced and adopted by the City Council on such date, and (5) said ordinance is in full force and effect and has not been repealed, amended or changed.

IN WITNESS WHEREOF, I have hereunto set my hand as Clerk of the City of Gulf Shores and have affixed the official seal of the City, this 11th day of April, 2016.

Clerk of the City of Gulf Shores

CITY SEAL

INDEX OF DOCUMENTS

**\$4,000,000
CITY OF GULF SHORES
GENERAL OBLIGATION TAXABLE WARRANT
SERIES 2016-A**

Dated and Delivered to BancorpSouth on April __, 2016

1. Specimen Warrant and Opinion of Bond Counsel
2. Authorizing Ordinance adopted on April 11, 2016
3. Certificate of Officers and Debt Certificate
4. Investment Letter and Receipt for Warrant

City of Gulf Shores
Gulf Shores, Alabama

Jones Walker LLP
Birmingham, Alabama

Re: \$4,000,000 General Obligation Taxable Warrant, Series 2016-A, dated the date of delivery

Ladies and Gentlemen:

We have purchased and do hereby acknowledge receipt on this date of the above-referenced Warrant (the "Warrant") issued by the City of Gulf Shores, an Alabama municipal corporation (the "Issuer"). We have been provided with and have reviewed the ordinance and proceedings adopted and taken by the governing body of the Issuer on April 11, 2016 authorizing the issuance of the Warrant (the "Authorizing Ordinance"). We understand and agree, under the Authorizing Ordinance (capitalized terms being used herein as in the Authorizing Ordinance) that the Warrant is a general obligation of the Issuer and constitutes a charge on the full faith and credit of the Issuer.

We have had full and free access to all books, records and audits of the Issuer and have been provided with and have evaluated such financial, corporate and general information respecting the Issuer and the Warrant as we deem necessary to enable us to make an informed investment judgment with respect to the purchase of the Warrant.

The engagement of Jones Walker LLP as bond counsel did not include services related to the compilation, verification or furnishing to us of information regarding the merits and risks of investment in the Warrant. We have regularly bought and sold securities similar to the Warrant for our own account and have knowledge and experience in financial and business matters sufficient to enable us to evaluate such merits and risks.

We are purchasing the Warrant for our own account and not for resale and we have no present intention of reselling or otherwise distributing the Warrant or any interest therein to any person or entity. In the event that in the future we decide to sell the Warrant or any interest therein, we are aware that the Warrant is a security and that the seller is obligated under both federal and state security laws, among other things, to fully and accurately disclose to all persons to whom he offers to sell securities all facts material to their decision to purchase such securities. Prior to making any sale of the Warrant or any interest therein, we intend to consult with our counsel knowledgeable in the requirements of such securities laws and to be guided by the advice of such counsel. We hereby represent that we will not sell, transfer, or otherwise distribute the Warrant or any interest in any thereof in violation of any applicable federal or state securities laws.

This __ day of April, 2016.

BANCORPSOUTH

By _____

Its _____

CERTIFICATE OF OFFICERS

The undersigned duly elected, qualified and acting Mayor, City Clerk, City Administrator and Finance and Administration Director of the City of Gulf Shores, Alabama (the "Municipality") hereby certify as of the ___ day of April, 2016, as follows:

1. The names of the officers and the members of the Council of the Municipality and the dates of the beginning and ending of their terms of office are respectively as follows:

<u>Name and Office</u>	<u>Term Began</u>	<u>Term Ends</u>
Robert Craft Mayor	October, 2012	October, 2016
Carolyn Doughty Councilman	October, 2012	October, 2016
Stephen E. Jones Councilman	October, 2012	October, 2016
Philip Harris Councilman	October, 2012	October, 2016
Jason Dyken Councilman	October, 2012	October, 2016
Joe Garris Councilman	October, 2012	October, 2016
Wanda Parris City Clerk		At Council's Pleasure
Steve Griffin City Administrator		At Council's Pleasure
Cindy King Dooley Finance and Administration Director		At Council's Pleasure

2. Each of the foregoing officers and members of the Council has duly filed his or her oath of office and each of them legally required to give bond or other undertaking has filed such bond or undertaking in form and amount and at the time required by law and has otherwise duly qualified and each is the acting officer holding the office stated immediately following his or her name for the period above indicated.

3. Regular meetings of the Council are held on the second and fourth Mondays in each month in the Municipality at 5:00 o'clock p.m. pursuant to ALA. CODE § 11-43-49 and 11-43-50 (1975), and as fixed by order of the Council and publicly announced by it.

4. The population of the Municipality according to the 2010 U.S. Decennial Census was 9,741.

5. The Municipality is now and has been for more than forty years a municipal corporation duly organized and existing and operating under the laws of Alabama. No proceedings for the dissolution of the Municipality have ever been taken.

6. The seal manually affixed hereto is the officially adopted corporate seal of the Municipality and the undersigned Clerk is the official custodian thereof and is duly authorized to affix the same to bonds, warrants, contracts, certificates and other obligations and documents of the Municipality and to certify copies of the minutes, proceedings and records of the Municipality and the Council.

7. On April 11, 2016, the Council adopted an ordinance (the "Warrant Ordinance") authorizing the issuance of the Municipality's \$4,000,000 General Obligation Taxable Warrant, Series 2016-A, dated April __, 2016 to BancorpSouth (the "Warrant"). The Warrant Ordinance has not been repealed, amended, revoked or changed and is still in full force and effect. Capitalized terms not otherwise defined herein are used as defined therein.

8. The undersigned Mayor has manually executed the Warrant, and the undersigned City Clerk has manually attested the Warrant. The undersigned City Clerk has manually affixed the official corporate seal of the Municipality to the Warrant. The undersigned Finance and Administration Director has manually registered the Warrant as a claim against the Municipality and the Warrant Fund from which the Warrant is payable, and has manually executed the Registration Certificate appearing on the Warrant. The Warrant and the certificate of registration were in the forms provided therefor in the Warrant Ordinance and have been manually executed as provided therein. No obligations of the Municipality other than the Warrant have been issued pursuant to the Warrant Ordinance.

9. On the date of execution of the Warrant and on the date of adoption of the Warrant Ordinance, and on this date, we then were and now are the duly elected or appointed, qualified and acting officers of the Municipality indicated by our signatures thereon and hereon.

10. We have no knowledge or information of any agreement, representation, condition, understanding or stipulation, whether oral or written or expressed or implied, respecting the authorization of the Warrant or the terms of the sale thereof, or the disposition or other dealing with the proceeds of the Warrant, other than as set forth in the Warrant Ordinance, the closing papers of which this certificate forms a part, and in the other documents which have been furnished to bond counsel, Jones Walker LLP, for their examination preliminary to their approval of the legality of the Warrant. None of the proceedings, records or representations which have been certified to the purchaser to whom the Warrant shall be delivered or to bond counsel have been repealed, amended or changed, and there has been no change in the facts affecting the Warrant.

11. There is no litigation of any nature pending or threatened in any court restraining, enjoining or in any manner questioning the validity or legality of any of the following: the corporate existence of the Municipality; the territorial boundaries of the Municipality; the election or title of any of the aforesaid persons as officers of the Municipality; the Warrant; the Warrant Ordinance or any terms or provisions thereof; the purposes for which the Warrant is issued; the application of the proceeds of the sale of the Warrant; the constitutionality of any statute or the validity of any proceedings relative to the Warrant; the taxing power of the Municipality to pay the Warrant or any other matter referred to in this certificate.

IN WITNESS WHEREOF, we have hereunto set our hands and affixed the official corporate seal of the Municipality, as of the date first written above.

Mayor

CITY SEAL

City Clerk

City Administrator

Finance and Administration Director

RECEIPT FOR WARRANT

The undersigned hereby acknowledges receipt of the \$4,000,000 General Obligation Taxable Warrant, Series 2016-A, dated April __, 2016 issued by the City of Gulf Shores.

This __ day of April, 2016.

BANCORPSOUTH

By _____
Its Duly Authorized Officer

DEBT CERTIFICATE

We, the undersigned, the duly elected, qualified and acting Mayor and Finance and Administration Director of the City of Gulf Shores, Alabama (the "Municipality") do hereby certify as of the ____ day of April, 2016, as follows:

1. The assessed valuation of taxable property in the corporate limits of the Municipality, as assessed for municipal taxation and on which taxes were due and payable on October 1, 2015, is not less than \$_____.

2. As of this date, the Municipality has outstanding the following described obligations which would be included in the limitation of the indebtedness of the Municipality under Section 225 of the Constitution, except where noted:

(a) Long-Term bond issues

<u>Issue</u>	<u>Principal Outstanding</u>
General Obligation Warrants, Series 2015, dated March 1, 2015 (final maturity December 15, 2028)	\$8,695,000
General Obligation Taxable Warrants, Series 2012-D, dated October 1, 2012 (final maturity December 15, 2021)	\$9,335,000
General Obligation Warrants, Series 2012-C, dated October 1, 2012 (final maturity December 15, 2025)	\$9,000,000
General Obligation Warrants, Series 2008-A, dated April 1, 2008 (last maturity December 15, 2028)	\$5,255,000
General Obligation Warrants Series 1996-B, dated November 1, 1996 (last maturity November 1, 2016)	<u>\$25,000</u>
SUBTOTAL	\$32,310,000

(b) Short-term notes and leases

General Obligation Taxable Warrant, Series 2016-A, dated April __, 2016 (matures January 13, 2019)	\$4,000,000
General Obligation Warrant, Series 2014, dated December 19, 2014 (final maturity December 15, 2018)	<u>\$9,000,000</u>
SUBTOTAL	\$13,000,000
TOTAL CHARGEABLE INDEBTEDNESS	<u>\$45,310,000</u> [1]

[1] Does not include lease obligations, post-employment benefits, annual pension cost, unfunded pension liability, accumulated absences or any obligations associated with the Municipality's Public Educational Building Authority.

3. The Municipality has outstanding the following temporary loans to be paid within one year, made in anticipation of the collection of taxes and not exceeding one-fourth of the general revenues of the Municipality:

None

4. The Municipality has outstanding the following described bonds and other obligations issued for the purpose of acquiring, providing or constructing water works:

None

5. The Municipality has outstanding the following described bonds and other obligations issued for sewer, street or sidewalk improvements, where the cost of the same, in whole or in part, is to be assessed against the property abutting said improvements:

None

6. The Municipality has outstanding the following described warrants or obligations which will be payable solely from the revenues derived from the operation of a water, sewer, gas or electric system or any one or more of such systems:

None

7. The Municipality owes current accounts payable in the following amounts:

Regular accounts payable, not more than	\$500,000.00
Payroll taxes, not more than	\$150,000.00
Others, not more than	\$250,000.00

8. The Municipality has outstanding no other bonds, warrants, obligations, indebtedness, notes, contracts, long term leases, lease-purchase obligations, installment purchase obligations, or pecuniary obligations of any nature whatsoever except as follows (herein describe in detail any other

obligations not set forth above and specify with respect to each such obligation the principal amount or total liability or obligation of the Municipality thereunder):

Accumulated Compensated Absences, not more than \$1,000,000

Miscellaneous Short Term Loans and Lease/Purchase Obligations, not more than \$2,500,000

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official corporate seal of the Municipality as of the date first written above.

Mayor

CITY SEAL

Finance and Administration Director

JONES WALKER LLP
One Federal Place
1819 Fifth Avenue North, Suite 1100
Birmingham, Alabama

April __, 2016

BancorpSouth
Foley, Alabama

City of Gulf Shores
Gulf Shores, Alabama

Re: \$4,000,000 General Obligation Taxable Warrant, Series 2016-A, dated the date of delivery,
issued by the City of Gulf Shores

Ladies and Gentlemen:

This opinion is rendered in connection with the issuance of the above-referenced warrant (the "Warrant") by the City of Gulf Shores, Alabama (the "Municipality"). The Warrant is issued pursuant to an ordinance adopted by the governing body of the Municipality on April 11, 2016 (the "Warrant Ordinance").

We have examined the following: the proceedings of the Municipality for adoption of the Warrant Ordinance and other certificates, documents and proofs considered by us to be pertinent. In rendering this opinion we have also relied upon statements set forth in certificates executed by public officials and by officers of the Municipality.

Based upon the foregoing and upon our examination of the aforesaid proceedings and other papers submitted to us, and in reliance on the aforesaid certificates and assuming compliance with the covenants and representations in the Warrant Ordinance, we are of the opinion, as of the date hereof and under existing law, that:

- (1) The Warrant is a valid and binding order upon the Finance and Administration Director of the Municipality for the payment of the principal thereof and interest thereon and evidence and order paid the valid general obligation indebtedness of the Municipality.
- (2) Interest on the Warrant is includable as gross income for federal income taxation.
- (3) Interest on the Warrant is exempt from present income taxation in the State of Alabama.

The rights of the registered owners of the Warrant and the enforceability thereof are subject to the exercise of judicial discretion in accordance with general principles of equity, to the valid exercise of the constitutional powers of the United States of America and the sovereign police powers of the State of Alabama, and to bankruptcy, insolvency, reorganization, moratorium or other similar laws affecting the enforcement of creditors' rights heretofore or hereafter enacted.

BancorpSouth (the "Bank"), as purchaser of the Warrant, has represented that (1) our engagement as bond counsel did not include services relating to the compilation, verification or furnishing to the Bank of information regarding the merits and risks of investment in the Warrant and the Bank has knowledge and experience in financial and business matters sufficient to evaluate such merits and risks; (2) the Bank has been provided with and has evaluated such financial, corporate and general information respecting the Municipality and the Warrant as the Bank deems necessary to make an informed investment judgment with respect to the purchase of the Warrant; (3) the Bank is purchasing the Warrant for its own account and not for resale, and the Bank has no present intention of reselling or otherwise distributing the Warrant or any interest therein to any person or entity which is not owned by the Bank; and (4) the Bank will not sell, transfer or otherwise distribute the Warrant or any interest in any thereof in violation of any applicable federal or state securities laws.

The opinions within are (a) limited to matters stated herein and no opinion may be inferred beyond the matters expressly stated, (b) given as of the date hereof and with the express understanding that we have no obligation to advise you or any of your successors or assigns of any changes in law or fact subsequent to the date hereof, even though such changes may affect the opinions expressed herein, (c) rendered to you solely in connection with the subject transactions and may not be relied upon by you or by any other person for any other purpose, and (d) rendered as an expression of our professional judgment as to the legal issues explicitly addressed herein, by the rendering of which we do not become an insurer or guarantor of that expression of professional judgment or of the outcome of any legal dispute that may arise with respect to any of the matters herein contained.

Faithfully yours,



SMALL TOWN, BIG BEACH™

DATE: March 30, 2016

ISSUE: Purchasing Manuals

RECOMMENDATION: Adopt the following:

- Purchasing Manual, latest revised version dated 3/30/2016
- Procurement Card Manual, latest revised version dated 3/15/2016
- Fixed Assets Manual, created 4/22/2014

PREVIOUS COUNCIL ACTION: Resolution 4649-09 adopted the Purchasing Manual in April 2009. The Procurement Card Manual was previously adopted through Administrative Policy #29 and amended through Resolution 4030-12. The Fixed Assets Manual is a new document requested by the auditors.

BACKGROUND: A number of changes and clarifications are addressed in these manuals, including the City's implementation of electronic purchase orders, the consolidation of travel credit cards into the current procurement card program, and the procedures for tracking fixed assets per audit requirements. Extensive efforts have been made to make the purchasing process more clear and efficient. A lean training exercise was held in 2013 to improve the purchase order process. A Purchasing Policies Review Committee with representatives from every City Department helped to revise all three documents in 2014. All Department Heads and the Finance Committee have reviewed the latest versions of the manuals.

BUDGET IMPLICATIONS: None. Adoption of these manuals is to formalize current policies and procedures.

RELATED ISSUES: None

ATTACHMENTS:

- Purchasing Manual
- Procurement Card Manual
- Fixed Assets Manual
- Drafted Resolution

DEPARTMENT: Purchasing Division, Finance & Administrative Services

STAFF CONTACT: Renee Eberly, Purchasing Officer

RESOLUTION NO.

**A RESOLUTION ADOPTING PURCHASING MANUAL,
PROCUREMENT CARD MANUAL, AND FIXED ASSETS MANUAL
FOR THE CITY OF GULF SHORES**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES,
ALABAMA, WHILE IN REGULAR SESSION ON APRIL 11, 2016, as follows:

Section 1. That the attached City of Gulf Shores Purchasing Manual (Revised March 30, 2016) is hereby adopted.

Section 2. That the attached City of Gulf Shores Procurement Card Manual (Revised March 15, 2016) is hereby adopted.

Section 3. That the attached City of Gulf Shores Fixed Assets Manual (Created April 22, 2014) is hereby adopted.

Section 4. That all prior adoptions, resolutions, rules, regulations, or policies in conflict with this resolution are hereby repealed.

Section 5. That this Resolution shall become effective upon its adoption.

ADOPTED this 11th day of April, 2016.

Robert Craft, Mayor

ATTEST:

Wanda Parris, CMC
City Clerk

C E R T I F I C A T E

I, Wanda Parris, CMC, City Clerk of the City of Gulf Shores, Alabama, do hereby certify that the foregoing is a true and correct copy of Resolution No. (prepared by City Clerk), which Resolution was duly and legally adopted at a regular meeting of the City Council on April 11, 2016.

City Clerk



PURCHASING MANUAL: POLICIES & PROCEDURES

Revised March 30, 2016

Renee Eberly, Purchasing Officer

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Executive Summary

A general summary of approvals required for City expenditures are as follows:

➤ All Purchases

Only employees listed on the Purchasing Authorization List (See Appendix A) may make purchases.

➤ All Purchases \$500 or more

An Electronic Purchase Order (PO) is required. All Purchase Orders require Department Head, Purchasing Officer, and Revenue Supervisor approval.

➤ All Purchases \$1,000 or more

Finance Director approval is required through the PO process, in addition to the Department Head, Purchasing Officer, and Revenue Supervisor.

➤ All Purchases \$5,000 or more

City Administrator approval is required through the PO process, in addition to the Department Head, Purchasing Officer, Revenue Supervisor, and Finance Director.

➤ Non-budgeted Purchases of Goods or Services \$5,000 or more

City Council approval required.

➤ Professional Service Contracts \$10,000 or more

City Council approval required.

➤ Purchases \$15,000 or more – Goods or Services

City Council approval required to award Sealed Bid (See Section IX).

➤ Purchases \$50,000 or more – Public Works Contracts Only

City Council approval required to award Sealed Bid (See Section IX).

EXCEPTIONS:

Budgeted items of a routine nature

Examples

- Compensation of officers and employees
- Payments of principal and interest on bond or warrant issues

I. Introduction

- A. The purpose of these purchasing policies and procedures is to establish a legal and orderly method of buying goods and services for the City of Gulf Shores, Alabama (“City”). These policies and procedures shall apply to all City of Gulf Shores employees, officers, officials, and agents when buying any goods or services for the City.
- B. By using these guidelines, the City hopes to achieve impartiality, integrity, and cost savings in the buying of goods and services. Another objective is to ensure that needed materials will be in sufficient supply so as to avoid any interruption in the delivery of services to the public.
- C. All purchasing records of the City will be open to inspection by any person, at all reasonable times and under reasonable regulations, except where prohibited or restricted by law.
- D. No officer or employee of the City shall be financially interested, either directly or indirectly, in any contract or purchase of any goods, materials, equipment, or contracted services furnished to or used by any Department, Board, or Agency of the City Government. There are certain statutory exceptions to this State regulation pertaining only to a Class 7 Municipality (Population of 6,000-11,999) such as Gulf Shores (*Code of Alabama*, Section 11-43-12).
- E. No officer or employee of the City may accept or receive, directly or indirectly, money, entertainment, gift or any promise, obligation, or contract for future reward or compensation from any person, firm, or corporation to which any contract or purchase order may be awarded.
- F. The City Purchasing Authority shall be the Finance and Administration Director or, in her absence, the City Administrator. The City Purchasing Authority may authorize the purchase of items less than \$5,000 which have been approved in the budget by City Council. City Administrator approval is required for purchases greater than \$5,000 up to the limits set by the Alabama Competitive Bid Law (See Section IX, “Procedures for Sealed Bids”).

II. General Guidelines

- A. Only those employees listed in the Purchasing Authorization List (PAL) shall make purchases of goods and services to be used by the City (See Appendix A). Employees of the City of Gulf Shores in good standing are eligible to be appointed to this list. Supervisors shall furnish to the Purchasing Officer a list of the qualified employees that they wish to serve as “Purchasing Agents” for their Departments or Divisions. The PAL will be prepared by the Purchasing Officer and sent to all Supervisors on a biannual basis. Those employees listed will be the only ones who will be able to incur an obligation against the City of Gulf Shores. Employees who are not on the PAL, if instructed by an authorized employee who is on the PAL may pick up items approved for purchase. In these situations, the sales ticket or invoice must be signed by a person listed on the PAL, with name and/or employee number printed legibly, before the ticket or invoice is submitted to the Accounting Division.
- B. The City Stockroom or Stock List shall always be consulted first to verify if a needed item is in stock.
A Stock/Inventory List is available on the shared server in the purchasing folder. If there is a demonstrated need for any item, it will be stocked. It is the responsibility of each Department Head to ensure that all employees utilize the City’s Stockroom.
- C. The use of Procurement Credit Cards is outlined in Resolution 5638-16 (See Appendix B) and the Procurement Card Policy and Procedures Manual.

- D. No accounts may be opened on behalf of the City without following the procedures outlined in Section V, Procedure for Adding New Vendors. The assistance of the Purchasing Officer should be utilized.
- E. In all purchasing situations, except those governed by the State Bid Law, price comparisons are to be obtained from two to three vendors to ensure the City receives quality merchandise at the lowest possible price. Purchases that are exceptions, as allowed by the State Bid Law, will not require price comparisons as described in this section.

The following buying limits for goods and services shall be used to determine how price comparisons are to be made:

<u>Amounts</u>	<u>Request</u>	<u>Method of Pricing</u>
All Goods and Services:		
\$0 – \$499.99	Verbal	Two verbal quotes recommended.
\$500 – \$14,999.99	Written	Three (3) written quotations required. List vendor quotes on Electronic Purchase Order, attach to invoice, and turned into Accounting as a packet.
\$15,000 and above		Formal sealed bids (<i>Code of Alabama</i> , Section 41-16-20)
Vehicle & Equipment Exemption:		
\$0 – \$5,000	No quote	Vehicle & Equipment Repair Exemption – \$500 and above will need Electronic Purchase Order.
Public Works Contracts:		
\$500 – \$49,999.99	Written	Three (3) written quotations on vendor letterhead required. List vendor quotes on Electronic Purchase Order, attach to invoice, and turned into Accounting as a packet.
\$50,000 and above	Written	Formal sealed bids (<i>Code of Alabama</i> , Section 39-2-2)

Under no condition or circumstance will a purchase be split or invoiced separately in order to make a purchase qualify for a lower expenditure category.

All specifications and vendors’ prices shall include freight charges F.O.B. (Freight On Board) Delivery to Gulf Shores. All vendors should be advised at the time prices are obtained that freight charges quoted will be the maximum paid by the City, and under no circumstances will additional freight charges be paid.

- F. All tickets and/or invoices must be filled out completely and turned in to the Accounting Division as soon as possible, preferably not greater than 72 hours. Departments with excessive turnaround times will be referred to the City Administrator. The entire account number being charged shall be

plainly marked on the ticket, invoice, or purchase order. Buyer must be sure to sign and print name or employee number on the ticket and/or invoice.

- G. If a purchase is made and is specific to a project passed by resolution, the project name must be identified on invoice. When purchases made are to be reimbursed by a grant, the name of the grant and the amount to be charged must be plainly marked on the ticket, invoice, or purchase order.
- H. When purchases made are deemed to be reimbursable by FEMA, AEMA, or another agency because they are directly related to a hurricane or other disaster, the name of the disaster, physical location of where the purchase was used, a description of how the purchase was used, and the dollar amount shall be plainly marked on the ticket, invoice, or purchase order. This includes preliminary disaster purchases for protective measures as well as all expenditures incurred during and after the disaster, such as cleanup and damage repairs.
- I. The incorporated municipalities of the State of Alabama are specifically exempted from the payment of Alabama Sales Tax on purchases of tangible personal property. Since a specific exemption is provided by law, a certificate of exemption is not needed (*Code of Alabama, 1975, Section 40-23-4(11)*, as amended). The City also maintains a Certificate of Exemption for Florida Sales Tax. A copy of the Certificate may be requested from the Purchasing Officer.

III. Emergency Purchases

- A. Emergency purchase of goods or services may be authorized by the Department Head or, in his/her absence, the Purchasing Authority when delivery is critical to the life, health, or comfort of the City and when normal purchasing procedures cannot be followed.
- B. For items within his/her purchasing range, the Supervisor must secure verbal approval from his/her Department Head before such emergency purchase and shall submit a written report to the Purchasing Authority via his/her Department Head within 24 hours after such emergency purchase. The report must set forth the nature of the emergency and a summary of the purchasing procedure used.
- C. The City Council has the authority to let contracts under the State Bid Law (purchases or contracts \$15,000 and above) without advertisement in emergency situations when public health, safety, or convenience is at risk through delay. Sealed bid laws must still apply to purchase. Such emergency must be declared in writing by the Department Head in advance; and the City Council shall ratify the contract award based upon the justification provided by the Department Head.

IV. Special Requests and Conditions

- A. No purchases shall be made unless the purchases are for budgeted items with available funds in the current year budget, or have been specifically approved by the Mayor or the City Administrator.
- B. Competitive pricing is not required if goods are available only through a single vendor, have uniform prices wherever bought, or are exceptions as defined in the State Bid Law. Sole source purchases

shall be approved by the Purchasing Authority prior to purchase. Sole source purchases are extremely rare.

- C. For the purchase or lease of personal property only, a Baldwin County resident person, firm, or corporation whose bid is no more than five percent (5%) greater than the lowest bid, may be the successful bidder and the contract may be awarded to such Baldwin County resident vendor responsible bidder. A Baldwin County resident vendor is defined as one who has a place of business within Baldwin County. It is the policy of the City of Gulf Shores to purchase from a Gulf Shores resident vendor whenever possible.
- D. Vendors offering equal value at equal cost will be rotated on an equitable basis. Equal cost is to be determined by evaluation of such factors as price, delivery, service, operations, features, salvage, and life cycle costing, if applicable.
- E. All contract change orders, regardless of amount, shall be approved through resolution by the City Council.

V. Procedure for Adding New Vendors

- A. A new vendor may be added if either of the following criteria are met:
 - 1. The amount of the purchase is greater than \$100 or the purchase cannot be made with a procurement card.
 - 2. Repeat purchases are anticipated.
- B. If the vendor is located outside the City, the item being purchased or service being rendered should not be available within the City from a preferred local vendor.
- 3. A Vendor Application Form shall be completed and submitted to the Purchasing Division to ensure a local vendor cannot be utilized or purchase cannot be made by procurement card. The entire scope of the purchase will be reviewed to determine if an account should be opened. Decisions will be made on a case-by-case basis. It is the City's policy to discourage low volume, infrequent vendor accounts.

VI. General Purchasing Procedures

- A. For purchases of \$0 – 499.99
 - 1. Purchase can be made by any employee on the PAL. A City I.D. must be presented by the City employee to the vendor when purchasing at a store where the City has an open trade account.
 - 2. The ticket or invoice for a purchase must be submitted to the Accounting Division as soon as possible but in no case greater than 72 hours. The account number and signature of the purchaser must be plainly and legibly marked on the ticket or invoice. If the signature is unreadable, please print name under it.

3. Up to \$200, items can be purchased from Petty Cash, as outlined in the Petty Cash Policy. Buying limit requirements shall be adhered to.

B. For purchases of \$500 – \$14,999.99

\$500 – \$49,999.99 for Public Works Contracts

1. An Electronic Purchase Requisition (See Section VIII) must be submitted by the employee making a purchase through the Division Supervisor to the Purchasing Division. A summary of quotations received, to include vendor name and pricing, must be written on the Electronic Purchase Requisition.
2. The Purchasing Division will verify established procedures are being followed. After approval by the Purchasing Division, the Requisition will be routed to the Purchasing Authority for processing.
3. In cases where the established procedures are not being followed or the item is not budgeted, the Requisition will be routed to the City Administrator for approval and signature.
4. Once approved, the Requisition will be released by the Accounting Division and become a Purchase Order.
5. Information reflected by the Requisition/Purchase Order is then entered into the computer system to encumber the account. Any pertinent notes should be entered and monitored in the notes section of the Requisition.
6. The printed Purchase Order accompanied by the written quotes summarized in the Electronic Purchase Requisition must be attached to the Invoice when submitting for payment.

C. For purchases of \$15,000 and above

\$50,000 and above for Public Works contracts

1. The Competitive Bid Law is codified through Titles 39 and 41, *Code of Alabama, 1975*.
 - a. The Bid Laws have been interpreted by the Courts and by the State Attorney General's Office to mean that like items purchased by the entire City, totaling \$15,000 and above, must undergo the sealed bid process. (\$50,000 for Public Works Contracts)
 - b. Bidders may be required to furnish a bid bond on any contract totaling \$15,000 and above (\$50,000 for Public Works Contracts) provided that bonding is available for such services, equipment, or materials. (*Code of Alabama, Section 41-16-50(c)*)
 - c. Bond in a responsible sum for faithful performance of the contract with adequate surety may be required in an amount specified in the advertisement for bids. (*Code of Alabama, Section 41-16-58*)
 - d. For your convenience, the following exceptions allowed by the Competitive Bid Law are listed here:
 - Purchases of utility services where no competition exists or rates are fixed by law.

- Purchases of insurance.
- Purchases of election supplies. However, the purchase or lease of voting machines is not exempt from the bid law.
- Contracts for services of attorneys, physicians, architects, teachers, superintendents of construction, artists, appraisers, engineers, consultants, certified public accountants or other individuals possessing a high degree of professional skill where the personality of the individual plays a decisive part. ("Professional Services")
- Contracts of employment in the regular civil service.
- Purchases of products made or manufactured by the blind or visually handicapped under the direction or supervision of the Alabama Institute for the Deaf and Blind.
- Purchases of maps or photographs from a federal agency.
- Purchases of manuscripts, maps, books, pamphlets and periodicals.
- The selection of paying agents and trustees for any security issued by a public body.
- Professional service contracts for the codification and publication of the laws and ordinances of a county or municipality.
- Contractual services and purchases of commodities for which there is only one vendor or supplier.
- Contractual services or purchases of personal property, which by their very nature are impossible to award by competitive bidding.
- Purchases of products where the price of such products is already regulated and established by state law.
- Contracts for furnishing of fiscal or financial advice or services.
- Contracts relating to industrial development.
- The purchase of equipment, supplies or materials needed, used and consumed in the normal and routine operation of any waterworks system, sanitary sewer system, gas system, or electric system, or any two or more thereof, that are owned by municipalities, counties or public corporations, boards or authorities that are agencies, departments or instrumentalities of municipalities or counties and no part of the operating expenses of which system or systems have, during the current fiscal year, been paid from revenues derived from taxes or from appropriations of the state, a county, or a municipality.
- Repair of construction equipment and all vehicles for which parts or service is of a specialized nature.

The State and Baldwin County Bid Lists are to be used whenever possible.

Note: The State bid and County bid should state, in writing, that the contract was let for the benefit of municipalities as well as the state or county. Purchase of items on State Bid List should reflect commodity number and State contract number. If the vendor cannot provide these numbers, it is not on the State Bid List. The City cannot purchase from Federal General Services Administration's (GSA) contracts but may use GSA prices for comparison. It is recommended that other prices be obtained when using the State Bid List; State bid prices are not always the lowest.

Exception to Federal GSA: Police and Fire Departments can purchase items to be used for Homeland Security, and Schedule 70 contracts can be utilized for computers.

2. Purchases shall not be split in order to avoid the requirements of the bid laws.
3. Invitations to bid for items other than Public Works Contracts shall be prepared by the Purchasing Officer. The Public Works Director shall be responsible for preparing invitations to bid for Public Works Contracts with the Purchasing Officer's assistance and knowledge. Scheduled bid openings will normally be held on Tuesdays at 10:00 AM. Bid openings will normally be held in the Council Chambers of City Hall unless an alternate place is designated and posted on the public bulletin board prior to the opening. The Purchasing Officer may set special bid openings and change the location as he/she deems necessary.
4. All bids will be opened in a public meeting. A bid tabulation sheet will be prepared as bids are opened showing the items responded to appropriate bid amounts received.
5. The Purchasing Authority or his/her designee is required to attend each bid opening. Department heads, other staff members, vendors, and the general public are invited and welcome to attend bid openings.
6. All bids will be time date stamped regardless of the time received. Any bid received after the appointed time of opening will be placed in the bid file, unopened, and retained by the City.
7. All bids, together with all documents pertaining to the bid or award of a contract, shall be retained and made part of a file or record for a period of seven (7) years, or as required by the Alabama State Records Retention Law.
8. At the bid openings, the City's representatives may question any bidder as to the validity of the bid; however, no one representing the City shall make any commitment to a bidder as to a purchase prior to the awarding by Council and the issuance of a Purchase Order or Contract.
9. City Council shall award the contract for all accepted sealed bids by resolution. Unit price, estimated quantity contracts may be awarded with an amount "not to exceed" identified. If the contract expenditure exceeds the "not to exceed" amount, a change order must be approved by resolution of the City Council.
10. In the event only one (1) bid is received, the City may reject the bid and negotiate the purchase provided the purchase price is lower than the bid price. The City may further reject any bid if the price is deemed excessive or the quality of the product or service does not meet the specification or is otherwise deemed nonconforming. Should the City solicit bids and receive

none, the City may then negotiate a price with any vendor without soliciting bids a second time. The City reserves the right to reject any or all bids and to waive any informality.

VII. Professional Service Contracts/Agreements

- A. Department Heads may approve and execute maintenance and professional service contracts with a value of less than \$5,000 without prior City Council approval.
- B. The City Administrator may approve and execute professional service contracts with a value of less than \$10,000 without prior City Council approval.
- C. City Council must approve professional service contracts with a value of \$10,000 or more.

Note: Professional service contracts must address professional errors and omission coverage. A Certificate of Insurance evidencing coverage must be provided to the City referencing the project name. Contact the Purchasing Officer to determine appropriate coverage before executing any contracts or agreements.

VIII. Procedure for Electronic Requisitions/Purchase Orders

- A. Before making a purchase of \$500 or more, an employee must submit an Electronic Purchase Requisition. A summary of quotations received, to include vendor name and pricing, must be written on the Electronic Purchase Requisition.
- B. Once an Electronic Purchase Requisition is submitted, it is approved as follows:
 - 1. Department Head – Verifies that the purchase is justified and authorizes expenditure to department account. Approval by a Department Head for a department other than their own is not allowed without approval of Department Head to which the expense is charged.
 - 2. Purchasing Agent – Verifies established procedures are being followed, and that the requisition has been filled out correctly.
 - 3. Treasurer – Verifies that the vendor has a current business license and is tax compliant, when applicable. Approval is held until vendor has obtained required licensing.
 - 4. Finance & Administrative Services Director – Approves purchases greater or equal to \$1,000, verifies that sufficient funds have been budgeted/allocated to cover the cost of the purchase.
 - 5. City Administrator – Approves purchases greater or equal to \$5,000 or when an account is over budget.
- C. Once approved, the Electronic Purchase Requisition must be released by the Accounting Division for it to become an Electronic Purchase Order.

IX. Procedures for Sealed Bids

(Purchases of \$15,000 and above; \$50,000 and above for Public Works Contracts)

All applicable public contracts for the City of Gulf Shores must conform to the *Code of Alabama*, Title 41.

- A. The Purchasing Manual should be reviewed on a regular basis to ensure compliance is maintained.
- B. At least fourteen (14) days should be allowed from the date the bid package is placed on the City website or mailed until the bid opening date. The Invitation to Bid must be posted on the public bulletin board at City Hall on the same day that the bid package is placed on the City website or mailed.
- C. The bid package shall clearly indicate the person to contact in cases when the vendor may have questions.
- D. The following sources should be utilized in developing bid specifications:
 - 1. NIGP (National Institute of Governmental Purchasing)
 - 2. State and/or Baldwin County bid specifications
 - 3. Other Cities' bid specifications
 - 4. Internal staff

The practice of having vendors participate in formulating the specifications should be avoided if possible. In cases where a vendor did participate in the preparation of the bid specifications, a pre-bid conference or similar review should be conducted to ensure that other vendors are able to fairly bid.

- E. The Bids must be received by U.S. Mail, Federal Express, etc., not later than the time and date for bid opening specified in the bid package. Walk-in bids are acceptable, but hand carried bids must be turned in at the City Hall front desk by the bid deadline. All bid packages shall be date/time stamped by the City Hall front desk attendant at the time they are turned in and logged. The City accepts no responsibility for the acceptability or receipt of walk-in bids.
- F. Newspaper bid advertisements shall conform to the following:

The first bid advertisement in the newspaper must appear at least fourteen (14) days prior to the bid opening date.

<u>Projected Bid Price</u>	<u>Procedure</u>
\$15,000 – \$19,999.99	No newspaper advertising is required. However, consideration should be given to a small, one-time advertisement that simply states that a bid on a specific item is being conducted and the place where specific bid information may be obtained.
\$20,000 and above	The bid shall be advertised once in a newspaper published locally.

Items below are the newspaper advertising requirements for Public Works Contracts only.

\$50,000 – \$499,999.99	The bid shall be advertised once in a newspaper published locally.
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\$500,000 and above The bid shall be advertised at least once in three (3) newspapers of general circulation throughout the State.

- G. There shall be no changes in the bid specifications starting 48 hours prior to the scheduled bid opening. This should be clearly indicated in the bid package. All bid inquiries should be directed only to the specific person(s) indicated to receive inquiries in the bid package. Answers to all inquiries shall be provided to all bidders via written addendum. All addenda shall be issued by either the Purchasing Officer or Public Works Director for promulgation to vendors. All receptionists responsible for directing calls should be made aware of this by the Purchasing Officer.
- H. Warranty information should always be included by the vendor as part of their sealed bid. This should be clearly stated in the bid package.
- I. Council approval is required to award sealed bids.
- J. Upon award, the successful bidder must become registered as a City Vendor. The successful bidder will be required to obtain a Gulf Shores Business License if delivery trucks or business representatives operate within the City. Vendors are not required to obtain a business license if items are shipped through common carrier. Vendors shall be responsible for Use Taxes, if due, on materials provided by the Vendor in accordance with Alabama Law and local City Ordinances. Contractors performing construction work on a project must obtain a Gulf Shores Building Permit, but permit fees will be waived. Contractors shall do no work until Certificates of Insurance acceptable to the City have been filed and approved.

X. Public Works Contracts

Section 39-2-1, *Code of Alabama 1975*, defines public works as:

“The construction, repair, renovation, or maintenance of public buildings, structures, sewers, waterworks, roads, bridges, docks, underpasses, and viaducts as well as any other improvements to be constructed, repaired, renovated, or maintained on public property and paid, in whole or in part, with public funds or with financing to be retired with public funds in the form of lease payments or otherwise.”

All public works projects involving a public expenditure of \$50,000 or more must be competitively bid. Public works projects less than \$50,000 are exempt from the regular bid law. The Purchasing Officer should be consulted to determine if a project truly qualifies as a public works contract.

All Public Works Contracts for the City of Gulf Shores must conform to the *Code of Alabama*, Title 39.

A. Licenses Required.

- 1. Any contractor performing any construction work for the City must possess all licenses and permits required by the City of Gulf Shores. Any general contractor desiring to bid on any contract to construct any building, highway, sewer, grading, or any improvement or structure

costing \$50,000 or more must possess a valid current general contractor's license issued by the State of Alabama. All bidders must include a current State of Alabama Contractor's License Number on the bid. No contract in the amount of \$50,000 or more shall be awarded to any contractor who is not a currently licensed Alabama General Contractor.

2. In addition to necessary state and local business and contractor's licenses, an out-of-state corporate contractor shall be registered to do business in Alabama by the Secretary of State. Proof of such qualification shall be provided to the Purchasing Authority at the time of business license fee payment. A card reflecting the State Certification Number shall be sufficient proof.

B. Plans and Specifications Required.

On any construction project costing \$50,000 or more, all engineering plans, specifications, and estimates shall be prepared by, and the construction executed under the direct supervision of, a professional engineer or registered architect.

C. Advertisement.

1. Any construction project costing \$50,000 or more shall be advertised at least once in a newspaper published locally. Any Public Works Contract costing \$500,000 or more shall be advertised at least once in three (3) newspapers of general circulation throughout the State.
2. The advertisement shall be posted on a bulletin board maintained in Gulf Shores City Hall.
3. Invitations to bid may be mailed or faxed to all Alabama contractors on the City of Gulf Shores bid list for projects of the type being bid or placed on the City's website.

D. Bid Guaranties.

All bidders shall furnish a bid bond on any contract in excess of \$50,000 provided that bonding is available for the services, equipment, or materials. In cases where bonding is not available, a certified check payable to the City of Gulf Shores will be required. The amount of the bond or certified check shall be for an amount not less than five percent (5%) for all Alabama contractors on the City of Gulf Shores bid list for projects of the type being bid of the estimated cost or of the contractor's bid but not more than \$10,000 unless special circumstances require a greater amount.

E. Performance Bond and Labor and Material Payment Bond.

Any person, firm, or corporation entering into a contract with the City for the repair or construction of any public building, public work, highway, or bridge shall provide a performance bond equal to one hundred percent (100%) of the contract price and, in addition thereto, another bond with good and sufficient surety, payable to the City of Gulf Shores, in an amount required by the City of not less than fifty percent (50%) of the contract price, with the obligation that such contractor shall promptly make payments to all persons supplying him with labor, materials, or supplies and for the payment of reasonable attorneys' fees incurred by successful claimants or plaintiffs in civil actions on said bond (*Code of Alabama*, Section 39-1-1(a)). The specifications may permit the alternative of an irrevocable letter of credit to be presented in place of a bond. Bonds are not required on contracts of less than \$50,000 by the *Code of Alabama*, Section 39-1-1, but a bonding requirement

imposed by the City under *Code of Alabama*, Section 41-16-58 for contracts under \$50,000 would not be precluded.

F. Insurance Requirements for Contractors.

Any person, firm, or corporation entering into a contract with the City for the repair, maintenance, or construction of any public building, public work, highways, or bridges shall have Workers' Compensation and Comprehensive General Liability Insurance in an amount deemed appropriate by the City but never less than \$1,000,000 Combined Single Limit. The Certificate of Insurance shall name the City of Gulf Shores as additional insured.

G. Preference to Resident Contractors.

1. A preference shall be given to Alabama contractors bidding on construction projects being funded by State, County, or City funds to the same extent preference is given to nonresident contractors in their home state.
2. Nonresident bidders must accompany any written bid documents with a written opinion of an attorney at law licensed to practice law in such nonresident bidders' state of domicile, as to the preferences, if any or none, granted by the law of that state to its own business entities whose principal places of business are in that state in the letting of any or all public contracts.
3. A summary of this law shall be a part of the advertised specifications of all projects affected by this law.

H. If a construction contract is funded in part by grant moneys, the applicable Federal or State administrative requirements shall control in any situation where the Municipal guidelines differ.

I. All contract change orders in excess of \$5,000 shall be preapproved by resolution of the City Council. Change orders less than \$5,000 shall be ratified by Council.

J. No specification for the use of sole source materials, products, systems, or services may be made unless there is compliance with *Code of Alabama*, Section 39-2-2(f).

K. *Code of Alabama*, Sections 39-3-1 and 39-3-4, require the use of domestic materials, supplies, other products, and steel if these are available at reasonable and competitive prices and are not contrary to any sole source specifications implemented under Section 39-2-2(f). In the event the contractor breaches the agreement to use domestic products and domestic products are not used, there shall be a downward adjustment in the contract price equal to any realized savings or benefits to the contractor.

XI. Maintenance, Rental, Lease, and Lease Purchase Contracts

A. All contracts for leases, lease purchases, rental agreements or maintenance agreements must be submitted to the City Clerk, who will determine whether the document should be reviewed and approved by the City Attorney. Only the Mayor has the authority to sign contracts on behalf of the City. Insurance requirements must be reviewed by the City's Insurance Agent, and their concerns addressed.

- B. All leases, lease purchases, rental agreements or maintenance agreements are subject to bid laws if the amount equals or exceeds \$15,000. (See Section VI-C)
- C. A lease purchase plan is an option available to the City to be used when deemed to be in the best interest of the City. A lease purchase agreement may not exceed a period of five (5) years.
- D. Contracts for purchases of personal property shall not be awarded for terms greater than three (3) years and contracts for contractual services shall not be awarded for terms greater than five (5) years.
- E. Lease purchase contracts for capital improvements and repairs to real property shall be let for periods not greater than ten (10) years.

XII. Vehicle and Equipment Purchases

The following procedures should be used when making approved purchases of vehicles and/or equipment:

1. Present desired specifications to Fleet Manager for review. Be sure to include request for parts manual.
2. Discuss with Purchasing Officer to determine whether the item should be purchased from the State Contract List, other approved contract, or if it should be competitively bid.
3. Buyer must inform Fleet Manager and Purchasing Officer of which existing units are being replaced, or present proof of fleet increase approval.
4. Follow applicable purchasing procedures for competitive bid and/or requisition.
5. Place order after Purchase Order is fully approved.
6. Vehicle and equipment titles must be made out to the Public Works Shop address, as follows:
City of Gulf Shores
160 West 36th Avenue
Gulf Shores, AL 36542
7. Received vehicles and equipment must be delivered directly to the Public Works Shop for an initial inspection prior to use.
8. Original title and copy of invoice and any additional documentation should be submitted upon item delivery to the Purchasing Officer or the Public Works Administrative Assistant located at the Public Works Shop. Purchasing Officer will add new items to insurance and apply for license plates when required. The Purchasing Tech will issue the fuel card. The Public Works Administrative Assistant issues the four-digit City ID number and enters the item into Cititech software for maintenance tracking.
9. Original invoice should be approved and submitted to Accounting for payment.

XIII. Workers' Compensation Insurance Requirements for Vendors

All vendors performing work or services on City property are required to provide proof of workers' compensation insurance prior to beginning work on City property.

The State of Alabama requires businesses with more than four employees to have workers' compensation insurance coverage, but the City is required to pay for workers' compensation insurance coverage for all vendors who work on City property, even if they have four or less employees, if their proof of insurance is not on file. In an effort to reduce costs, the City requires all vendors, regardless of their number of employees, to provide proof of workers' compensation insurance prior to beginning work on City property. Exceptions to this requirement will be entertainment performers, or other contracted vendors where the cost of assuming workers' compensation coverage is approved by the City Administrator.

XIV. Business License Requirements for Vendors

All vendors with a physical presence in the City of Gulf Shores are required to have a Gulf Shores Business License. This includes physically performing work within the City and delivery of goods by personnel and vendor-owned vehicles into City limits. Vendors using common carrier delivery methods such as FedEx and UPS are not required to obtain a business license.

XV. Partial Shipment Payment

When a partial shipment is received and there will be delay in completing the order, the Department Head may authorize payment for those goods received. The person receiving the items should sign the receiving ticket certifying that the items have been received, and the Department Head shall then authorize payment against a valid invoice.

XVI. Prepayment Purchases

On purchases of goods or services requiring prepayments, a procurement card shall be used in all cases where vendors will accept this card. A Purchase Order must be used in those cases where the vendor will not accept a procurement card. Purchase Orders in the amount of \$500 or more shall be sent to the Purchasing Authority for approval. Purchase Orders for less than \$500 may be sent directly to Accounts Payable. In this case, the Purchase Order shall state the amount of prepayment.

XVII. Reverse Auction Procedures

(Revised *Code of Alabama* Sections 41-16-50, 41-16-54, 41-16-55, 41-16-57)

- A. Authorization for Reverse Auction. Utilize reverse auction when making purchases of supplies or services. The reverse auction process encompasses two phases: 1) issuance of the pre-qualification documents that include specifications, terms and conditions, and 2) the online auction event. The

auction event shall be conducted through the internet using a third party agent hired by the Purchasing Officer to conduct the online event.

- B. Determination for Reverse Auction. The Purchasing Officer has reviewed the purchase request has determined that the supplies or services are not available from state resources, and has also determined that use of the Competitive Sealed Bid and Competitive Sealed Proposals may not result in the most advantageous pricing for the City. In lieu of a bid or proposal, the Purchasing Officer determines that a reverse auction would be in the best interest of the City to complete the purchase. Factors to consider include, but are not limited, to the following:
 - 1. Value of the procurement
 - 2. Number of items to be purchased
 - 3. Specifications readily definable
 - 4. How often the item will be purchased
 - 5. Use by other agencies
 - 6. Availability of competition
 - 7. There are single/multiple delivery points

The Purchasing Officer will then contact a third party to discuss the potential of doing a reverse auction for the respective purchase.

Upon completion of the reverse auction, the Purchasing Officer will complete the Reverse Auction Scoring Worksheet for each proposed purchase and include a copy with the recommendation to the Mayor and Council.

XVIII. Petty Cash and Cash Box Policy

- A. A petty cash fund may be used to purchase small items of immediate need or to reimburse employees for eligible outlay of cash. The following funds are presently authorized by Council Resolution for the respective divisions of the City:

<u>Fund</u>	<u>Amount</u>	<u>Custodian</u>
General Government	\$ 1,000	Revenue Financial Tech I
Municipal Court	\$ 500	Municipal Court Magistrate
Police	\$ 750	Administrative Supervisor
Fire/EMS	\$ 300	Fire Chief
Community Development	\$ 200	Administrative Assistant II
Building Department	\$ 250	Administrative Assistant II
Special Events & Programs	\$ 500	Program/Events Supervisor
Library	\$ 500	Library Assistant Senior

Recreation & Cultural Affairs Department	\$ 900	Recreation Manager
Recreation Concessions	\$ 3,500	Parks & Facilities Manager
Tennis Center	\$ 200	Athletic Coordinator
Cultural Center	\$ 300	Program/Events Supervisor
City Store	\$ 1,300	Retail Operations Coordinator
TOTAL	\$10,200	

When a Petty Cash and Cash Box Fund is established and the cash presented to the Custodian, the designated Custodian shall sign a form provided by the Accountant. This form shall serve as a receipt and also an acceptance of total responsibility for the cash so transferred. Any discrepancy in the fund will be the sole responsibility of the designated Custodian notwithstanding an assignment of the Cash Box to the Custodian’s agent.

No petty cash expenditure shall exceed \$200 for any one incident, except in the case of an emergency, in which case the Department Head shall give prior approval, in writing, with an explanation to the City Administrator through the Purchasing Authority.

- B. Regulations governing operations of such funds shall be outlined in departmental operating procedures; however, a locked depository shall be used as a safeguard measure. An identical petty cash form is used to document purchases or reimbursements made by the various funds.
- C. Replenishing of petty cash funds follows standard accounts payable procedures in that the Department Head, or his/her designated agent, must approve all expenses. When replenishing of petty cash funds is necessary, the following procedures will be used:
 1. The Petty Cash Custodian (Revenue Financial Tech I) will complete Section 1 of the Request for Reimbursement of Petty Cash Fund and attach it to the front of the supporting documentation. The package is then forwarded to the Accounting Division for processing.
 2. Upon receipt of the package, the Accounting Division will run a tape of the paid tickets. If the total agrees with the amount requested in Section 1 of the form, the Accounting Division will endorse Section 2 of the original. The original will remain with the package.
 3. If the tape does not agree with the requested amount, the package will be returned to the Custodian for correction. When corrected, Steps 2 and 3 above will be repeated.
 4. The Accounting Division verifies that the tickets are coded to the proper account numbers so expenditures will be recorded as budgeted.
 5. A check is then issued for the amount of the request.
 6. The Accounting Division will notify the Custodian that the reimbursement check is ready.
 7. The Accounting Division will file the completed original form with the copy of the check and all supporting documentation.
 8. The Accounting Division will provide each custodian with one (1) original request form from which duplicates can be made.

9. Petty cash files are maintained by department in the Accounting Division.
- D. Daily check-and-balance is maintained on petty cash boxes by having another person, other than the Custodian, count money, and verify documentation.
- E. Petty cash disbursements will be made for small purchases when it is not feasible to write a purchase order or when purchasing from sources with which the City does not have an account. Only purchases of \$200 or less will be made from petty cash.
- F. When petty cash expenditures are necessary, the following procedures will be used:
 1. An invoice will be secured for each purchase showing exact items purchased. If only a cash register tape is available, items purchased should be described on the Petty Cash Voucher.
 2. A Petty Cash Voucher will be prepared by the Petty Cash Custodian.
 3. The invoice will be attached to the Petty Cash Voucher and presented to the Petty Cash Custodian for reimbursement.
 4. The Petty Cash Voucher and invoice will be retained in the Accounting Division as a part of their permanent records.
- G. When a Petty Cash Custodian terminates employment with the City, an eligible employee in the same Division and Department shall be appointed by the City Administrator.

XIX. Recurring Contractual Charges

Payment of recurring monthly charges and reimbursement is an accounting procedure and not a purchasing procedure; therefore, no purchase order will be needed for these payments. Procedures for payment will be implemented by the Accounting Division. Examples of these payments are automobile allowance, utility bills, debt services, and appropriations.

XX. Stockroom/Inventory

- A. The Purchasing Technician will operate an efficient, centralized stockroom. This will be achieved by scheduling purchasing requirements in advance, developing specifications tailored to departmental needs, inspecting delivered goods to ensure they meet specifications, maintaining an effective working relationship with other departments and vendors, and using buying techniques that discourage favoritism and encourage greater competition among prospective vendors.
- B. Purchase requisitions provided by the Purchasing Technician shall be used to withdraw stock from the stockroom. Items costing less than \$500 which are not maintained as stock will be requested by Purchase Requisition signed by the Department Head. The correct procedure for the expenditure will then be followed as outlined in Section VI – General Purchasing Procedures.
- C. The following stockroom procedures shall apply:

1. A list of stock inventory will be issued to City Staff quarterly by email by the Purchasing Technician showing the items available for selection. The requesting department will complete the requisition in the same manner as for non-stock items, making the selections from the stockroom.
 2. The Purchasing Technician will review the requisition to ensure that it has been properly prepared and approved by the proper authority, and then issue the items requested.
 3. The Purchasing Technician will issue a biweekly report to Department Heads for review. Expense coding will be corrected as needed.
 4. The requisitions will be retained in the stockroom until the end of the quarter when they will be totaled and forwarded to the Accounting Division to be charged to the various departments.
- D. The Purchasing Technician will conduct periodic, selective inventory counts of the stockroom. A full inventory count shall be made at least once annually by a staff person other than the Purchasing Technician.

XXI. Grant Administration

When making purchases with funding from multiple agencies, the strictest purchasing policy shall prevail. Most grants are heavily regulated by specific policies and operational procedures. It is important to know which purchasing rules and policies to follow and how to clarify and resolve any conflicts within those rules and policies. If there are areas of deficiency in the City policies, then the Federal and/or State policies and procedures must take precedence. All procurement of labor, services, or materials made with grant funds shall conform to Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 CFR 200), State Bid Law (Code of Alabama, Title 41), and Public Works Law (Code of Alabama, Title 39).

XXII. Promulgated Rules

The Purchasing Authority may, with approval of the Mayor or City Administrator, promulgate any procedure(s) necessary for the implementation of this policy.

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Appendix A: Purchasing Authorization List (PAL) and Instructions

PURCHASING AUTHORIZATION LIST

Updated February 29, 2016

<u>DEPARTMENT</u>	<u>PURCHASING AGENT</u>	
Executive	City Administrator City Clerk Administrative Assistant(s)	Environmental/Grants Coordinator Economic Development Coordinator
Human Resources	Human Resource Officer Payroll/Benefits Specialist	Records Clerk
Finance & Admin Services	Finance & Administrative Services Director Revenue Supervisor Accounting Supervisor Purchasing Officer Purchasing Tech	IT Officer GIS Specialist Network Administrator Systems Administrator
Recreation & Cultural Affairs	Recreation & Cultural Affairs Director →Special Events Programs & Events Manager Programs & Events Supervisor Retail Operations Coordinator Marketing & Communications Coordinator →Recreation Center Recreation Center Manager Administrative Assistant Athletic Coordinator Tennis Coordinator →Parks and Facilities Parks & Facilities Manager Landscape Crew Leader Landscape Grounds Worker, Sr. →Beach Beach Safety Supervisor →Library & Museum Managing Librarian Library Assistant, Sr.	Assistant Director Programs & Events Technician Rental Specialist Aquatic Coordinator Facility Maintenance Worker, Sr. Facility Maintenance Worker Recreation Assistant Landscape Grounds Worker Museum Administrator
Municipal Court	Court Clerk	Magistrate(s)
Planning & Zoning	Planning & Zoning Director Administrative Assistant	Code Enforcer Planner
Building	Building Official Building Inspector(s)	Permit Clerk
Public Works	Public Works Director →General Services Assistant Director Administrative Assistant(s) →Maintenance Division Maintenance Supervisor Vehicle Equipment Mechanic, Sr.	Public Works Inspector Public Works Courier Vehicle Equipment Mechanic

→Landscape Division	Facility Maintenance Tech, Sr. Landscape Supervisor Landscape Grounds Worker, Sr.	Facility Maintenance Tech Landscape Crew Leader Landscape Grounds Worker
→Streets/Roads Division	Streets Supervisor Streets Crew Leader	Equipment Operator III
→Custodial Division	Custodial Supervisor Facility Maintenance Worker, Sr.	
Police Department	Police Chief Police Deputy Chief Administrative Assistant Animal Control Officer	Lieutenants on each shift Sergeants on each shift Corporals on each shift
Fire Department	Fire Chief Receptionist Logistics Officer Battalion Chiefs	Fire Deputy Chief Training Lieutenant Fire Marshal Lieutenants

Instructions to Department Head:

It is compulsory that every Purchasing Agent have a good working knowledge of the purchasing regulations. Upon separation from employment, a Purchasing Agent should be replaced by the Department Head by his/her sending the replacement name to the Purchasing Authority. Infractions of the purchasing regulations by a Purchasing Agent will be reviewed by the Purchasing Authority and the City Administrator and may result in reprimand or disciplinary action.

Appendix B: Resolution No. 5636-16

**A RESOLUTION AMENDING RESOLUTION 5470-15
AUTHORIZING USE OF MUNICIPAL CREDIT CARDS BY
CERTAIN OFFICERS AND EMPLOYEES
OF THE CITY OF GULF SHORES**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON MARCH 14, 2016, as follows:

Section 1. That Resolution 5470-15, authorizing Use of Municipal Credit Cards by Certain Officers and Employees of the City of Gulf Shores, be and is hereby amended by adding certain positions and amounts.

Section 2. That, except as otherwise directed by the City Council hereafter, credit cards issued by MasterCard to the City of Gulf Shores shall be held and usable only by the following City employees:

Job Title	Limit
Mayor	\$6,000
City Administrator	\$6,000
City Councilman	\$4,000
Environmental/Grants Coordinator	\$4,000
Marketing & Economic Development Coordinator	\$4,000
Police Chief	\$4,000
Police Deputy Chief	\$4,000
Animal Control Officer	\$5,000
Police Administrative Supervisor	\$3,500
Police Department #1	\$4,000
Police Department #2	\$4,000
Fire Chief	\$4,000
Fire Deputy Chief	\$5,000
Fire Battalion Chief - A Shift	\$1,000
Fire Battalion Chief - B Shift	\$1,000
Fire Battalion Chief - C Shift	\$1,000
Fire Marshall	\$1,000
Fire Logistics Officer	\$3,000
Fire Department #1	\$4,000
Fire Department #2	\$4,000
Fire Department #3	\$2,000
Fire Department #4	\$2,000
Municipal Court Clerk	\$4,000
Chief Building Official	\$6,000
Director of Planning & Zoning	\$4,000
Purchasing Officer	\$10,000
Purchasing Technician	\$20,000
IT Systems Administrator	\$2,000
Human Resources Officer	\$3,000
Payroll & Benefits Specialist	\$3,000
Recreation & Cultural Affairs Director	\$6,000
Recreation & Cultural Affairs Assistant Director	\$3,000
Special Events Programs & Events Manager	\$3,000
Special Events Programs & Events Supervisor	\$3,000
Cultural Center Program & Events Supervisor	\$2,000

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City of Gulf Shores, Alabama

Retail Operations Coordinator	\$3,000
Parks & Facilities Manager	\$5,000
Recreation Manager	\$3,000
Managing Librarian	\$1,000
Museum Administrator	\$1,000
Public Works Director	\$4,000
Assistant Public Works Director	\$1,000
Public Works Supervisor - Maintenance	\$3,000
Public Works Supervisor - Horticulture	\$3,000
Public Works Supervisor - Custodial	\$3,000
Public Works Supervisor - Streets	\$1,000
Construction/Sustainability Officer	\$1,000
Facility Maintenance Tech, Senior	\$3,000
Facility Maintenance Tech, Senior (Traffic Signals)	\$3,000
Vehicle Equipment Mechanic, Senior	\$3,000
Public Works Courier	\$5,000
Disaster Card #1	\$5,000
Disaster Card #2	\$20,000
Disaster Card #3	\$5,000
Disaster Card #4	\$20,000
Disaster Card #5	\$5,000
Disaster Card #6	\$5,000
Disaster Card #7	\$5,000
Disaster Card #8	\$5,000
Disaster Card #9	\$5,000
Disaster Card #10	\$5,000

With the written approval of the Mayor or City Administrator, or in their absence the City Clerk, a credit card held and usable by one of the above named individuals may be assigned for temporary use by another employee subject to all terms and limitations of this resolution.

Section 3. That each of the above named employees of the City of Gulf Shores is hereby authorized by the City Council of the City of Gulf Shores to incur charges on such credit cards for (a) the purchase of goods and services for the account of the City in connection with the performance of his or her duties incidental to the management or control of the affairs of the City, (b) out-of-town travel specifically authorized in advance by the Council, or (c) out-of-town travel otherwise required in the performance of his or her duties incidental to the management or control of the affairs of the City. Except as otherwise specifically authorized in advance by the Council, no employee shall utilize such credit cards to incur charges in excess of the limits stated above for the purchase of goods and services.

Section 4. That any employee utilizing such credit cards to incur charges file an itemized statement and explanation of all charges incurred.

Section 5. That any officer or employee utilizing such credit cards to incur charges in connection with out-of-town travel shall, upon his or her return, file an itemized statement and explanation of all charges incurred in the manner described in *Code of Alabama 1975, Section 36-7-4*.

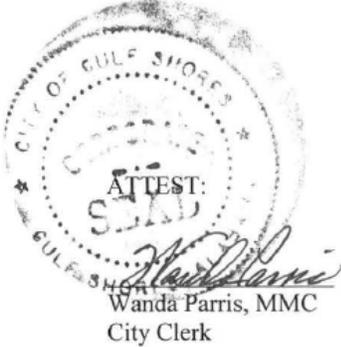
Section 6. That upon submission for payment by the City Council after audit and certification by the City Clerk as provided in *Code of Alabama 1975, Section 11-43-101*, no credit card charges shall be paid utilizing the funds of the City treasury incurred in nonconformity with this or any other authorizing resolution of the City Council. To the extent that charges are determined by the City Council to have been incurred other than in conformity with this or any other authorizing resolution of the City Council, the employee responsible for the incurring of such charges shall pay such charges personally and the Council may direct that the amount of such charges be deducted from any sum then or in the future owed by the City to such employee.

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City of Gulf Shores, Alabama

Section 7. That with respect to purchases and expenditures on behalf of the City, all such purchases and expenditures shall be in conformity with all written purchasing policies and procedures of the City as in effect from time-to-time including Resolution 4719-09, Designating Council Control over Expenditures.

Section 8. That this Resolution shall become effective upon its adoption.

ADOPTED this 14th day of March, 2016.



ATTEST:
Wanda Parris
Wanda Parris, MMC
City Clerk



Robert Craft, Mayor



PROCUREMENT CARDS: POLICIES & PROCEDURES MANUAL

Revised March 15, 2016

Renee Eberly, Purchasing Officer

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I. Introduction

The City of Gulf Shores Procurement Card Program is designed to improve budget control and efficiency in processing dollar purchases from any vendor that accepts the MasterCard credit card and allows City employees to attend classes and conferences out of town.

This program will allow the cardholder to purchase approved commodities and services directly from vendors. Each procurement card is issued to a named individual with the City of Gulf Shores clearly shown on the card as the Government buyer of goods and/or services. The card will also contain the City's logo, employee name, and card account number.

The Purchasing Officer will monitor the purchases, policies, and performance of the program. All questions or concerns should be directed to:

- Purchasing Officer 1443

II. Purpose

The purpose of these policies and procedures is to accomplish the following:

1. To provide an efficient method of purchasing and paying for goods and services not exceeding a predetermined amount per item purchased, per total invoice or per total, per month, per vendor.
2. To reduce the use of petty cash.
3. To ensure procurement card purchases are in accordance with City of Gulf Shores Purchasing Policies and Procedures.
4. To provide policies and procedures for disciplinary action if procurement cards are misused.
5. To ensure that the City of Gulf Shores bears no legal liability for inappropriate use of procurement cards.
6. To provide budget, commodity, and vendor control over purchases.

The policies and procedures provided herein set the minimum standard for City Departments. Departments may establish additional controls as deemed necessary.

III. How It Works

The procurement card system simplifies the purchasing process and enables qualified City employees to use the cards for travel, conference and class registrations. Responsibility is delegated to the ordering department enabling an authorized cardholder to place an order directly with the vendor for purchase of goods and/or services, registration for classes and/or travel.

When a purchase authorization is requested by the supplier at the point of sale, the procurement card system validates the transaction against preset limits established by the City Administrator, Purchasing

Officer, and Department Head. All transactions are approved or declined electronically based on the established procurement card authorization criteria. The authorization criteria may be adjusted periodically as needed, and may include, but is not limited, to the following:

- Number of transactions allowed per day
- Number of transactions allowed per month
- Single item purchased
- Daily total
- Monthly total
- Invoice total
- Approved vendors
- Approved commodities

The authorization process occurs through the electronic system that supports the procurement card processing services with First National Bank and Trust (hereinafter referred to as “First Bank”).

IV. Roles and Responsibilities

A. Department Head

1. Request procurement cards for designated employees
2. Set departmental spending limits within established guidelines
3. Set transaction limits, commodities, and vendors
4. Responsible for authorizing charges
5. Request additional procurement cards as needed
6. Comply with all purchasing and procurement card policies and procedures
7. Reviews, approves, and initials receipts, statement, or department summary
8. Sends cardholder statement and department summary to Accountant five (5) business days after receipt
9. Receives statement reports and uses for tracking, forecasting, and management tool

B. Cardholder

1. Hold secure procurement card
2. Ensure sales tax is not charged and discounts are given
3. Order/receive materials and services
4. Make sure there are no backorders

5. Compare charge slip with receipt and verify totals are the same
6. Request correct charge slip and credit slip if totals do not agree
7. All charge slips are to be turned in daily to Department Head or representative
8. Comply with all purchasing and procurement card policies and procedures
9. Responsible for all missing documentation

C. Department Representative

(Individual(s) designated by Department Head)

1. Receives daily all receipts, charge slips, and credit slips
2. Verify there is no sales tax or backorders
3. Verify discounts are given
4. Verify receipt total and charge slip total agree
5. Return all unequal charges to cardholder for correction
6. Write account code on each receipt
7. Have Department Head or designated representative initial each receipt as a validated charge
8. Reconcile monthly card statement total for agreement with receipts
9. Resolve any discrepancies
10. Process all cardholder statements in a timely manner – five (5) business days after receiving; there is no exemption to this rule
11. Complete summary sheet
12. Forward statement, receipts, and summary to Accountant
13. Comply with all purchasing and procurement card policies and procedures
14. Copies may be used for tracking, managing, and forecasting

D. Purchasing Officer

1. Coordinate program policy issues
2. Initiate all procurement cards
3. Block commodity codes for procurement card program
4. Initiate training program for all cardholders
5. Request issuance and cancellation for all cardholders
6. Receive and issue all procurement cards
7. Maintain all files and records of procurement cards

8. Maintain policy and cardholder guides/manuals
 9. Evaluate procurement card feedback from vendors and departments
 10. Coordinate and maintain internal controls
 11. Participate in ongoing program reviews
 12. Pursue supplier discount opportunities
 13. Establish and monitor benchmarking objectives
 14. Conduct semiannual inventory of procurement cards
 15. Cancel cards
- E. Accounts Payable
1. Receive monthly City Total Summary from MasterCard
 2. Date Stamp, forward to Department Heads for reconciliation
 3. Pay all non-disputed monthly charges from consolidated statement
 4. Process accounting data and issue check
 5. File and store statements, receipts, etc., with monthly check
- F. External Auditor
1. Include procurement cards in annual audit
 2. Report any discrepancies to Finance and Administrative Services Director
 3. Notify Finance and Administrative Services Director and Purchasing Officer of any changes required

V. General Information

1. Procurement cards will be issued to employees and Department Heads, who before the procurement program, often used petty cash and local charge cards.
2. The procurement card will have the employee's name, the City's name and logo, and the expiration date on the card. The procurement card issuing company will not have individual cardholder's information. No credit records of the cardholder are maintained; however, social security numbers will be needed strictly for employee identity verification purposes.
3. All requests for new cardholders, changes to current cardholders, or changes to authorization must be made by the Department Head by submitting a form to the Purchasing Officer.
4. When the Purchasing Officer receives a procurement card from the issuing company, the cardholder will be required to personally take receipt of the card and sign the Certification and Receipts Form. Human Resources will retain each original signed certification. The cardholder

will be given a copy of the Procurement Card Policies and Procedures Manual and an oral review of the program by the Purchasing Officer.

5. At the Purchasing Officer's or City Administrator's discretion, a department may require that all procurement cards are turned in daily or weekly.
6. The Purchasing Officer will notify the City Administrator of the issuance of all procurement cards.

VI. Lost or Stolen Procurement Cards

1. If a procurement card is lost or stolen, the cardholder, department head, or representative must immediately notify the Purchasing Officer.
2. The cardholder will be responsible for reporting all information necessary to reduce the liability to the City for a lost or stolen card.
3. The department is responsible for all costs associated with a lost or stolen card.
4. Disciplinary action will be taken in the event that the Purchasing Officer is not notified.
5. The cardholder will make payment to the City for any unauthorized charges if he/she fails to report the card as lost or stolen. If charges are not repaid, the City will take disciplinary action up to and including termination. The City will also pursue all legal avenues available for collection.

VII. Termination or Transfer of Cardholder

1. When an employee ends his employment or is transferred to another department, the department head or representative must immediately notify the Purchasing Officer, who will ensure that the card is canceled.
2. Human Resources will be responsible for collecting the card from employee and returning to the Purchasing Officer.

VIII. Limitations on Use of Procurement Card

1. The procurement card may only be used by the employee whose name is embossed on the card. No other person is authorized to use the card without express consent of the cardholder.
2. Departmental cards may be assigned to any employee in that department.
3. The procurement card is to be used for City authorized purchases only. The procurement card cannot be used for any personal purchases. Any such use will require immediate reimbursement and result in disciplinary action which may include dismissal.
4. Department heads hold the ultimate responsibility for all cards issued to their employees.

IX. Dollar Limitations

The Department Head approving the assignment of a procurement card will set limits for each cardholder, single item, monthly, daily, vendor, and commodity as required. Limits cannot exceed maximum amounts set by the City Administrator, Department Head, and Purchasing Officer. Requests for spending limit changes may be initiated and authorized by the Department Head and approved by the City Administrator and Purchasing Officer. A purchase may be made of multiple items, but the invoice cannot exceed the cardholder's limit. Payment for purchases shall not be split to stay within the spending limit.

Other Conditions:

1. All items purchased over-the-counter must be immediately available. No back-ordering is allowed.
2. All items purchased by telephone transaction must be confirmed by fax or email. All items must be delivered during the current billing cycle. No back-ordering between cycle periods is allowed. The City will not accept charges for items not received.
3. All items purchased by telephone/fax must be delivered by the vendor within the 30-day billing cycle. The order should not be placed without this assurance.
4. For all telephone transactions, a faxed or emailed proposal from the vendor, initialed by the cardholder, will be given to the department representative at time of order.

X. Prohibited Uses of Procurement Cards

The following types of items may not be purchased with a procurement card regardless of dollar amount:

1. Entertainment when traveling
2. Cash advances
3. Sports or recreation tickets
4. Cruise tickets
5. Personal items
6. Telephone calls
7. Any additional goods or services specifically restricted by the City Administrator, Purchasing Officer, or Department Head
8. Any item which would be an unlawful expenditure in accordance with the City's Code of Ordinances, adopted resolutions, adopted policies, or State Law
9. Local meals, unless required for city business – Receipts should list attendees and purpose

Any possible abuse or misuse of the procurement card will be reported to the Department Head and/or City Administrator.

XI. Violations

1. Attempting to make a single item purchase that exceeds the limit. It is the responsibility of the ordering department to ensure all “extra” charges, such as freight handling, set up, etc., are considered before a transaction is made. A vendor’s willingness to honor a transaction exceeding the procurement card limit does not authorize the cardholder to make such a transaction.
2. Attempting to make more transactions per day or month than allowed.
3. Purchases from vendors that create conflicts of interest. (See “Conflict of Interest” definition in Employee Handbook under “Additional Information.”)
4. Multiple procurement card transactions to circumvent the predetermined limits.
5. Procurement card transactions referenced as items prohibited for purchase.
6. Failure to produce proper documentation, receipts, to Department Representative daily.
7. Failure to report lost or stolen procurement card to Purchasing Officer.
8. Purchase of any item considered an unlawful expenditure in accordance with the City’s Code of Ordinances, adopted resolutions, adopted policies, or State Law.

Any abuse or misuse of the procurement card will result in the privilege being suspended or revoked. The Purchasing Officer will refer violations and discrepancies to the City Administrator for disciplinary or other appropriate action.

XII. Procedures for Making and Paying for Purchases

A. General Information

1. When using the procurement card, the cardholder will make the purchase at the best possible price. If buyer is unsure of appropriate vendor, he/she should contact an immediate supervisor.
2. If a purchase order is required, the vendor should be listed as First Bank Card Services, Vendor No. 01000055. It will be annotated on the purchase order that the payment was made by procurement card, employee name, and last four (4) digits of card number. The name of vendor with whom the procurement card is being used must also be indicated on the purchase order.

B. Documentation of Over-the-Counter Purchases

1. When a purchase is made, the cardholder must obtain the customer’s copy of the charge slip and the detail receipt. The buyer verifies that the receipt and charge slip are the same amount. The buyer verifies that no tax has been charged and that discounts have been given (i.e., State Contract price schedule, bids, or other applicable purchasing agreements). If receipt is incorrect,

the buyer will request a credit charge slip plus a corrected charge slip. All transaction receipts are to be turned in daily to the Department Representative.

2. The charge slip and detailed invoice will be turned in daily by the cardholder to the Department Representative. Upon receipt of monthly statement, Department Representative will compile all receipts, verify against statement, and turn into Department Head for approval.
3. The City is exempt from sales tax. The cardholder must ensure that the vendor is aware and does not charge sales tax. The City also has agreements for discounts. The cardholder must ensure that the vendor gives the discount.

C. Telephone Orders

1. When placing a telephone order, the cardholder must confirm that the vendor will charge the procurement card when the item is shipped so that the receipt of the item occurs during the same billing cycle as the charge. The City will pay for items that have been received. The City will not pay for items in transit.
2. Ensure the vendor knows that the City will not pay tax and is aware of any discounts. The City's Tax ID will be provided.
3. Absolutely no backorders will be allowed after billing cycle.
4. A telephone order will be confirmed by fax or email. The fax or email will be initialed by the buyer and given to the Department Representative.

D. Missing Documentation.

If, for some reason, the cardholder does not have documentation of the transaction, the cardholder must try to obtain a copy and if this is not possible, details of the purchase must be written on the missing receipt form. The information will include a description of each item, the number of items purchased, unit cost, date of purchase, vendor's name, and why there is no supporting documentation. Continued incidents of missing documentation will result in the cancellation of the employee's procurement card.

E. Payment and Invoice Procedures

1. First Bank (the procurement card issuer) will mail individual billing statements and one consolidated statement for all cardholders to Accounts Payable. This statement of accounts will list all transactions processed during the billing cycle. No statement of accounts will be generated unless adjustments for previously billed transactions have been processed during the cycle. The Accountant will distribute individual billing statements to cardholders.
2. Account numbers are to be written on each receipt and turned in daily. All documents will then be reviewed and the summary form signed by the Department Head or a designated representative. By signing the summary form, the Department Head is certifying that all charges are appropriate, funds are available, and payment is authorized based on the attached receipts. Once the Department Head or the designated representative has reviewed all statements for which they are responsible, all documents are forwarded to Accountant.

3. The Purchasing Officer and Accounts Payable will ensure that procurement card charges are paid on a timely basis and that the consolidated statement received is reconciled against the individual cardholder statements forwarded from the departments. Department Heads will be notified when individual statements are not received in the allotted time. Continued failure to meet the two (2) working days deadline may result in the revocation of procurement cards at the discretion of the City Administrator and Purchasing Officer.

F. Disputes

1. If Items purchased with the procurement card are defective, the cardholder must return the item(s) to the vendor for full replacement or credit. If the service paid for the procurement card is faulty, the vendor must be notified and asked to correct the situation or provide a credit. If the vendor refuses to replace or correct the faulty item or service, the purchase will be considered in dispute.
2. It is essential that the time frames and documentation requirements established by First Bank be followed to protect the cardholder's rights in dispute.
3. Accountant must be notified of all disputed items. All documentation concerning the disputed items will be turned in to Accountant as soon as possible. Purchasing Officer will contact MasterCard and follow dispute procedures. Department Heads will complete the dispute section for each department summary.
4. Department Heads will contact the Purchasing Officer about the transaction and will supply necessary information to begin the resolution process. Purchasing Officer completes and submits the First Bank MasterCard Dispute Form, along with a copy of the statement if the item has posted and the reason(s) for dispute. First Bank will place the item into a disputed state.
5. If the problem is resolved between the merchant and the Department Head, the Department Head will write the agreed upon solution on the bottom of the dispute form and send to First Bank as soon as possible. If an agreement cannot be reached, the following steps will be completed:
 - a. After the item has been entered as a dispute, First Bank must determine who is responsible by researching the transaction, including requesting a copy of the sales receipt when necessary. When responsibility for the transaction is determined, the dispute will be settled in the current account cycle.
 - b. When a transaction is in dispute, the disputed amount is still included in calculating the procurement card's account balance. At the time the item is placed in dispute, it is removed from all finance charges, late charges, past due amounts, and payment calculations. Finance charges which accrue from posting until the item is placed in dispute will be paid by the City. Any cardholder statements generated while the account is in dispute will display the following message:

“YOUR ACCOUNT IS IN DISPUTE FOR \$XXX.XX. THIS AMOUNT HAS NOT BEEN INCLUDED IN THE FINANCE CHARGE OR PAYMENT CALCULATION.”

- c. If the cardholder is actually responsible for the transaction, the dispute is settled in favor of First Bank and no further actions are required. If the cardholder is not responsible for the transaction, the dispute is settled in favor of the cardholder and the charge back process may be initiated against the merchant.
- d. If there continues to be a problem with a particular merchant, the cardholder should notify Purchasing Officer.
- e. Purchasing Officer will be responsible to keep all documentation, complete status reports, and forward reports to the Accountant on all disputed items.
- f. Any item or amount considered inappropriate or charged incorrectly which is not credited by the vendor, will be a disputed item or amount.

G. Review of Purchases by Departments

- 1. Department Heads or designated representatives, because of their knowledge of their job responsibilities and requirements, are required to review each procurement card expenditure, to include item purchased, amount, and vendor, to ensure the goods or services were necessary and for official use.
- 2. When purchases are questioned, the Department Head or designated representative will be responsible for resolving the issue with the cardholder. If the Department Head or designated representative cannot be satisfied that the purchase was necessary and for official use, the cardholder must provide a credit voucher proving the item(s) were returned for credit. If the item(s) cannot be returned, then a payment will be made in cash to the City by the employee/cardholder. The City reserves the right to pursue all legal avenues available for collection. If cardholder misuses or attempts to use card for unauthorized purchases a second time, the MasterCard will be terminated, and the employee will no longer be authorized to use a procurement card.
- 3. All misuse must be documented and filed with Purchasing Officer. Purchasing Officer will report all disputes and misuse to the City Administrator.



FIXED ASSETS: POLICIES & PROCEDURES MANUAL

Created April 22, 2014

Renee Eberly, Purchasing Officer

ADMINISTRATIVE POLICY NO. 17

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I. Objective

The purpose of this manual is: (1) to provide control and accountability over fixed assets, and (2) to gather and maintain information needed for the City's annual audit in conformity with Generally Accepted Accounting Principles and with Governmental Accounting Standards Board Statement 34.

II. Policy

Governmental Accounting Standards Board (GASB) Statement 34 requires that all fixed assets be reported in the government-wide balance sheet net of accumulated depreciation if applicable.

Each department is responsible for assisting in providing accurate, complete, and timely capital asset information to the Purchasing Officer annually. The Purchasing Officer is responsible for entering the fixed asset information in the City's financial software (Incode, Tyler Technologies), and tracking Capital Improvement Projects for review during the City's annual audit.

III. Fixed Asset Definitions and Guidelines

Fixed Assets, also known as "Capital Assets," are tangible and intangible assets acquired for use in operations that will benefit more than a single fiscal period. Typical examples are land, improvements to land, easements, water rights, buildings, building improvements, vehicles, machinery, equipment, infrastructure, and various intangible assets. (Land associated with infrastructure should be reported as land rather than as part of the cost of the related infrastructure asset.)

A fixed asset is an asset that has a value equal or greater than the capitalization threshold established for that asset type. Fixed assets are reported for financial reporting purposes.

IV. Fixed Asset Type

The City has invested in a wide variety of fixed assets used in City operations. These assets are broadly classified as follows:

- Buildings and Improvements
- Emergency Vehicles & Equipment
- Fire Vehicles & Equipment
- Infrastructure
- Land
- Office Equipment
- Other Vehicles & Equipment
- Parks & Recreational Facilities
- Police Vehicles & Equipment

V. Fixed Asset Acquisition Cost

Fixed Assets are recorded and reported at their historical costs. Historical cost includes the vendor's invoice (less the value of any trade-in), initial installation cost (excluding in-house labor), modifications, attachments, accessories or apparatus necessary to make the asset usable and render it into service. Historical costs also include ancillary charges, such as freight and transportation charges, site preparation costs, and professional fees.

The costs of fixed assets for governmental activities do not include capitalized interest. Interest, however, is capitalized on assets that are constructed for an agency's enterprise fund or otherwise produced for an enterprise fund's own use (including assets constructed or produced for the enterprise by others for which deposits or progress payments have been made), and assets intended for sale or lease that are constructed or otherwise produced as discrete projects (for example, ships or real estate developments).

Please note: The book value of assets recorded at historical costs should never be increased to reflect appraised value, insurance value, replacement cost, etc.

Thresholds for capitalizing assets for each major class of assets are as follows:

<u>Asset Type</u>	<u>Threshold</u>
Land	\$5,000
Infrastructure	\$500,000
Buildings & Improvements	\$100,000
Parks & Recreational Facilities	\$50,000
Police Vehicles & Equipment	\$15,000
Fire Vehicles & Equipment	\$15,000
Emergency Vehicles & Equipment	\$15,000
Other Vehicles & Equipment	\$10,000
Office Equipment	\$5,000

VI. Fixed Asset Donations

GASB Statement No. 33, *Accounting and Financial Reporting for Non-Exchange Transactions*, defines a donation as a voluntary non-exchange transaction entered into willingly by two or more parties. Both parties may be governments, such as the Federal Government, another state, a county or municipality, or one party may be a nongovernmental entity, including an individual.

When an asset has been received and the eligibility requirements to receive the asset **have** been met, capital assets are debited and revenue is credited in the fund financial statements of an enterprise fund and the government wide financial statements for a governmental fund.

When an asset has been received but the eligibility requirements to receive the asset **have not** been met, capital assets are debited and deferred revenue is credited in the fund financial statements of an enterprise fund and the government wide financial statements for a governmental fund.

VII. Appraisal of Assets (Gifts and Donations)

Donated property must be recorded at its estimated fair market value on the date of acquisition, using a reasonable market study.

The method used to appraise the value computed for gifts and donations should be based on a reasonable assessment. This method must be fully documented and maintained on file to support the value.

VIII. Capital Asset Categories

A. Land

Land is defined as the surface or crust of the earth, which may be used to support structures or grow crops, grass, shrubs, and trees. Land is characterized as having an inexhaustible life. All expenditures made to acquire land and to ready it for its intended use should be considered as part of the land cost.

Examples of expenditures to be capitalized as land:

- Purchase price or, if donated, fair market value at time of donation
- Commissions
- Professional fees (title searches, architect, legal, engineering, appraisal, surveying, environmental assessments, etc.)
- Permanent landscaping such as land clearing, excavation, fill, grading, drainage (includes movement of earth in preparation for water impoundment)
- Demolition of existing buildings and improvements (less salvage)
- Removal, relocation, or reconstruction of property of others on the land so that the land may be used differently (railroad, telephone, and power lines)
- Interest on mortgages accrued at date of purchase
- Accrued and unpaid taxes at date of purchase
- Other costs incurred in acquiring the land
- Water wells (includes initial cost for drilling, the pump and its casing)
- Right-of-way

B. Buildings and Improvements

A Building is defined as a structure that is permanently attached to the land, has a roof, is partially or completely enclosed by walls, and is not intended to be mobile.

Building Improvements are defined as capital events that increase the value of a building, materially extend the useful life of a building, or both. A building improvement should be capitalized as a sub-asset of the building and recorded as an addition of value to the existing building if the expenditure for the improvement is at the capitalization threshold and the expenditure increases the life or value of the building by 25% of the original life period or cost.

Land Improvements are defined as attachments to the land that have limited lives and therefore are recorded separately and are depreciable.

Examples of expenditures to be capitalized as buildings:

Purchased Buildings

- Original purchase price
- Expenses for remodeling, reconditioning or altering a purchased building to make it ready to use for the purpose for which it was acquired
- Environmental compliance (i.e., asbestos abatement)
- Professional fees (sales commission, legal, architect, inspection, appraisal, title search, etc.)
- Payment of unpaid or accrued taxes on the building at the date of purchase
- Cancellation or buyout of existing leases on the building
- Other costs required to place or render the asset into operation

Constructed Buildings

- Completed project costs
- Interest accrued during construction for enterprise type activities
- Cost of excavation or grading or filling of land for a specific building
- Expenses incurred for the preparation of plans, specifications, blueprints, etc.
- Cost of buildings permits
- Professional fees (architect, engineer, management fees for design and supervision, legal)

Note: Architect fees are expensed if a decision is made to *not* proceed with the construction of the building.

- Costs of temporary buildings used during and for the construction
- Unanticipated costs such as rock blasting, piling, or relocation of the channel of an underground stream

Examples of expenditures to be capitalized as building improvements:

Note: For a replacement to be capitalized, it must be a part of a major repair or rehabilitation project that increases the value and/or useful life of the building (such as renovation of a student center) and meets the capitalization threshold. A replacement may also be capitalized if the new item or part is of significantly improved quality and higher value compared to the old item or part (such as replacement of an old shingle roof with a new fireproof tile roof). Replacement or restoration of an item to its original utility level is not capitalized. Determinations must be made on a case-by-case basis.

- Conversion of attics, basements, etc., to usable office, clinic, research, or classroom space

- Structures attached to the building such as covered patios, sunrooms, garages, carports, enclosed stairwells, etc.
- Original installation/upgrade of heating and cooling systems, including ceiling fans and attic vents
- Original installation/upgrade of wall or floor covering such as carpeting, tiles, paneling, or parquet
- Structural changes such as reinforcement of floors or walls, installation or replacement of beams, rafters, joists, steel grids, or other interior framing
- Installation or upgrade of windows or door frames, upgrading of windows or doors, built-in closets and cabinets
- Interior renovation associated with casings, baseboards, light fixtures, ceiling trim, etc.
- Exterior renovation, such as installation or replacement of siding, roofing, masonry, etc.
- Installation or upgrade of plumbing and electrical wiring
- Installation or upgrade of phone or closed circuit television systems, networks, fiber optic cable, wiring required in the installation of equipment (that will remain in the building)
- Permanently attached fixtures or machinery that cannot be removed without impairing the use of the building
- Additions to buildings (expansions, extensions, or enlargements)
- Other costs associated with the above improvements

Examples of expenditures to be capitalized as land improvements:

- Fencing and gates
- Landscaping of non-temporary nature
- Parking lots/driveways/parking barriers/roadway
- Outside sprinkler systems
- Recreation areas & athletic fields (including bleachers)
- Golf course
- Paths and trails
- Septic systems
- Swimming pools, tennis courts
- Fountains
- Plazas, pavilions
- Retaining walls
- Lighting systems
- Water impoundment structures or attachments (dam, liner, other water control structures)

1. Building Maintenance Expense

Maintenance costs allow an asset to continue to be used during its originally established useful life. Maintenance costs are expensed in the period incurred.

The following are examples of expenditures **not** to be capitalized as building improvements. Instead, these items should be recorded as repair and maintenance expense:

- Adding, removing, and/or moving of walls relating to renovation projects that are not considered major rehabilitation projects and do not increase the value of the building
- Improvement projects of minimal or no added life expectancy and/or value to the building
- Plumbing or electrical repairs
- Cleaning, pest extermination, or other periodic maintenance
- Interior decoration, such as draperies, blinds, curtain rods, wallpaper
- Exterior decoration, such as detachable awnings, uncovered porches, decorative fences, etc.
- Maintenance-type interior renovation, such as repainting, touch-up plastering, replacement of carpet, tile, or panel sections, sink and fixture refinishing, etc.
- Maintenance-type exterior renovation such as repainting, replacement of deteriorated siding, roof, or masonry sections
- Replacement of a part or component of a building with a new part of the same type and performance capabilities, such as replacement of an old boiler with a new one of the same type and performance capabilities
- Any other maintenance-related expenditure which does not increase the value of the building

2. Determining Whether to Capitalize or Expense an Item

In determining whether expenditures are related to a maintenance item or whether it is related to a capital item, the following guidance is offered:

Care is sometimes needed to distinguish actions that lengthen the useful life of an asset from those that merely avoid shortening it.

Assume, for example, that a new building is expected to have a useful life of 80 years, but will need to have its roof replaced in just half that time. Further assume that the cost of the roof is included in the cost of the building (i.e., rather than treated as a separate capital asset in its own right).

It might be tempting to argue that since the building's useful life would be just 40 years if the roof were not replaced, the replacement extends the building's useful life and so qualifies as an improvement. In substance, however, the replacement of the roof does not lengthen the building's originally estimated useful life of 80 years, but simply avoids cutting it in half. That is, the roof replacement **maintains** rather than **extends** the originally estimated useful life of the building, and therefore should be treated as a repair (i.e., maintenance) rather than as a replacement. (From *"Accounting for Capital Assets: A guide for state and local governments"*)

- Generally, expenditures that **increase the economic value** of the asset **increase the useful life beyond the original useful life**, or **increase the productive capability of capacity** (uses, scope of users, etc.) should be capitalized.
- Expenditures made to **restore or maintain** an asset at its original condition are expensed and not capitalized.

C. Impairment of Fixed Assets

A Fixed Asset is considered to be impaired when its service utility has permanently declined significantly and unexpectedly. Events or changes in circumstances that may be indicative of impairment include evidence of physical damage, changes in legal or environmental factors, technological changes or evidence of obsolescence, changes in the manner or duration of use of a capital asset, and construction stoppage.

Generally, an asset would be considered impaired if both:

- the decline in service utility of the asset was large in magnitude, and
- the event or change in circumstances was outside the normal life cycle of the asset.

In the event a reportable capital asset is impaired, there are two options for reporting the impairment:

- If the asset will no longer be used, the asset should be written down to the lower of carrying value or fair market value.
- If the asset will continue to be used, the asset should be written down by the estimated impairment loss, as defined in GASB Statement No. 42, *“Accounting and Financial Reporting for Impairment of Capital Assets and for Insurance Recoveries.”*

D. Leasehold Improvements

Leasehold Improvements are defined as improvements made to leased property that will revert to the lessor at the expiration of the lease. Leasehold improvements include construction of new buildings or improvements made to existing structures by the lessee, who has the right to use these leasehold improvements over the term of the lease. Moveable equipment or office furniture that is not attached to the leased property is not considered a leasehold improvement. For leasehold improvements, the useful life is the estimated service life of the leasehold improvements, or the remaining term of the lease, whichever is shorter.

E. Easements

An Easement is defined as an interest in land owned by another that entitles its holder to a specific limited use or enjoyment (right to use the land). Easements are characterized as having an inexhaustible life.

F. Equipment

Equipment is defined as fixed or movable tangible assets to be used for operations. Improvements or additions to existing equipment that constitute a capital outlay or increase the

value or life of the asset by 25% of the original cost or life should be capitalized and recorded as a sub-asset of the existing asset.

Examples of expenditures to be capitalized as equipment include:

- Original contract or invoice price
- Freight charges
- Import duties
- Handling and storage charges
- In-transit insurance charges
- Sales, use, and other taxes imposed on the acquisition
- Installation charges
- Charges for testing and preparation for use
- Costs of reconditioning used items when purchased
- Parts and labor associated with the construction of equipment

Note: If incidental items, such as extended warranties or maintenance agreements, are included with the capital asset upon receipt and are not listed as a line item on the purchase order or on the invoice, then the incidental charges are considered a part of the capital asset.

G. Equipment vs. Vehicle

A Vehicle is a fixed asset that can move itself under its own power. Cars and trucks should be classified as vehicles. Travel trailers, horse trailers, etc. should be classified as equipment. Careful consideration should be given as to whether an asset is a vehicle or equipment.

H. Infrastructure

Infrastructure is defined as a long-lived fixed asset that normally is (1) stationary in nature, and (2) can be preserved for a significantly greater number of years than most capital assets.

Examples of expenditures to be capitalized as infrastructure include:

- Roads, streets, curbs, gutters, sidewalks, fire hydrants
- Canals, waterways, wharfs, docks, sea walls, bulkheads, boardwalks
- Dam, drainage facility
- Radio or television transmitting tower
- Electric, water, and gas (main lines and distribution lines, tunnels, etc.)
- Fiber optic and telephone distribution systems (between buildings)
- Light system (traffic, outdoor, street, etc.)
- Signage
- Airport runway, strip, taxiway or apron

I. Construction-in-Progress

Construction-in-Progress (CIP) consists of construction projects subject to capitalization, either tangible or intangible in nature. When a capital asset project is completed within one fiscal year, the related asset is added directly to fixed assets before fiscal year end. If a project is not completed within one fiscal year, that portion of accumulated costs which is capitalizable should be reported and recorded as CIP at fiscal year end. Because an asset under construction is not complete, or being used, depreciation will not be recorded. The agency will be responsible for supplying information on projects as requested by the external auditors during the annual financial audit.

1. Procedures for Transferring an Asset from CIP to Fixed Assets

The asset under construction should be capitalized to its appropriate capital asset category (Land, Infrastructure, Buildings and Improvements, Parks and Recreational Facilities, etc.) upon the earlier occurrence of substantial completion, occupancy, or when the asset is placed into service. Questions regarding CIPs should be referred to the auditors prior to the completion of the annual financial audit.

2. Purchase of Existing Building

As soon as you have closed on the building, contact the Purchasing Officer to add the building to insurance and to have the building added as a Fixed Asset.

J. Capital Leases

Capital Leases transfer virtually all rewards and risks that accompany ownership of property to the lessee. A capital lease is a means of financing property acquisitions and has the same economic impact as a purchase made on an installment plan. Thus, the lessee in a capital lease must record the leased property as an asset and the lease obligation as a liability.

A lease agreement entered into by a municipal agency is a capital lease and should be capitalized only if the lease agreement meets one of the following criteria:

- The lease transfers ownership of the property to the lessee by the end of the lease term.
- The lease contains a bargain purchase option.
- The lease term is equal to 75% or more of the estimated economic life of the leased property.
- The present value of the minimum lease payments at the inception of the lease, excluding administrative costs, equals at least 90% of the fair value of the leased property.

Leases that do not meet any of the proceeding criteria should be recorded as an operating lease and reported in the notes of the financial statements.

K. Intangible Assets

The Governmental Accounting Standards Board (GASB) issued Statement No. 51, *Accounting and Financial Reporting for Intangible Asset.* Governments possess many different types of

assets that may be considered intangible assets, including easements, water rights, timber rights, patents, trademarks, and computer software (including licenses).

Statement No. 51 identifies an intangible asset as having the following three required characteristics:

- It lacks physical substance – in other words, you cannot touch it, except in cases where the intangible is carried on a tangible item (for example, software on a DVD).
- It is nonfinancial in nature – that is, it has value, but is not in a monetary form like cash or securities, nor is it a claim or right to assets in a monetary form like receivables, nor a prepayment for goods or services.
- Its initial useful life extends beyond a single reporting period.

Note: Software maintenance agreements are to be expensed in the period incurred.

L. Works of Art and Historical Treasures

See Administrative Policy No. 16

IX. Capital Fixed Asset Tags

All City Departments are reminded to obtain their capital fixed asset tags from the Purchasing Officer.

X. Depreciation and Useful Life

All assets, other than land, must be depreciated. These assets should be depreciated in a straight-line method over their expected useful life. Assets that are consumed, used-up, habitually lost or worn-out in one year or less should not be recorded as a fixed asset. Useful life is the estimated number of years and/or months that an asset will be able to be used for the purpose for which it was purchased or constructed. The useful life of an existing similar fixed asset is the best reference when determining useful life of a new asset. Useful life is entered as months.

<u>Asset Type</u>	<u>Suggested Useful Life</u>
Vehicles & Equipment	60 Months
Software	84 Months
Office Furniture	60 Months
New Buildings	480 Months
Building Improvements:	
Roofs	240 Months
Plumbing	240 Months
Elevators	240 Months
Renovations	240 Months
HVAC	240 Months
Outdoor Facilities	84 Months

XI. Disposal or Transfer of Fixed Assets

Fixed asset custodians are responsible for safeguarding all equipment and other fixed assets assigned to their department, including items no longer needed, until the items have been submitted and physically delivered to the Purchasing Tech as surplus property. Custodians should complete the Declaration of Surplus Property or Transfer Form when submitting items as surplus.

Please note: Fixed assets obtained through Federal or State grants may have restrictions on disposal or transfer. Fixed asset custodians are responsible for abiding by any guidelines associated to fixed assets assigned to their department.

COUNCIL AGENDA SUMMARY

TO: Mayor Craft & Members of the City Council
FROM: Marcy Kichler, Revenue Supervisor
SUBJECT: Proposed "Back to School" Sales Tax Holiday
DATE: April 4, 2016

ISSUE: The 2016 "Back to School" Sales Tax Holiday begins at 12:01 a.m. on Friday, August 5, 2016 and ends at twelve midnight on Sunday, August 7, 2016. As required by Rule 810-6-3-65, a participating county or municipality shall submit a certified copy of their adopted resolution or ordinance providing for the Sales Tax Holiday, and any subsequent amendments thereof, to the Alabama Department of Revenue before July 5, 2016.

BACKGROUND: In 2006, the State of Alabama passed into law Act No. 2006-574, hereinafter referred to as "The Act", creating an annual State sales tax holiday. The holiday occurs during the first weekend of August to allow back to school shoppers the opportunity to purchase certain school related supplies, clothing and equipment free of state sales tax.

PREVIOUS COUNCIL ACTION: The city has participated in this program annually adopting an Ordinance authorizing a City Sales Tax Holiday. Ordinance 1783 provided for sales tax holiday in 2015.

BUDGET IMPLICATIONS:

RECOMMENDATION: Approve sales tax holiday for 2016, and subsequently on the first full weekend of August thereafter until rescinded.

RELATED ISSUES: None

ATTACHMENTS: ADOR Notice and List of tax exempt items

DEPARTMENT: Finance and Admin

STAFF CONTACT: Marcy Kichler

ORDINANCE NO. ~~1783~~

AN ORDINANCE
PROVIDING FOR SALES TAX HOLIDAY
ON CERTAIN ITEMS
DURING FIRST WEEKEND OF AUGUST, ~~2015~~

WHEREAS, the State of Alabama has passed into law Act No. 2006-574, hereinafter referred to as "the Act", creating a sales tax holiday the first weekend in August; and

WHEREAS, the City Council of the City of Gulf Shores wishes to enact a sales tax holiday within the City that coincides with and parallels the terms and limitations of the Act, ~~except that the time period shall only be as specified in Section 1 below and not for all years thereafter.~~

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN ~~RESCHEDULED~~ REGULAR SESSION ON ~~MAY 27, 2015~~ APRIL 11, 2016, as follows:

Section 1. That under the authority granted in Section 4 of the Act, there shall be a Sales Tax Holiday commencing Friday, August ~~7, 2015~~ 2016 at 12:01 a.m. and ending Sunday, August ~~9, 2015~~ 2016, at twelve midnight during which the payment of the 3% City sales tax collected by the City of Gulf Shores will be exempted on the sale of those certain covered items, as defined in Section 1 of the Act, ~~and subsequently on the first full weekend in August each year, thereafter until rescinded.~~

Section 2. That if a vendor erroneously charges tax during this period, the vendor should refund the tax to its customers. If the vendor fails to refund the tax, the vendor must remit the sales tax to the City when filing and paying their August tax return. All tax collected becomes City funds at the time of collection.

Section 3. The City Clerk is hereby authorized and directed to certify a copy of this ordinance under the seal of the City of Gulf Shores, Alabama, and to forward a certified copy to the Alabama Department of Revenue to be recorded and posted on the Department website.

Section 4. That this Ordinance shall become effective upon its adoption and publication as required by law.

ADOPTED this ~~27th day of May, 2015~~ 11th day of April, 2016.

Robert Craft, Mayor

ATTEST:

Wanda Parris, MMC
City Clerk

CERTIFICATE

I, Wanda Parris, MMC, City Clerk of the City of Gulf Shores, Alabama, do hereby certify that the foregoing is a true and correct copy of Ordinance No. ~~1783~~ (prepared by City Clerk), which Ordinance was duly and legally adopted at a rescheduled regular meeting of the City Council on ~~May 27, 2015~~ April 11, 2016, and the same was duly published as required by law.

City Clerk

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JULIE P. MAGEE
Commissioner

State of Alabama Department of Revenue

(www.revenue.alabama.gov)

50 North Ripley Street
Montgomery, Alabama 36132

MICHAEL E. MASON
Assistant Commissioner

JOE W. GARRETT, JR.
Deputy Commissioner

CURTIS E. STEWART
Deputy Commissioner

BRENDA R. COONE
Deputy Commissioner

March 15, 2016

IMPORTANT

RESPONSE REQUIRED

IMPORTANT

2016 "Back-to-School" Sales Tax Holiday August 5-7, 2016

Deadline to notify ADOR: July 5, 2016

The 2016 "Back-to-School" Sales Tax Holiday begins at 12:01 a.m. on Friday, August 5, 2016, and ends at twelve midnight on Sunday, August 7, 2016. As required by Rule 810-6-3-.65, a participating county or municipality shall submit a certified copy of their adopted resolution or ordinance providing for the Sales Tax Holiday, and any subsequent amendments thereof, to the Alabama Department of Revenue before July 5, 2016. The Department will compile this information into a list of all counties and municipalities participating in the "Back-to-School" Sales Tax Holiday and issue a current publication of the list on its website at: www.revenue.alabama.gov/salestax/SalesTaxHol.cfm. Notification of participation in the sales tax holiday may not be included in the published list if received after July 5, 2016.

Retail businesses and the public need to know whether or not your locality will participate in the 2016 "Back-to-School" Sales Tax Holiday.

Please put it on your calendar to discuss and vote on this matter soon and notify the ADOR of the decision.

RESPONSE REQUIRED:

Participating? Send a certified copy of any resolution, ordinance, or amendment adopted by your locality.

Not Participating? Send an email, fax or letter (with signature line) stating: "The (City/Town/County) of _____ will not be participating in the 2016 Back-to-School Sales tax holiday." It is important that you inform us of that fact, otherwise, retailers and the public wonder if you are participating and forgot to notify the Department of Revenue.

Retailers and the public rely on the list provided by the Department of Revenue and the Department cannot post a locality's participation status based on assumption; notification of nonparticipation or copies of resolution/ordinance from the locality is required.

Notification can be faxed, mailed or emailed:

FAX: 334-353-7666

MAIL: ALABAMA DEPARTMENT OF REVENUE

EMAIL: wanda.robbins@revenue.alabama.gov

**ATTN: Wanda Robbins
Sales & Use Tax Division**

Post Office Box 327900

QUESTIONS: 334-353-8044

Montgomery, Alabama 36132-7900



2016 SALES TAX HOLIDAY

Alabama will hold its eleventh annual sales tax holiday, beginning Friday, August 5, 2016 at 12:01 a.m. and ending Sunday, August 7, 2016 at 12 midnight, giving shoppers the opportunity to purchase certain school supplies, computers and clothing free of state sales tax. Local sales tax may apply.

For more information, contact us 8:00 a.m. – 5:00 p.m., CST Monday through Friday 334-242-1490 or 866-576-6531

Table with 3 columns: Clothing Accessories, Protective Equipment, and Sport or Recreational Equipment. Includes sections for EXEMPT and TAXABLE items.

COMPUTERS, COMPUTER SOFTWARE, & SCHOOL COMPUTER SUPPLIES -**A single purchase with a sales price of \$750 or Less****EXEMPT:**

COMPUTERS – For purposes of the exemption, a computer may include a laptop, desktop, or tower computer system which consists of a central processing unit (CPU), and devices such as a display monitor, keyboard, mouse, and speakers sold as a computer package. Computer parts and devices not sold as part of a package with the CPU, will not qualify for the exemption.

COMPUTER SOFTWARE

SCHOOL COMPUTER SUPPLIES – An item commonly used by a student in a course of study in which a computer is used

– All inclusive list includes:

- Computer Storage Media; diskettes, compact disks
- Handheld electronic schedulers, except devices that are cellular phones
- Personal digital assistants, except devices that are cellular phones
- Computer Printers
- Printer Supplies for Computers (printer paper, printer ink)

TAXABLE:

- Furniture
- Any systems, devices, software, peripherals designed or intended primarily for recreational use, or
- Video games of a non-educational nature

SCHOOL SUPPLIES, SCHOOL ART SUPPLIES & SCHOOL INSTRUCTIONAL MATERIAL -**Sales Price of \$50 or Less, per item (Noncommercial Purchases)****EXEMPT:****SCHOOL SUPPLIES - All Inclusive List:**

- | | | |
|---|--|--|
| <ul style="list-style-type: none"> • Binders • Blackboard Chalk • Book Bags • Calculators • Cellophane Tape • Compasses • Composition Books • Crayons • Erasers • Folders (expandable, pocket, plastic & manila) • Glue, paste, and paste sticks | <ul style="list-style-type: none"> • Highlighters • Index Cards • Index Card Boxes • Legal Pads • Lunch Boxes • Markers • Notebooks • Paper (loose leaf ruled notebook paper, copy paper, graph paper, tracing paper, manila paper, colored paper, poster board, and construction paper) | <ul style="list-style-type: none"> • Pencil Boxes & Other School Supply Boxes • Pencil Sharpeners • Pencils • Pens • Protractors • Rulers • Scissors • Writing Tablets |
|---|--|--|

SCHOOL ART SUPPLIES - All Inclusive List:

- | | |
|--|--|
| <ul style="list-style-type: none"> • Clay & Glazes • Paints (Acrylic, Tempora & Oil) • Paintbrushes for artwork | <ul style="list-style-type: none"> • Sketch and Drawing Pads • Watercolors |
|--|--|

SCHOOL INSTRUCTIONAL MATERIAL – All Inclusive List: (Written material commonly used by a student in a course of study as a reference and to learn the subject being taught)

- Reference Maps and Globes
- Required Textbooks on an official school book list with a sales price of more than \$30 and less than \$50

BOOKS – Sales Price of \$30 or Less, per book (Noncommercial Purchases)**EXEMPT:**

BOOKS - The term book is defined as a set of printed sheets bound together and published in a volume with an ISBN number.

TAXABLE:

- Magazines
- Newspapers
- Periodicals
- Any Other Document Printed or Offered for Sale in a Non-Bound Form



SMALL TOWN, BIG BEACH

COUNCIL AGENDA SUMMARY

TO: Mayor Craft & Members of the City Council

THROUGH: Steve Griffin, City Administrator

FROM: Cindy King Dooley, Finance & Administrative Services Director

SUBJECT: Acceptance of Pelican Place Purchase Option

DATE: March 31, 2016

ISSUE: Notice of Pelican Place purchase option for \$400,000 has been exercised March 23, 2016 by RCG Ventures I, LLC on behalf of RCG-Gulf Shores, LLC by letter.

BACKGROUND: The Amended and Restated Repurchase and Sale Agreement dated March 1, 2009, by and among the City of Gulf Shores, Langley-Colonial, LLC ("Langley") and Colonial Realty Limited Partnership ("Colonial) to which Langley-Colonial, LLC successor is RCG-Gulf Shores, LLC provides for a purchase option of \$400,000 upon completion of debt service payments for Pelican Place. RCG Ventures I, LLC notified the City by letter March 23, 2016.

PREVIOUS COUNCIL ACTION: None

BUDGET IMPLICATIONS: \$400,000 in Revenue can be used to reduce outstanding 2014 line of credit payments.

RELATED ISSUES: None

ATTACHMENTS: Resolution attached

DEPARTMENT: Finance and Administrative Services

STAFF CONTACT: Cindy King Dooley



RCG VENTURES

Lee Kolber
General Counsel
lee@rcgventures.com
404.665.1121

March 23, 2016

VIA CERTIFIED MAIL

City of Gulf Shores
PO Box 299
Gulf Shores, AL 36547
Attention: Mayor

Paul O. Woodall, Jr.
Jones Walker, LLP
1819 5th Avenue, Suite 1100
Birmingham, AL 35203

Re: Amended and Restated Repurchase and Sale Agreement dated March 1, 2009 (the "Purchase Agreement"), by and among the City of Gulf Shores, Alabama ("City"), Langley-Colonial, LLC ("Langley") and Colonial Realty Limited Partnership ("Colonial")-Lots 2,3,4,7 and 8 according to the Amended Plat of Colonial Properties Commercial Park, Gulf Shores, Alabama (the "Property")

To Whom It May Concern:

We, as successor in title to Langley, are the leasehold owner of that certain property commonly known as Pelican Place Shopping Center which leasehold interest is created pursuant to the Amended and Restated Lease and Development Agreement dated March 1, 2009. Please accept this letter as written notice pursuant to Section 2(a) of the Purchase Agreement of our exercise of the option to purchase fee simple title to the Property all in accordance with the provisions of the Purchase Agreement.

If you have any questions, I can be reached at 404.665.1121 or by email at lee@rcgventures.com.

Sincerely,

RCG Ventures I, LLC, on behalf of
RCG-Gulf Shores, LLC

A handwritten signature in black ink, appearing to read 'Lee Kolber', written over the typed name and title.

Lee Kolber,
General Counsel

RESOLUTION NO. _____

BE IT RESOLVED by the City Council (the "Council") of the City of Gulf Shores (the "City") as follows:

Section 1. Findings. The Council has ascertained and does hereby find and declare that

(a) it is in the best public and financial interest of the City to convey, by deed, to RCG-Gulf Shores, LLC (the "Purchaser"), Lots 2,3,4,7 and 8 according to the Amended Plat of Colonial Properties Commercial Park, Gulf Shores, Alabama (collectively the "Property"), pursuant to the Amended and Restated Repurchase and Sale Agreement dated March 1, 2009 by and among the City of Gulf Shores, Alabama, Langley-Colonial, LLC and Colonial Realty Limited Partnership, to which Langley-Colonial, LLC successor is RCG-Gulf Shores, LLC, and

(b) notice of exercise of the purchase option was given by letter dated March 23, 2016 from RCG Ventures I, LLC on behalf of the Purchaser.

Section 2. Approval of Transfer. The transfer of the aforesaid Property to the Purchaser is hereby authorized, ratified, adopted and confirmed.

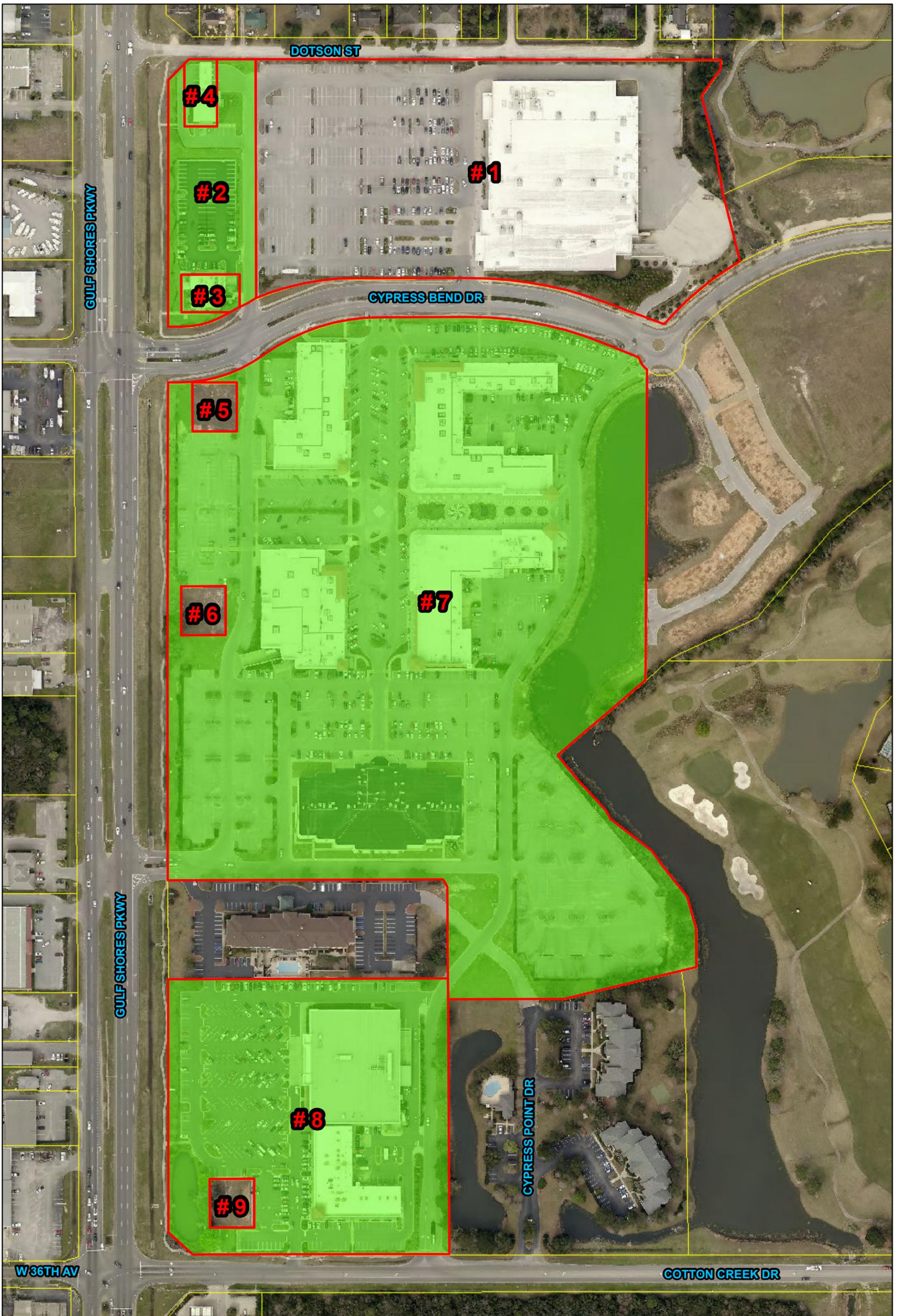
Section 3. Direction to Execute documents. The Mayor and City Clerk are hereby authorized and directed to execute, attest, seal and deliver the conveyance deeds described in Section 1 above and are further authorized and directed to take such other actions and execute such other documents as may be necessary in connection therewith.

Passed and adopted this 11th day of April, 2016.

Mayor

CITY SEAL

Attest: _____
City Clerk



Pelican Mall Properties Lot #'s
Not to Scale
April 4, 2016





SMALL TOWN, BIG BEACH

COUNCIL AGENDA SUMMARY

DATE: April 4, 2016

TO: Mayor Craft, City Council

FROM: Court Administrator

ISSUE: Amend Resolution No. 5581–15 Move start time for Municipal Court to 2:00 p.m.

RECOMMENDATION: In an effort to accommodate the ever increasing docket, without adding a third court day per month, Judge Frank Hollon, Prosecutor Ken Raines and I are proposing moving the start time for municipal court to 2:00 p.m. We believe this will help to combat conflicts with other courts within the county and result in less overtime for officers, as well as, accommodating attorneys who might be required to appear in other jurisdictions on the same day.

PREVIOUS COUNCIL ACTION: In October, 2015, the Council approved Resolution 5581-15 establishing the place, dates and times for the Gulf Shores Municipal Court to hold open session for the purpose of hearing matters within its jurisdiction during the period from January 7, 2016 through December 15, 2016. This Resolution also established the time for holding the Plea Docket Court (first court date of each month) and Trial Docket Court (second court date of each month) as 3:30 p.m.

BUDGET IMPLICATIONS: Less overtime for Police and Court personnel

RELATED ISSUES: None

ATTACHMENTS: Draft Resolution

DEPARTMENT: Municipal Court

STAFF CONTACT: Ken McKenzie, Court Administrator

RESOLUTION NO. -16 5581-15

A RESOLUTION
AMENDING RESOLUTION NO. 5581-15 BY MOVING
THE TIME ESTABLISHED
ESTABLISHING THE
PLACE, DATES, AND TIMES FOR
THE GULF SHORES MUNICIPAL COURT
TO HOLD OPEN SESSION FOR THE PURPOSE OF
HEARING MATTERS WITHIN ITS JURISDICTION
DURING THE PERIOD FROM
APRIL 21, JANUARY 7, 2016 THROUGH DECEMBER 15, 2016

WHEREAS, Section 12-14-13, *Code of Alabama 1975*, provides that the municipal court shall hold court only at the times and place provided by the municipal governing body; and,

WHEREAS, the City Council has determined ~~the place, dates, and times~~ at which Court shall be held shall be amended, as set forth below;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON APRIL 11, 2016 ~~OCTOBER 12, 2015~~, as follows:

Section 1. That the place for holding open court by the Municipal Court of the City of Gulf Shores, Alabama, during the year 2016 shall be in the Municipal Court Building, 203 Clubhouse Drive, Suite A, Gulf Shores, Alabama.

Section 2. That the time for holding Plea Docket Court (the first court date of each month) shall be at 2:00 3:30 p.m. The time for holding Trial Docket Court (the second court date of each month) shall be at 2:00 3:30 p.m.

Section 3. That the dates for holding open court by the Municipal Court of the City of Gulf Shores, Alabama, are hereby established for the year 2016 as being:

MONTH	ARRAIGNMENT/ PLEA DATE	TRIAL DATE
JANUARY	7 TH	21 ST
FEBRUARY	4 TH	18 TH
MARCH	3 RD	17 TH
APRIL	7 TH	21 ST
MAY	Not Scheduled*	19 TH
JUNE	2 ND	16 TH
JULY	7 TH	21 ST
AUGUST	4 TH	18 TH
SEPTEMBER	1 ST	15 TH
OCTOBER	6 TH	20 TH
NOVEMBER	3 RD	17 TH
DECEMBER	1 ST	15 TH

Currently no conflict perceived with any City of Gulf Shores observed Holidays for the year.

Based on 1st and 3rd Thursday of Month unless conflict arises.

*May 5TH Docket not scheduled due to presumed conflict with Certification Training.

Section 4. That this Resolution shall become effective upon its adoption.

ADOPTED this ~~11th~~ ~~12th~~ day of ~~April~~ ~~October~~, 201~~6~~~~5~~.

Robert Craft, Mayor

ATTEST:

Wanda Parris, MMC
City Clerk

CERTIFICATE

I, Wanda Parris, MMC, City Clerk of the City of Gulf Shores, Alabama, do hereby certify that the foregoing is a true and correct copy of Resolution No. ~~-16 5581-15~~ (prepared by City Clerk), which Resolution was duly and legally adopted at a regular meeting of the City Council on ~~April 11, 2016.~~ ~~October 12, 2015.~~

City Clerk



SMALL TOWN, BIG BEACH™

TO: Mayor Craft & Members of the City Council

FROM: Andy Bauer, Director of Planning & Zoning

SUBJECT: ZA2016-01 Article 14-1 Required Minimum Off-street Parking Spaces - Zoning Text Amendment

DATE: April 4, 2016

ISSUE: The City of Gulf Shores proposes to modify Table 14-1B Required Minimum Off-street Parking Spaces to make the following changes:

- Increase the amount of parking required for single family and duplex housing located in the BT zoning districts and Single Family & Duplex Tourist Rental Overlay District.

RECOMMENDATION: Staff recommends the City Council approve the proposed changes to Table 14-1B Required Minimum Off-street Parking Spaces.

BACKGROUND: Currently single family and duplex houses are required 1 parking space per bedroom if they are located on the beach or Little Lagoon. Single family and duplex housing in the beach area but not located on the waterfront are only required 2 parking spaces no matter how many bedrooms a structure has even though many of these dwellings are just as likely to be rented as the dwellings on the beach or lagoon. Staff proposes to amend the Zoning Ordinance to require 1 parking space per bedroom for all houses and duplexes located within the Single Family & Tourist Rental Overlay District and BT zoned areas.

PLANNING COMMISSION: At their March 22, 2016 meeting the Planning Commission passed a resolution recommending approval (9-0) of this zoning text amendment to the City Council.

ATTACHMENTS: Staff Report



TO: Mayor Robert Craft, and
Members of the City Council

DATE: April 4, 2016

FROM: Andy Bauer, AICP
Director of Planning & Zoning

SUBJECT: ZA2016-01 Article 14-1 Required Minimum Off-street Parking Spaces – Zoning Text Amendment

SUMMARY: The City of Gulf Shores proposes to modify Table 14-1B Required Minimum Off-street Parking Spaces to make the following changes:

- Increase the amount of parking required for single family and duplex housing located in the BT zoning districts and Single Family & Duplex Tourist Rental Overlay District.

When working on the recent Cottage Subdivision amendment staff noticed the need to amend the parking regulations for single family and duplex dwellings located in the beach area. Currently single family and duplex houses are required 1 parking space per bedroom if they are located on the beach or Little Lagoon. Single family and duplex housing in the beach area but not located on the waterfront are only required 2 parking spaces no matter how many bedrooms a structure has even though many of these dwellings are just as likely to be rented as the dwellings on the beach or lagoon. Staff proposes to amend the Zoning Ordinance to require 1 parking space per bedroom for all houses and duplexes located within the Single Family & Tourist Rental Overlay District and BT zoned areas.

PLANNING COMMISSION: At their March 22, 2016 meeting the Planning Commission passed a resolution recommending approval (9-0) of this zoning text amendment to the City Council.

RECOMMENDATION: Staff recommends the City Council approve the changes to Table 14-1B Required Minimum Off-street Parking Spaces.

PROPOSAL: The proposed amendment is below. Red wording is being added and words that are struck through will be deleted.

Table 14-1B: Required Minimum Off-street Parking Spaces	
Residential Uses	
1. Single-family Dwelling, attached or detached	2 spaces; or for Dwellings with Direct Frontage on Gulf of Mexico or Little Lagoon zoned BT or within the Single Family & Duplex Tourist Rental Overlay District <u>– 2 spaces plus</u> 1 space for each Bedroom after the first two Bedrooms



SMALL TOWN, BIG BEACH™

**APPLICATION FOR PUBLIC ASSEMBLY PERMIT
AS REQUIRED BY SECTION 11-20 ET SEQ. OF
THE CODE OF ORDINANCES OF
THE CITY OF GULF SHORES, ALABAMA**

Application for a Public Assembly Permit must be submitted to the City Clerk at least thirty (30) days prior to the date of the proposed assembly.

DATE: 3/06/16

ORGANIZATION/SPONSOR: Hangout Music Fest, LLC

ADDRESS: PO Box 4087, Gulf Shores, AL

AGENT OR REPRESENTATIVE: Sean O'Connell

TELEPHONE NUMBER: (_____) _____

EMAIL ADDRESS: _____

It is respectfully requested that a Public Assembly Permit be issued to the above named organization or sponsor.

The following required information is submitted for the review and approval of the appropriate City Departments and the City Council:

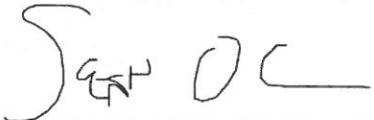
- a) Purpose of the Public Assembly: Music Festival
- b) Dates of the Assembly: May 19, 2016 to May 22 2016
- c) Time of the Assembly: from 6 pm to 11 pm
- d) Estimated number of Participants/Attendees: 40,000
- e) Estimated number of Vendors: 40 +
- f) Location of Assembly (legal description of property if known):
 - i. Gulf Shores Public Beach
 - ii. The Hangout 101 East Beach Blvd
- g) Owner of Property: Gulf Shores and The Hangout

Supply to Clerk a letter from owner of property permitting use for activity, if not owned by applicant.

- h. If applicant will need to use City employees for any part of the preparation and clean-up of the site, a separate agreement with the City will be required before issuance of the Permit.
- i. Applicant shall guarantee payment of business licenses and sales tax, if applicable to function.
- j. **Required attachments -- detailed explanation, including drawings and diagrams where applicable, of the prospective plan of the Permittee to provide for the following, as appropriate:**
 - (1) Police and fire protection (describe on-site security; Gulf Shores Police will do routine patrol and will respond to calls.)
 - (2) Food and water supply and facilities
 - (3) Health and sanitation facilities (specify number of portable toilet facilities to be furnished)
 - (4) Medical facilities and services including emergency vehicles and equipment
 - (5) Vehicle access and parking facilities (If the proposed public assembly is expected to require more parking than can be provided at the location of the assembly, the applicant must submit plans showing where additional parking will be provided and a letter from the owner of the property granting approval for such use.)
 - (6) Camping and trailer facilities
 - (7) Illumination facilities
 - (8) Communications facilities
 - (9) Signage – Signage placement must be shown on diagram, comply with the City’s Zoning Ordinance (Ordinance #1584, Chapter 18, Article XVI, Signs) and be approved by the Recreation and Cultural Affairs Director (or his agent) prior to the issuance of the Permit.
 - (10) Noise control and abatement
 - (11) Facilities for daily clean up and waste disposal; final cleanup will be done within 24 hours after close (grease or oil disposal shall be monitored)

- (12) Insurance and bonding arrangements -- Binder or other proof of coverage in proper amount shall be in the hands of the Clerk no later than five (5) days before the first day of the event.

The undersigned has authority to execute this application; and the requesting organized group, unincorporated association of persons, or corporation promises and agrees to abide by all the terms and conditions of Section 11-26, Code of Ordinances, under which a Public Assembly Permit is issued, and to abide by all rules and regulations of the City of Gulf Shores, Alabama.

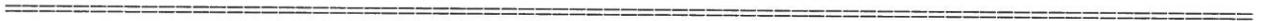


SIGNATURE OF AGENT

By authority of Section 11-24 of the Code of Ordinances of the City of Gulf Shores, the requirement of an Assembly Permit shall not apply to any activity sponsored by the City, County or State.

The Permit shall be issued only after approval by the appropriate City Officials, as indicated below:

- a) Police Chief: _____ Date: _____
- b) Fire Chief: _____ Date: _____
- c) Public Works Director: _____ Date: _____
- d) Building Official: _____ Date: _____
- e) Planning & Zoning: _____ Date: _____
- f) Recreation & Cultural Affairs: _____ Date: _____
- g) City Administrator: _____ Date: _____

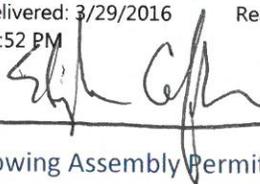


Emily Tidwell

From: Emily Tidwell
Sent: Tuesday, March 29, 2016 12:52 PM
To: Edward J. Delmore; Hartly Brokenshaw; Andy Bauer; Mark Acreman; Brandan Franklin; Grant Brown
Cc: Wanda Parris; Matt Young; Alicia Talley; Carla Estill
Subject: Assembly permit for the 2016 Hangout Music Fest
Attachments: SKM_C224e16032912550.pdf

Tracking:	Recipient	Delivery	Read	Response
	Edward J. Delmore	Delivered: 3/29/2016 12:52 PM	Read: 3/29/2016 1:48 PM	Approve: 3/31/2016 10:14 AM
	Hartly Brokenshaw	Delivered: 3/29/2016 12:52 PM	Read: 3/29/2016 1:21 PM	Approve: 3/29/2016 1:22 PM
	Andy Bauer	Delivered: 3/29/2016 12:52 PM	Read: 3/29/2016 2:37 PM	Approve: 3/29/2016 2:37 PM
	Mark Acreman	Delivered: 3/29/2016 12:52 PM	Read: 3/29/2016 1:42 PM	Approve: 3/29/2016 3:40 PM
	Brandan Franklin	Delivered: 3/29/2016 12:52 PM	Read: 3/31/2016 8:10 AM	Approve: 3/31/2016 8:10 AM
	Grant Brown	Delivered: 3/29/2016 12:52 PM		Approve: 3/31/2016 10:53 AM
	Wanda Parris	Delivered: 3/29/2016 12:52 PM	Read: 3/29/2016 1:08 PM	Approve: 3/29/2016 1:08 PM
	Matt Young	Delivered: 3/29/2016 12:52 PM	Read: 3/29/2016 12:53 PM	Approve: 3/29/2016 4:12 PM
	Alicia Talley	Delivered: 3/29/2016 12:52 PM	Read: 3/29/2016 12:56 PM	
	Carla Estill	Delivered: 3/29/2016 12:52 PM	Read: 3/29/2016 3:25 PM	

City Administrator



Please use your voting buttons to Approve/Reject the following Assembly Permit.

Thank you,
Emily ☺

Emily Tidwell

Executive Office
Administrative Assistant II
PO Box 299
203 Clubhouse Drive, Suite B
Gulf Shores, AL 36542
www.gulfshoresal.gov

Phone (251) 968.1126
Fax (251) 968.4459

- BAR
- ATM
- OFFICIAL MERCH
- ADA ACCESS / VIEWING
- SHUTTLE DROP OFF
- VENDOR MERCH
- MISTING AREA BY ARCTIC COVE
- FOOD
- MEDIC / INFO
- WATER FILL STATION
- VIP VIEWING AREA
- CHARGING STATION
- RESTROOMS
- ENTRANCE & EXIT
- GENERAL STORE
- RESTROOMS
- ENTRANCE & EXIT
- GENERAL STORE
- SUPER VIP CART STOP



Application for a Public Assembly Permit must be submitted to the City Clerk at least thirty (30) days prior to the date of the proposed assembly.

**APPLICATION FOR PUBLIC ASSEMBLY PERMIT
AS REQUIRED BY SECTION 11-20 ET SEQ. OF
THE CODE OF ORDINANCES OF
THE CITY OF GULF SHORES, ALABAMA**

Date: 3/08/16

ORGANIZATION/SPONSOR Alabama Coastal Foundation

ADDRESS PO Box 246 Fairhope AL 36532

AGENT OR REPRESENTATIVE Joe McEnerney

TELEPHONE NUMBER (home) _____ (business) _____

Email ADDRESS jmcenerney@joinACF.org

It is respectfully requested that a Public Assembly Permit be issued to the above named organization or sponsor.

The following required information is submitted for the review and approval of the appropriate City Departments and the City Council:

- a. Purpose of the Public Assembly: To allow riders to celebrate the completion of the Good Life Ride
- b. Dates of the Assembly: May 7, 2016
- c. Time of the Assembly: from 10:00 am to 2:00 pm
- d. Estimated number of Participants/Attendees: 240
- e. Estimated number of Vendors: 3
- f. Location of Assembly (legal description of property if known): Tacky Jacks Restaurant Gulf Shores
240 East 24th Avenue Gulf Shores, AL 36542
- g. Owner of Property: George Skipper

Supply to Clerk a letter from owner of property permitting use for activity, if not owned by applicant.

- h. If applicant will need to use City employees for any part of the preparation and clean-up of the site, a separate agreement with the City will be required before issuance of the Permit.
- i. Applicant shall guarantee payment of business licenses and sales tax, if applicable to function.
- k. **Required attachments -- detailed explanation, including drawings and diagrams where applicable, of the prospective plan of the Permittee to provide for the following, as appropriate:**
 - (1) Police and fire protection (describe on-site security; Gulf Shores Police will do routine patrol and will respond to calls.)
 - (2) Food and water supply and facilities
 - (3) Health and sanitation facilities (specify number of portable toilet facilities to be furnished)
 - (4) Medical facilities and services including emergency vehicles and equipment
 - (5) Vehicle access and parking facilities (If the proposed public assembly is expected to require more parking than can be provided at the location of the assembly, the applicant must submit plans showing where additional parking will be provided and a letter from the owner of the property granting approval for such use.)
 - (6) Camping and trailer facilities
 - (7) Illumination facilities
 - (8) Communications facilities
 - (9) **Signage - Signage placement must be shown on diagram, comply with the City's Zoning Ordinance (Ordinance #1584, Chapter 18, Article XVI, Signs) and be approved by the Recreation and Cultural Affairs Director (or his agent) prior to the issuance of the Permit.**
 - (10) Noise control and abatement
 - (11) Facilities for daily clean up and waste disposal; final cleanup will be done within 24 hours after close (grease or oil disposal shall be monitored)
 - (12) Insurance and bonding arrangements -- Binder or other proof of coverage in proper amount shall be in the hands of the Clerk no later than five (5) days before the first day of the event.

APPLICATION FOR PUBLIC ASSEMBLY PERMIT
Page 3

The undersigned has authority to execute this application; and the requesting organized group, unincorporated association of persons, or corporation promises and agrees to abide by all the terms and conditions of Section 11-26, Code of Ordinances, under which a Public Assembly Permit is issued, and to abide by all rules and regulations of the City of Gulf Shores, Alabama.


SIGNATURE OF AGENT

By authority of Section 11-24 of the Code of Ordinances of the City of Gulf Shores, the requirement of an Assembly Permit shall not apply to any activity sponsored by the City, County or State.

The Permit shall be issued only after approval by the appropriate City Officials, as indicated below:

- a. Police Chief: _____ Date: _____
- b. Fire Chief: _____ Date: _____
- c. Public Works Director: _____ Date: _____
- d. Building Official: _____ Date: _____
- e. Planning & Zoning: _____ Date: _____
- f. Recreation & Cultural Affairs: _____ Date: _____
- g. City Administrator: _____ Date: _____

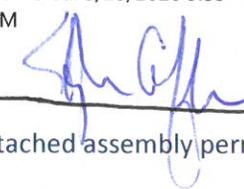
=====

Emily Tidwell

From: Emily Tidwell
Sent: Wednesday, March 23, 2016 9:53 AM
To: Edward J. Delmore; Hartly Brokenshaw; Andy Bauer; Mark Acreman; Brandan Franklin; Grant Brown
Cc: Wanda Parris; Alicia Talley; Carla Estill
Subject: Assembly Permit for Good Life Ride
Attachments: SKM_C224e16032309550.pdf

Tracking:	Recipient	Delivery	Read	Response
	Edward J. Delmore	Delivered: 3/23/2016 9:53 AM	Read: 3/23/2016 9:55 AM	Approve: 3/23/2016 2:55 PM
	Hartly Brokenshaw	Delivered: 3/23/2016 9:53 AM	Read: 3/23/2016 9:58 AM	Approve: 3/23/2016 10:06 AM
	Andy Bauer	Delivered: 3/23/2016 9:53 AM	Read: 3/23/2016 1:36 PM	Approve: 3/24/2016 8:03 AM
	Mark Acreman	Delivered: 3/23/2016 9:53 AM		Approve: 3/24/2016 9:36 AM
	Brandan Franklin	Delivered: 3/23/2016 9:53 AM	Read: 3/23/2016 10:01 AM	Approve: 3/23/2016 10:03 AM
	Grant Brown	Delivered: 3/23/2016 9:53 AM		Approve: 3/28/2016 12:18 PM
	Wanda Parris	Delivered: 3/23/2016 9:53 AM	Read: 3/23/2016 10:15 AM	Approve: 3/23/2016 10:15 AM
	Alicia Talley	Delivered: 3/23/2016 9:53 AM	Read: 3/23/2016 9:56 AM	
	Carla Estill	Delivered: 3/23/2016 9:53 AM		

City Administrator

 3/28/16

Please use your Approve/Reject voting buttons for the attached assembly permit.

Thank you ☺

Emily

Emily Tidwell

Executive Office
Administrative Assistant II
PO Box 299
203 Clubhouse Drive, Suite B
Gulf Shores, AL 36542
www.gulfshoresal.gov

Phone (251) 968.1126

Fax (251) 968.4459

Application for a Public Assembly Permit (Continued)

Alabama Coastal Foundation / Good Life Foundation / Good Life Ride May 7, 2016

K. Required attachments -- detailed explanation, including drawings and diagrams where applicable, including drawings and diagrams where applicable, of the prospective plan of the Permittee to provide for the following, as appropriate:

(1) Police and fire protection (describe on-site security; Gulf Shores Police will do routine patrol and will respond to calls.)

All of the Ride routes will be coordinated and approved by the Gulf Shores Police Department and the Baldwin County Sheriff's Department. A summary of the Good Life Ride routes is presented below

*a) **40 mile Route.** Route starts in Fairhope to Magnolia Springs and turns east on SR 12 (avoiding Highway 59 and SR 10) and connects to the Beach Expressway and then travels along Canal Road to Tacky Jacks.*

*b) **Metric Century.** Route starts in Fairhope to Magnolia Springs and turns east on SR 12 (avoiding Highway 59 and SR 10) and connects to the Beach Expressway . At the end of the Beach Expressway, the route turns east on Canal Road and cuts across SR 162 to Beach Boulevard. The route then travels along Beach Boulevard and to Tacky Jacks*

*c) **22 mile Route.** Aa circular route from Tacky Jacks down West Beach Boulevard. Having a police officer at the initial turn into the State Park would be helpful. Boulevard and having a police officer at the initial turn into the State Park would be helpful.*

*d) **11 mile Route.** This route now goes on the Fort Morgan Trail. This is now a circular route and is 10.6 miles in length. Easy route for novice riders.*

(2) Food and water supply and facilities

Food and water will be provided by Tacky Jack restaurant

(3) Health and sanitation facilities (specify number of portable toilet facilities to be furnished)

N/a

(4) Medical facilities and services including emergency vehicles and equipment

N/a

(5) Vehicle access and parking facilities (If the proposed public assembly is expected to require more parking than can be provided at the location of the assembly, the applicant must submit plans showing where additional parking will be provided and a letter from the owner of the property granting approval for such use.)

Adequate parking for the Good Life Ride will be provided by Tacky Jack restaurant

(6) Camping and trailer facilities

(7) Illumination facilities

N/a

(8) Communications facilities

N/a

(9) Signage – Signage placement must be shown on diagram, comply with the City's Zoning Ordinance (Ordinance #1584, Chapter 18, Article XVI, Signs) and be approved by the Recreation and Cultural Affairs Director (or his agent) prior to the issuance of the Permit.

There will be some temporary signage that highlights the Ride Route. All signage will be taken down by 12:30 pm after the Ride

(10) Noise control and abatement

N/a

(11) Facilities for daily clean up and waste disposal; final cleanup will be done within 24 hours after close (grease or oil disposal shall be monitored)

(12) Insurance and bonding arrangements -- Binder or other proof of coverage in proper amount shall be in the hands of the Clerk no later than five (5) days before the first day of the event.

Insurance for the Ride has been request from ACF's insurance provider (Thames – Batre). Last year the insurance was provided the Philadelphia Company. Proof of insurance will be provided to the City of Gulf Shores within 20 days



Summerdale

Elberta

Clay City

10

15

20

25

30

35

Magnolia Springs

Foley

40

45

Bon Secour

Oyster Bay

Bon Secour Bay

50

55

Orange Beach

60



Bonville
rf
ir

Summerdale

Barnwell

Clay 10

15

Magnolia Springs

Foley

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25

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Bon Secour Bay

Bon Secour

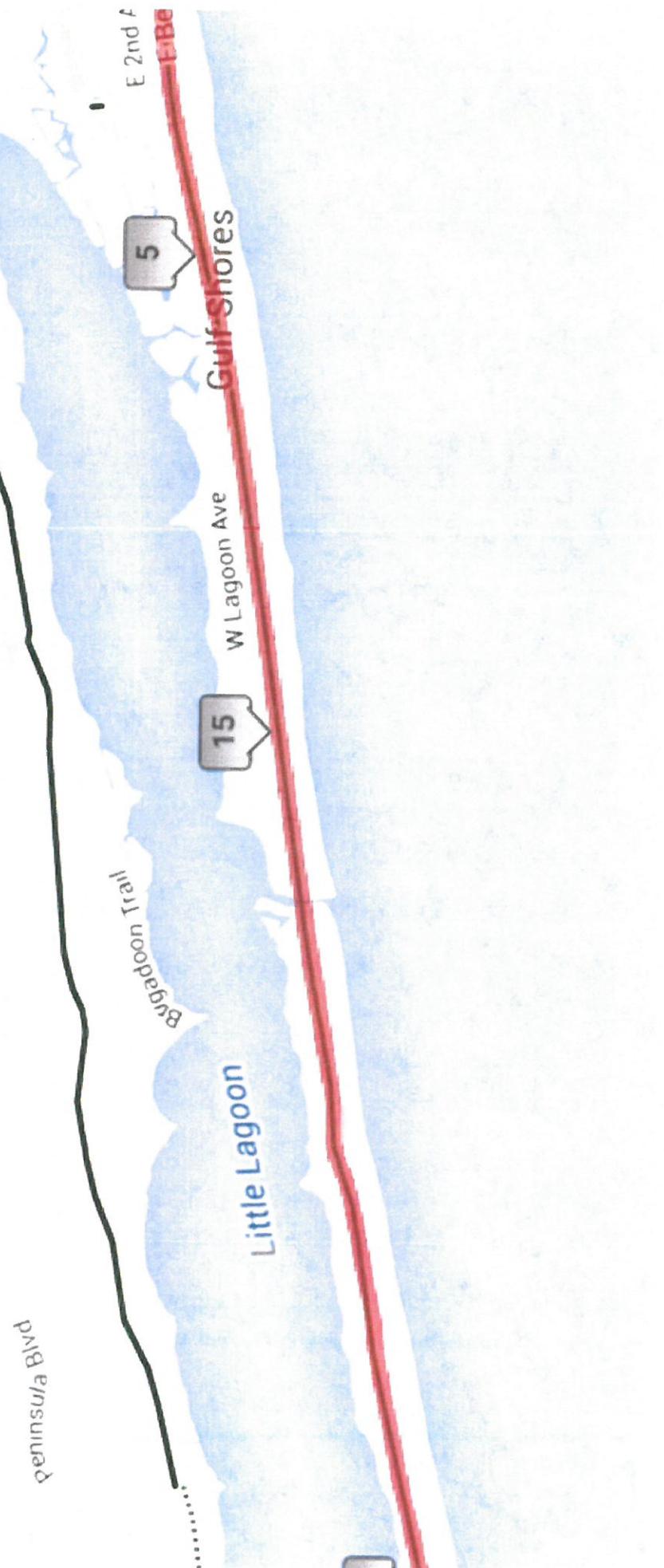
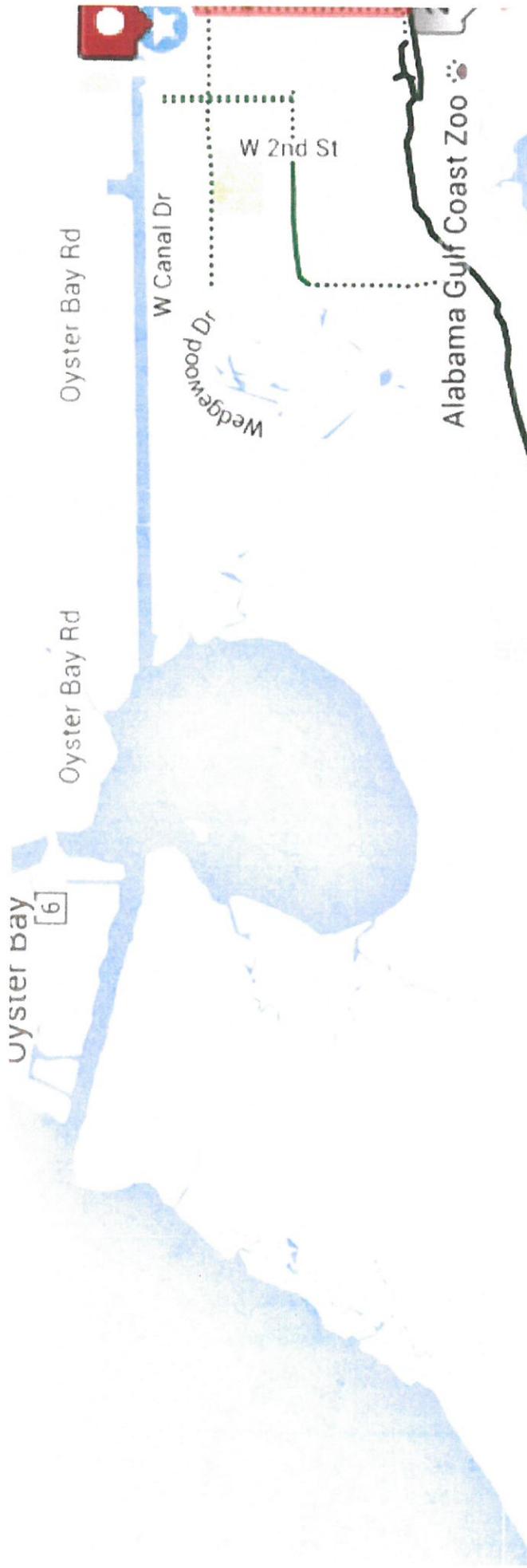
Oyster Bay

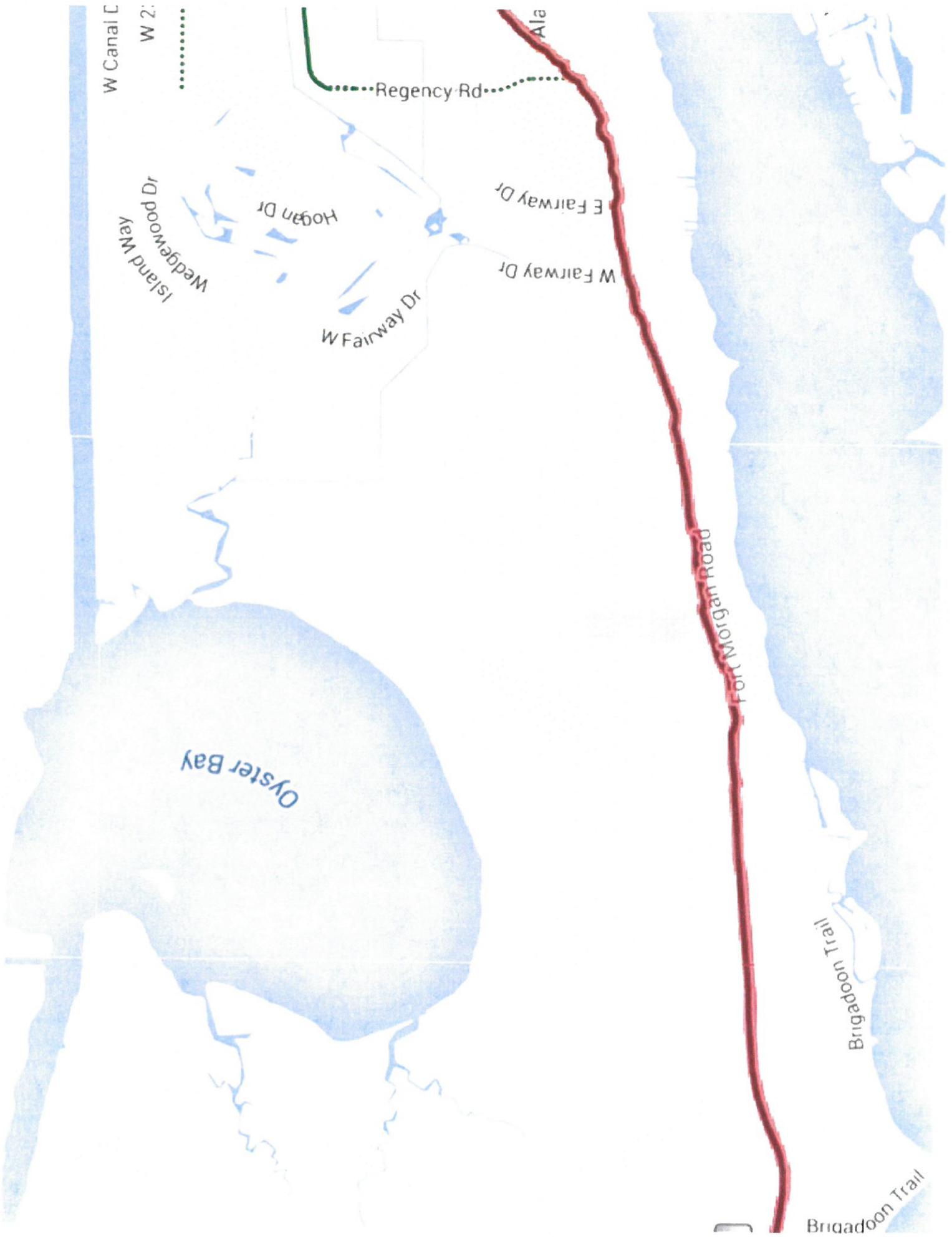
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Gasque

Gulf Shores

Gulf Highlands





W Canal C

W 2:



Ala

Regency Rd

Island Way
Wedgewood Dr

Hogan Dr

W Fairway Dr

E Fairway Dr

W Fairway Dr

Fort Morgan Road

Oyster Bay

Bridadoon Trail

Bridadoon Trail



Matt Young

From: Joe McEnerney <jmcenerney@joinacf.org>
Sent: Saturday, March 19, 2016 12:01 AM
To: Matt Young
Cc: Ryan Mains
Subject: Fwd: Good Life Ride Information

Matt,

The below e-mail from Lt. Otis T. Miller of the Foley Police Department confirms the City of Foley's approval / support of the 2016 Good Life Ride. I have applied for a "permit to assemble" from the City of Orange Beach and when I get the City's approval I will provide you with a copy.

Thanks

Joe

----- Forwarded message -----

From: Otis Miller <omiller@foleypolice.org>
Date: Fri, Mar 18, 2016 at 10:56 AM
Subject: Re: Good Life Ride Information
To: Ryan Mains <rmains@joinacf.org>
Cc: Joe McEnerney <jmcenerney@joinacf.org>

We approve of this annual event. Our agency will assist with the intersections of Hwy 59/CR 12 and CR 12/FBE as necessary. We also plan to have a unit patrol the general area once we have been informed that the riders are nearing our area. I believe that you indicated that BCSO would be leading this event.

Feel free to contact me.

Lt. Otis T. Miller
Patrol Division Commander
Foley Police Department
200 East Section Av.
Foley, Alabama 36535
[251-952-4010](tel:251-952-4010)
[251-952-4098](tel:251-952-4098) (Fax)

Quote:

*And the Lord said unto Cain, where is Abel thy Brother?
And he said, I know not: **Am I my brother's keeper?**
(Genesis Ch 4, Vs 9)*

On Fri, Mar 18, 2016 at 10:38 AM, Ryan Mains <rmains@joinacf.org> wrote:



STATE OF ALABAMA
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Gulf State Park
20115 State Highway 135
Gulf Shores, Alabama 36542
Phone 251-948-7275 Fax 251-948-7726
Gulf.StatePark@dcnr.alabama.gov
www.alapark.com



Robert Bentley
GOVERNOR

N. Gunter Guy, Jr.
COMMISSIONER

Curtis Jones
DEPUTY COMMISSIONER

Gregory M. Lein
DIRECTOR

Robert W. Grant, Jr.
ASSISTANT DIRECTOR

March 1, 2016

To whom it may concern,

Gulf State Park has been notified of the Smart Coast/Good Life Foundation Ride that will take place in Gulf Shores and Gulf State Park in the spring of 2016. The State is aware of the use of the Back Country Trail and the possibility of bikes on State Park Road 2. We would encourage that all riders stick to the Back Country Trail and at the recommended speed posted on the trails. We have constant patrol in the park from our Park Rangers and Security if any help is needed. Please let your riders know to use caution on the trails since there are many trail patrons and to try and remember which trail they are on in the event of an emergency.

Please let me know if you have any questions and Happy Trails!

District Superintendent
Gulf State Park

GULF SHORES
TACKY JACKS™, LLC

P. O. Box 920
Orange Beach, AL 36561
Restaurant (251) 948-8881 Fax (251)-948-8004
Office (251) 980-7007 Fax (251) 980-7001

March 22, 2016

Chairman
Tucker Dorsey
Baldwin County Commission
31 Courthouse Square Suite 12
Bay Minette, AL 36501

Dear Chairman Dorsey and Commissioners

The purpose of this letter to show Tacky Jacks support for 2016 Good Life Ride and to give the organizer permission to use the Tacky Jacks property for the Good Life Ride , The Ride will be held on Saturday May 7,2016.

If you have any question or require additional information contact me via e-mail me or at the number listed below.

Sincerely,



Ken Kichler
CFO
kkichler@gmail.com



February 5, 2016

Robert Craft
Mayor
City of Gulf Shores
P.O. Box 299
Gulf Shores, AL 36547



BOARD OF DIRECTORS

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Lee Walters

ACF OFFICE
250 Conti Street, 2nd Floor
P.O. Box 1073
Mobile, AL 36633
(251) 990-6002
www.joinACF.org

Dear Robert,

The Alabama Coastal Foundation is proud to work with The Good Life Foundation to host the 7th annual Good Life Ride on Saturday, May 7, 2016. The Ride is actually four "rides" in one with a course suited for all skill levels. The most popular course is the 40 mile route from Page and Palette in downtown Fairhope to Tacky Jacks in Gulf Shores. The newest route is a Metric Century course (62 mile course) and one of the routes is along the Backcountry Trail. All of the rides end at Tacky Jacks with a party and activities. The proceeds from the Ride benefit safety awareness campaigns for cyclists and pedestrians in our coastal region. We anticipate the 7th annual Ride to be the best ever.

The purpose of this letter is to make the City of Gulf Shores and the Gulf Shores' police department aware of the Ride and to ask you to provide a letter of support for the Ride. This letter of support will accompany our application for approval of the Ride to the Baldwin County Commission. Please forward this letter to me Joe McEnerney jmcenerney@joinACF.org.

As we have done for past Rides, we plan to work closely with Captain King of the Baldwin County Sheriff's Department and with Josh Coleman of the Gulf Shores Police Department and actively seek their advice and recommendations on the Ride course. This coordination is fundamental to the success of the Ride and for rider safety.

Finally we are working with our insurances carrier to provide liability Insurance to indemnify the City of Gulf Shores in respect to the Ride.

Thanks for your support and if you have any questions about the Ride I would be glad to try to answer them.

Sincerely,

Joe McEnerney
Coastal Relations Coordinator
Alabama Coastal Foundation

Cc Josh Coleman
Noel Hand

Application for a Public Assembly Permit must be submitted to the City Clerk at least thirty (30) days prior to the date of the proposed assembly.

**APPLICATION FOR PUBLIC ASSEMBLY PERMIT
AS REQUIRED BY SECTION 11-20 ET SEQ. OF
THE CODE OF ORDINANCES OF
THE CITY OF GULF SHORES, ALABAMA**

Date: 3/17/16

ORGANIZATION/SPONSOR Flora-Bama Lounge, Package & Oyster Bar

ADDRESS 17401 Perdido Key Drive, Pensacola, FL 32507

AGENT OR REPRESENTATIVE Angela Houghton

TELEPHONE NUMBER (home) _____ (business) _____

Email ADDRESS _____

It is respectfully requested that a Public Assembly Permit be issued to the above named organization or sponsor.

The following required information is submitted for the review and approval of the appropriate City Departments and the City Council:

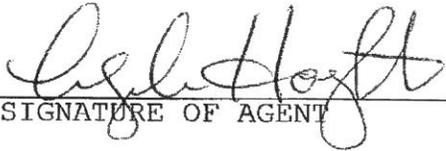
- a. Purpose of the Public Assembly: To host a Triathlon & raise money for the Leukemia Lymphoma Society & local youth charities.
- b. Dates of the Assembly: 4/16/16
- c. Time of the Assembly: from 7:30 AM to 12 PM
- d. Estimated number of Participants/Attendees: 400
- e. Estimated number of Vendors: None
- f. Location of Assembly (legal description of property if known): _____
- g. Owner of Property: Flora-Bama Lounge

Supply to Clerk a letter from owner of property permitting use for activity, if not owned by applicant.

- h. If applicant will need to use City employees for any part of the preparation and clean-up of the site, a separate agreement with the City will be required before issuance of the Permit.
- i. Applicant shall guarantee payment of business licenses and sales tax, if applicable to function.
- k. **Required attachments -- detailed explanation, including drawings and diagrams where applicable, of the prospective plan of the Permittee to provide for the following, as appropriate:**
 - (1) Police and fire protection (describe on-site security; Gulf Shores Police will do routine patrol and will respond to calls.)
 - (2) Food and water supply and facilities
 - (3) Health and sanitation facilities (specify number of portable toilet facilities to be furnished)
 - (4) Medical facilities and services including emergency vehicles and equipment
 - (5) Vehicle access and parking facilities (If the proposed public assembly is expected to require more parking than can be provided at the location of the assembly, the applicant must submit plans showing where additional parking will be provided and a letter from the owner of the property granting approval for such use.)
 - (6) Camping and trailer facilities
 - (7) Illumination facilities
 - (8) Communications facilities
 - (9) **Signage - Signage placement must be shown on diagram, comply with the City's Zoning Ordinance (Ordinance #1584, Chapter 18, Article XVI, Signs) and be approved by the Recreation and Cultural Affairs Director (or his agent) prior to the issuance of the Permit.**
 - (10) Noise control and abatement
 - (11) Facilities for daily clean up and waste disposal; final cleanup will be done within 24 hours after close (grease or oil disposal shall be monitored)
 - (12) Insurance and bonding arrangements -- Binder or other proof of coverage in proper amount shall be in the hands of the Clerk no later than five (5) days before the first day of the event.

APPLICATION FOR PUBLIC ASSEMBLY PERMIT
Page 3

The undersigned has authority to execute this application; and the requesting organized group, unincorporated association of persons, or corporation promises and agrees to abide by all the terms and conditions of Section 11-26, Code of Ordinances, under which a Public Assembly Permit is issued, and to abide by all rules and regulations of the City of Gulf Shores, Alabama.


SIGNATURE OF AGENT

By authority of Section 11-24 of the Code of Ordinances of the City of Gulf Shores, the requirement of an Assembly Permit shall not apply to any activity sponsored by the City, County or State.

The Permit shall be issued only after approval by the appropriate City Officials, as indicated below:

- a. Police Chief: _____ Date: _____
- b. Fire Chief: _____ Date: _____
- c. Public Works Director: _____ Date: _____
- d. Building Official: _____ Date: _____
- e. Planning & Zoning: _____ Date: _____
- f. Recreation & Cultural Affairs: _____ Date: _____
- g. City Administrator: _____ Date: _____

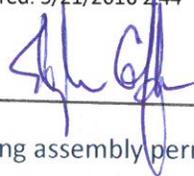
=====

Emily Tidwell

From: Emily Tidwell
Sent: Monday, March 21, 2016 2:44 PM
To: Edward J. Delmore; Hartly Brokenshaw; Andy Bauer; Mark Acreman; Brandan Franklin; Grant Brown
Cc: Wanda Parris; Alicia Talley; Carla Estill
Subject: Assembly Permit Mullet Man Triathlon
Attachments: SKM_C224e16032114450.pdf

Tracking:	Recipient	Delivery	Read	Response
	Edward J. Delmore	Delivered: 3/21/2016 2:44 PM	Read: 3/23/2016 9:58 AM	Approve: 3/23/2016 2:55 PM
	Hartly Brokenshaw	Delivered: 3/21/2016 2:44 PM	Read: 3/21/2016 3:01 PM	Approve: 3/21/2016 3:07 PM
	Andy Bauer	Delivered: 3/21/2016 2:44 PM	Read: 3/21/2016 2:49 PM	Approve: 3/21/2016 2:51 PM
	Mark Acreman	Delivered: 3/21/2016 2:44 PM	Read: 3/21/2016 3:29 PM	Approve: 3/29/2016 3:38 PM
	Brandan Franklin	Delivered: 3/21/2016 2:44 PM	Read: 3/21/2016 3:49 PM	Approve: 3/21/2016 3:49 PM
	Grant Brown	Delivered: 3/21/2016 2:44 PM	Read: 3/21/2016 3:20 PM	Approve: 3/21/2016 3:29 PM
	Wanda Parris	Delivered: 3/21/2016 2:44 PM	Read: 3/21/2016 4:46 PM	Approve: 3/21/2016 4:46 PM
	Alicia Talley	Delivered: 3/21/2016 2:44 PM	Read: 3/21/2016 2:46 PM	
	Carla Estill	Delivered: 3/21/2016 2:44 PM	Read: 3/21/2016 3:40 PM	

City Administrator

 3/21/16

Please use your voting buttons to Approve/Reject the following assembly permit for the Mullet Man Triathlon.
Thank you,
Emily ☺

Emily Tidwell

Executive Office
Administrative Assistant II
PO Box 299
203 Clubhouse Drive, Suite B
Gulf Shores, AL 36542
www.gulfshoresal.gov

Phone (251) 968.1126
Fax (251) 968.4459

Saturday, April 16, 2016

At the Flora-Bama Lounge

Start time:
7:30 AM

Entry Fee:

Individual

\$65 until April 1st

\$75 after April 1st

\$85 on Race Day

Relay Team

\$110 until April 1st

\$130 after April 1st

\$150 on Race Day

Fees are non-refundable.
Event held rain or shine.

Make checks payable to:

Flora-Bama

17401 Perdido Key Drive

Pensacola, FL 32507

Packet Pick Up &

Last Minute Registration:

At the Flora-Bama under the Tent

Friday, April 15th from 4 PM – 7 PM

Saturday, April 16th from 6 AM – 7 AM.

No pick-up after the race

Our Triathlon is a high quality event that promises a great course, awesome volunteers, a friendly atmosphere, and a lot of fun!

THE COURSE:

You will begin with the swim portion for 1/4 mile in the Gulf of Mexico behind the Flora-Bama Lounge. (Wet suits are optional.)

Then transition into the bike segment on the paved, four-lane Alabama Hwy 182 by heading west 8.5 miles and returning to the Flora-Bama.

(The bike transition area is in the east parking lot next to the Flora-Bama Lounge. Bike helmets are required. Participants must walk their bikes through the transition area.)

You will transition for the 4.2-mile run at the Flora-Bama, head west again, turn around under the Perdido Pass Bridge, and finish back at the Flora-Bama.

For more information or to volunteer your time, please email angela@florabama.com or call Angela at 850-483-6267. For timing information contact Steven Keith at kei@eventtiming.com.

Thank you for supporting the Flora-Bama and the Leukemia Lymphoma Society!

FLORA-BAMA
LOUNGE, PACKAGE, & OYSTER BAR

20th Annual

Mullet Man Triathlon

M. Lane Gilchrist Memorial

Portion of the Proceeds to

Benefit the Leukemia

Lymphoma Society

Saturday, April 16, 2016

At 7:30 AM

1/4 Mile Swim

17 Mile Bike

4.2 Mile Run



20th Annual Mullet Man Triathlon
Saturday, April 16, 2016 At 7:30 AM

Individual Athena Clydesdale Super Clydesdale
 Super Senior Clydesdale Fat Tire 1st Timer Relay

Team Type: Male Female Coed Relay Leg: Swim Bike Run

First Name _____ Last Name _____

Male Female Age _____ Birthdate (mm/dd/yyyy) _____

Shirt Size: Small Medium Large X-Large 2-XL

Mailing Address: _____

City: _____ State: _____ Zip: _____ Phone: _____

E-Mail: _____

In signing this release for myself or for the named entrant (if the entrant is under the age of 18), I acknowledge that I understand the intent hereof; and hereby agree to and will absolve and hold harmless the Flora-Bama and their officers, directors, and members respectively, and any other parties connected with this event in any way whatsoever, singly and collectively, from and against any blame or liability for any injury as a result in participation in this annual event or activities associated therewith. I also hereby consent and permit emergency treatment in the event of injury or illness. I shall abide by traffic laws and regulations, and practice courtesy and safety. I agree to affix and display the registration number at all times. I agree to obey traffic rules and stay to the right of the road when and where possible. I agree to wear an ANSI or Snell approved helmet at all times while riding. I have read and understand the above.

Signature (Parent or Guardian's Signature if under 18 years of age) _____ Date _____

FOR OFFICE USE ONLY

Credit Card _____ Check # _____ Amount \$ _____ Date _____ Received _____

You may also sign up on active.com:
<http://www.active.com/pensacola-fl/triathlon/races/mullet-man-triathlon-2016>

Age Groups – Male & Female

15-19	20-24	25-29
30-34	35-39	40-44
45-49	50-54	55-59
60-64	65-69	70 & up

Divisions:

The Athena is for women weighing 145 lbs or more. Two age divisions: 39 & under and 40+.

The Clydesdale is for men weighing 200 lbs or more. Two age divisions: 39 & under and 40+.

The Super Clydesdale is for men weighing 225 lbs or more. Must "weigh-in" at packet pick-up. Two age divisions: 39 & under and 40+.

Super Senior Clydesdales are age 55+.

The Fat Tire is for men and women riding a Fat Tire or Mountain Bike. Two age divisions: 39 & under and 40+.

The First Timers is for men and woman first time triathletes who have never done a triathlon before. First Timers are also in age groups.

Party

Our celebration and awards will take place immediately after the race under the Tent. Scrumptious food and select beverages will be provided.

SWIM - 1/4 MILE SWIM IN THE GULF OF MEXICO

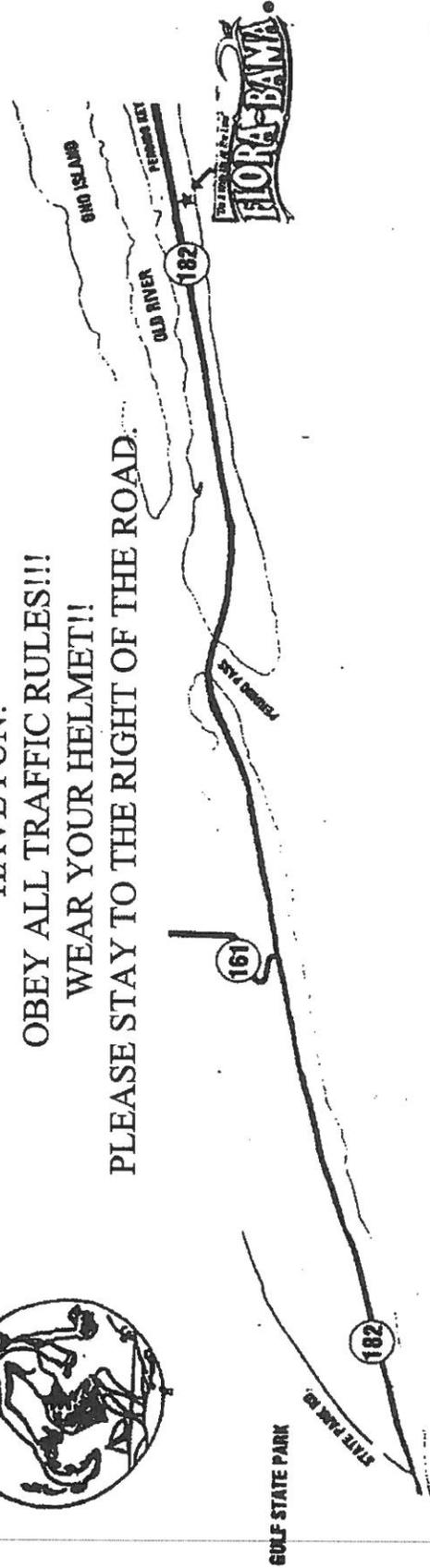
TRANSITIONA AREA - LOCATED IN DESIGNATED FLORA-BAMA PARKING LOT - ON SOUTH SIDE OF PERDIDO KEY DRIVE (FL)

BIKE ROUTE - USE EXTREME CAUTION: TRAFFIC - EXIT ON EAST SIDE OF TRANSITION AREA HEAD WEST ON HWY 182 (AL) OVER PERDIDO PASS BRIDGE, THROUGH HWY 161 INTERSECTION ONTO THE GULF STATE PARK'S FIRST ENTRANCE (STATE PARK ROAD 2). TURN AROUND AT THE STOPLIGHT, CROSSING HWY 182 AND RETURN ON SOUTH SIDE OF HIGHWAY ENTERING TRANSITION AREA ON THE WEST SIDE

RUN - START AT ALABAMA STATE LINE. EXIT ON EAST SIDE OF TRANSITION AREA HEAD WEST ON NORTH SIDE OF HWY 182, TURN RIGHT AT ROAD BEFORE YOU GO OVER PERDIDO PASS BRIDGE - GOING UNDER BRIDGE AND RETURNING ON SOUTH SIDE OF HIGHWAY HEADING BACK TO FLORA-BAMA LOUNGE AND FINISH LINE.



**HAVE FUN!
OBEY ALL TRAFFIC RULES!!!
WEAR YOUR HELMET!!
PLEASE STAY TO THE RIGHT OF THE ROAD.**



Orange Beach Police Department

- #1 161 and Beach Road at Rite Aid
Must remain here until last cyclist has passed through on
return trip

- #2 At Publix/ Hampton Inn Traffic Light

- #3 At Wal-Mart/ Winn Dixie Shopping Center Light
Must remain here until last cyclist has passed through on
return trip

- #3 Cruise Route

**ENCOURAGE ATHLETES – CHEER, CLAP & HAVE FUN!
PLEASE BRING ALL SIGNS BACK TO THE OFFICE**

Orange Beach Fire Department – EMT

#1 Rescue unit at start/ finish line with 2 EMT's

**ENCOURAGE ATHLETES – CHEER, CLAP & HAVE FUN!
PLEASE BRING ALL SIGNS BACK TO THE OFFICE**

Other Traffic Control

Escambia County Sheriffs

Remain at state line and help control traffic by transition area until end of race

Gulf Shores Police Department

#1 Located at State Park Road 2 and Beach Hwy at traffic light

- Caution motorists of oncoming cyclists
- Bikers will be turning around and returning on the south side of 182

**ENCOURAGE ATHLETES – CHEER, CLAP & HAVE FUN!
PLEASE BRING ALL SIGNS BACK TO THE OFFICE**

Volunteer/ Employee Locations

Team In Training Volunteers

Transition area

- Remind participants to walk their bikes to the road.
- Assist with traffic control

#1 County Road #161 (Rite Aid Drugs) and Beach Road (#182) with Orange Beach Police Department (Park your car at Rite Aid)

- Caution cyclists of oncoming traffic
- Must remain here until last cyclist has passed through on
- return trip

#2 At Walmart/ Winn Dixie Shopping Center Light (Park your car at Bruno's/ Winn Dixie)

- Caution cyclists of oncoming traffic
- Must remain here until last cyclist has passed through on
- return trip

#3 State Park Road 2 and Beach Road (#182) with Gulf Shores Police Department

- Caution cyclists of wet roads (if it has been raining)
- Alert cyclists of turn around point
- Slow traffic down – try to keep area clear for cyclists
- Stay out of way of cyclists
- Must remain here until last cyclist has passed through on
- return trip

**ENCOURAGE ATHLETES – ADVISE ATHLETES TO REMAIN IN
BIKE/PEDISTRIAN LANE
CHEER, CLAP & HAVE FUN!
PLEASE BRING ALL SIGNS BACK TO THE OFFICE**

Signs

Runners On Road

Placed between here and Perdido Pass Bridge

Water Station Ahead

Every water table – place approximately 30 – 50 feet prior

Caution Bicycles On Road

Along Bike Route approximately $\frac{3}{4}$ mile

**ENCOURAGE ATHLETES – CHEER, CLAP & HAVE FUN!
PLEASE BRING ALL SIGNS BACK TO THE OFFICE**

Water Stations

- #1 At 1-Mile marker

- #2 Perdido Pass Bridge
 Advise runners of turn around point

- #3 At 3-Mile Marker on Gulf Side

- #4 At Flora-Bama® Lounge & Package
 - One bottle of water to be given to each participant as they cross the finish line

Each water Station

- 1 6-Foot Table
- 250 Paper Cups
- 12 Gallons of Water
- 2 Garbage Bags

Signage – to be placed 50 feet from station – out of the way of runners
Water stations #1 and #7 – double amounts

**ENCOURAGE ATHLETES – CHEER, CLAP & HAVE FUN!
PLEASE BRING ALL SIGNS BACK TO THE OFFICE**

Application for a Public Assembly Permit must be submitted to the City Clerk at least thirty (30) days prior to the date of the proposed assembly.

APPLICATION FOR PUBLIC ASSEMBLY PERMIT
AS REQUIRED BY SECTION 11-20 ET SEQ. OF
THE CODE OF ORDINANCES OF
THE CITY OF GULF SHORES, ALABAMA

Date: February 8, 2016

ORGANIZATION/SPONSOR Junction 311 Endurance Sports

ADDRESS 3624 Westfield St High Point, NC 27265

AGENT OR REPRESENTATIVE Mike Clark

TELEPHONE NUMBER (home) _____ (business) _____

Email ADDRESS mike@junction311.com

It is respectfully requested that a Public Assembly Permit be issued to the above named organization or sponsor.

The following required information is submitted for the review and approval of the appropriate City Departments and the City Council:

- a. Purpose of the Public Assembly: The Big Beach
Marathon, Half Marathon, and 10K
- b. Dates of the Assembly: Sunday, January 29, 2017
- c. Time of the Assembly: from 6:00AM to 4:00PM
- d. Estimated number of Participants/Attendees: 1500
- e. Estimated number of Vendors: TBD
- f. Location of Assembly (legal description of property if known): _____
The Hangout, 101 E. Beach Blvd, Gulf Shores

APPLICATION FOR PUBLIC ASSEMBLY PERMIT
Page 2

- g. Owner of Property: Shaul Zislin
Supply to Clerk a letter from owner of property permitting use for activity, if not owned by applicant.

The Hangout can provide an approval letter as needed.

APPLICATION FOR PUBLIC ASSEMBLY PERMIT
Page 3

Gulf Shores Addendum to Application for Public Assembly: Items H through K

h. We request city employees assistance in clean up of the site following the event. Junction 311 will collect trash bags to a central location at the site.

i. We will collect sales tax on sale of Junction 311 items and also ask vendors to do the same. We will pay all fees required by the City of Gulf Shores.

j. Preliminary route diagrams attached.

1 - We will need Gulf Shores Police assistance in planning where we will need officers and street closures. We will plan to submit an amended application when we have those details completed. Gulf Shores Fire & Rescue will be on site and at finish line and on call for course incidents.

2- Food provided by Hangout. Water source is Hangout. On course water stops to be supplied with 5 gallon water bottles.

3 - Junction 311 Endurance Sports will rent portable toilets as dictated by registration numbers. Hangout restroom facilities and Gulf Shores Public Beach restrooms also to be used.

4 - Gulf Shores Fire & Rescue will be on site and at finish line and provide medical support for Gulf Shores course segments. Orange Beach Fire & Rescue will provide medical support for segments in Orange Beach.

5 - Parking will be in surrounding public lots.

6 - No camping/trailer facilities offered.

7 - Small work lights may be used the morning of the event at the central race site.

8 - Communications - Mobile phones and hand held radios.

9 - Signage - 24" x 36" and 18" x 24" signs will used for mile markers, direction, and information signs for runners. An inflatable arch will be used at the finish line.

10 - We will follow noise ordinances. Music will play at the central race site and finish line.

11 - We request city trash barrels for central race site, to be monitored by city personnel and event volunteers. Will use The Hangout dumpster as needed. Aid station trash will be bagged and returned to central site for pickup.

APPLICATION FOR PUBLIC ASSEMBLY PERMIT
Page 4

12 - The copy of our basic insurance certificate is attached. We will name the city as an additionally insured entity, and provide a copy, once race is approved.

- h. If applicant will need to use City employees for any part of the preparation and clean-up of the site, a separate agreement with the City will be required before issuance of the Permit.
- i. Applicant shall guarantee payment of business licenses and sales tax, if applicable to function.
- j. **Required attachments -- detailed explanation, including drawings and diagrams where applicable, of the prospective plan of the Permittee to provide for the following, as appropriate:**
 - (1) Police and fire protection (describe on-site security; Gulf Shores Police will do routine patrol and will respond to calls.)
 - (2) Food and water supply and facilities
 - (3) Health and sanitation facilities (specify number of portable toilet facilities to be furnished)
 - (4) Medical facilities and services including emergency vehicles and equipment
 - (5) Vehicle access and parking facilities (If the proposed public assembly is expected to require more parking than can be provided at the location of the assembly, the applicant must submit plans showing where additional parking will be provided and a letter from the owner of the property granting approval for such use.)
 - (6) Camping and trailer facilities
 - (7) Illumination facilities
 - (8) Communications facilities
 - (9) **Signage - Signage placement must be shown on diagram, comply with the City's Zoning Ordinance (Ordinance #1584, Chapter 18, Article XVI, Signs) and be approved by the Recreation and Cultural Affairs Director (or his agent) prior to the issuance of the Permit.**
 - (10) Noise control and abatement
 - (11) Facilities for daily clean up and waste disposal; final cleanup will be done within 24 hours after close (grease or oil disposal shall be monitored)

APPLICATION FOR PUBLIC ASSEMBLY PERMIT
Page 6

- (12) Insurance and bonding arrangements -- Binder or other proof of coverage in proper amount shall be in the hands of the Clerk no later than five (5) days before the first day of the event.

The undersigned has authority to execute this application; and the requesting organized group, unincorporated association of persons, or corporation promises and agrees to abide by all the terms and conditions of Section 11-26, Code of Ordinances, under which a Public Assembly Permit is issued, and to abide by all rules and regulations of the City of Gulf Shores, Alabama.



SIGNATURE OF AGENT

By authority of Section 11-24 of the Code of Ordinances of the City of Gulf Shores, the requirement of an Assembly Permit shall not apply to any activity sponsored by the City, County or State.

The Permit shall be issued only after approval by the appropriate City Officials, as indicated below:

- a. Police Chief: _____ Date: _____
b. Fire Chief: _____ Date: _____
c. Public Works Director: _____ Date: _____
d. Building Official: _____ Date: _____
e. Planning & Zoning: _____ Date: _____
f. Recreation & Cultural Affairs: _____ Date: _____
g. City Administrator: _____ Date: _____

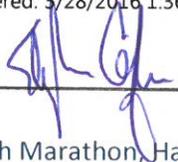
=====

Emily Tidwell

From: Emily Tidwell
Sent: Monday, March 28, 2016 1:36 PM
To: Edward J. Delmore; Hartly Brokenshaw; Andy Bauer; Mark Acreman; Brandan Franklin; Grant Brown
Cc: Wanda Parris; Alicia Talley; Matt Young
Subject: Junction 311 - Big Beach Marathon assembly permit
Attachments: SKM_C224e16032813370.pdf

Tracking:	Recipient	Delivery	Read	Response
	Edward J. Delmore	Delivered: 3/28/2016 1:36 PM	Read: 3/28/2016 1:37 PM	Approve: 3/29/2016 2:19 PM
	Hartly Brokenshaw	Delivered: 3/28/2016 1:36 PM	Read: 3/28/2016 2:05 PM	Approve: 3/28/2016 2:33 PM
	Andy Bauer	Delivered: 3/28/2016 1:36 PM	Read: 3/28/2016 2:44 PM	Approve: 3/28/2016 2:46 PM
	Mark Acreman	Delivered: 3/28/2016 1:36 PM	Read: 3/29/2016 3:38 PM	Approve: 3/29/2016 3:39 PM
	Brandan Franklin	Delivered: 3/28/2016 1:36 PM	Read: 3/28/2016 3:29 PM	Approve: 3/28/2016 3:29 PM
	Grant Brown	Delivered: 3/28/2016 1:36 PM		Approve: 3/30/2016 10:46 AM
	Wanda Parris	Delivered: 3/28/2016 1:36 PM	Read: 3/28/2016 1:41 PM	Approve: 3/28/2016 1:41 PM
	Alicia Talley	Delivered: 3/28/2016 1:36 PM	Read: 3/28/2016 1:37 PM	
	Matt Young	Delivered: 3/28/2016 1:36 PM	Read: 3/28/2016 1:36 PM	Approve: 3/28/2016 1:36 PM

City Administrator

 3/31/16

Please review the attached assembly permit for the Big Beach Marathon, Half Marathon and 10k. Use your voting buttons to Approve/Reject.

Thank you,
Emily ☺

Emily Tidwell

Executive Office
Administrative Assistant II
PO Box 299
203 Clubhouse Drive, Suite B
Gulf Shores, AL 36542
www.gulfshoresal.gov

Phone (251) 968.1126
Fax (251) 968.4459



**STATE OF ALABAMA
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
PARKS DIVISION**



RELEASE AND INDEMNITY AGREEMENT

KNOW ALL MEN BY THESE PRESENTS That I/we Michael E. Clark

PLEASE PRINT YOUR FULL NAME

residing at 3624 Westfield St., High Point, NC 27265-2112

STREET ADDRESS

CITY

STATE

ZIP + 4

being of lawful age, for and in consideration of entry on or the use of park land or property, do hereby release and forever discharge the State of Alabama, Department of Conservation and Natural Resources, Parks Division, or its agents or employees, from any and all actions, causes of actions, claims and demands for, upon, or by reason of any damage, loss, or injury, expenses and compensation whatsoever, which the undersigned now has/have or which hereafter may accrue on account of or in any way of growing out of any and all known and unknown, foreseen and unforeseen bodily and personal injuries and property damage and the consequences thereof resulting or to result from the accident, casualty or event which might occur while in the use of or upon park land or property.

In further consideration of entry on or the use of park land and property, the undersigned hereby agrees to save harmless and indemnify the said State of Alabama, Department of Conservation and Natural Resources, Parks Division, or its agents or employees, of and from any and all expenses arising because of any claim which may hereafter be presented by anyone for loss and damage or personal injury as a result of any accident occurring in or upon the park land.

The undersigned further declare(s) and represent(s) that no promise, inducement or agreement not herein expressed has been made to the undersigned, and that this RELEASE contains the entire agreement between the parties hereto, and that the terms of this RELEASE are contractual and not a mere recital.

The undersigned has read the foregoing release and fully understands it. Signed, sealed and delivered this 23rd day of January, 2015

CAUTION READ THIS AGREEMENT BEFORE SIGNING BELOW

Michael E. Clark
Witness

Michael E. Clark
[L.S.]

Witness

[L.S.]

Witness

[L.S.]

PERMIT NO. _____



This is your receipt of this agreement, keep it with you and present it upon demand to any agent or employee of the Department of Conservation and Natural Resources, Parks Division.

PERMIT NO. _____



Big Beach Marathon - New

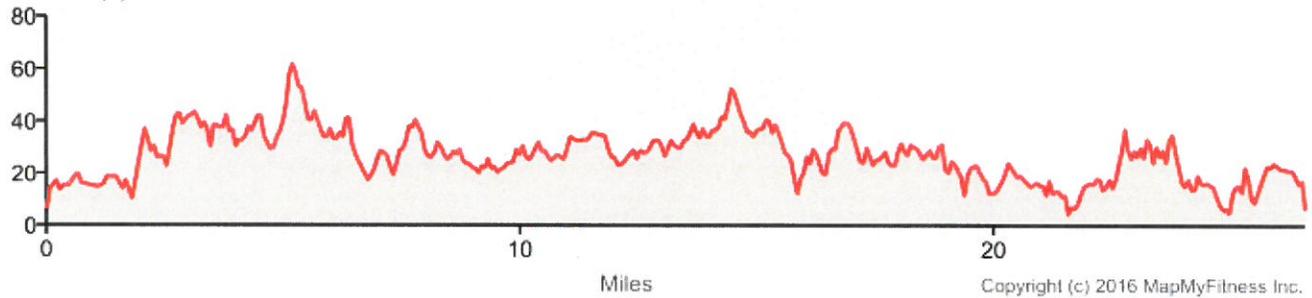
Distance: 26.58 mi

Elevation: 317.87 ft (Max: 62.96 ft)

mapmyrun



ELEVATION (ft)



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	Head west on E Gulf Pl toward Sutton Pl	0 mi (+0.06 mi)
	Head north on Sutton Pl toward E Beach Blvd	0.06 mi (+0.06 mi)
	Head northeast on Sutton Pl toward E Beach Blvd	0.12 mi (+0 mi)
	Continue onto Gulf Shores Pkwy	0.12 mi (+0.07 mi)
	Head east on W 1st Ave Destination will be on the left	0.19 mi (+0.5 mi)
	Head north on E 3rd St toward E 2nd Ave	0.69 mi (+0.06 mi)
	Turn left onto E 2nd Ave Destination will be on the right	0.75 mi (+0.01 mi)
	Head west on E 2nd Ave toward E 1st St	0.76 mi (+0.48 mi)
	Turn right onto Gulf Shores Pkwy Destination will be on the right	1.24 mi (+0.01 mi)
	Head north on Gulf Shores Pkwy toward W 3rd Ave	1.24 mi (+0.9 mi)
	Head east on E 14th Ave toward 1st St	2.15 mi (+0.07 mi)
	E 14th Ave turns left and becomes 1st St Destination will be on the left	2.22 mi (+0.05 mi)
	Head south on 1st St	2.27 mi (+0 mi)
	Turn left Destination will be on the left	2.28 mi (+0.68 mi)
	Head east toward Branyon Loop Partial restricted usage road Destination will be on the right	2.95 mi (+0.86 mi)
	Head east toward Maintenance Dr Restricted usage road	3.81 mi (+0 mi)
	Turn right onto Maintenance Dr	3.82 mi (+0.04 mi)
	Turn left onto Fort Morgan Road/State Park Rd 2 Continue to follow State Park Rd 2	3.86 mi (+0.51 mi)
	Turn left onto Gulf Oak Ridge Trail Destination will be on the left	4.37 mi (+0.01 mi)
	Head north on Gulf Oak Ridge Trail	4.39 mi (+2.07 mi)
	Head east on Gulf Oak Ridge Trail toward Powerline Rd	6.45 mi (+0 mi)
	Turn right onto Powerline Rd Destination will be on the right	6.45 mi (+0.41 mi)

 Head northeast on Campground Rd	6.86 mi (+0.51 mi)
 Continue onto Catman Rd	7.37 mi (+0.8 mi)
 Turn right onto Cotton Bayou Trail Destination will be on the right	8.18 mi (+1.15 mi)
 Head west on Cotton Bayou Trail toward Catman Rd	9.33 mi (+1.15 mi)
 Turn right onto Catman Rd	10.48 mi (+0.3 mi)
 Head east on Catman Rd toward Alabama's Coastal Connection/Orange Beach Blvd	10.78 mi (+1.11 mi)
 Head northeast on Catman Rd toward Alabama's Coastal Connection/Orange Beach Blvd	11.89 mi (+0.01 mi)
 Turn left onto Alabama's Coastal Connection/Orange Beach Blvd	11.9 mi (+0.19 mi)
 Turn left at Terry Cove Dr	12.08 mi (+0.16 mi)
 Turn left onto Rattlesnake Ridge Trail Destination will be on the left	12.24 mi (+0.35 mi)
 Head west on Rattlesnake Ridge Trail toward Twin Bridges Trail	12.59 mi (+1.27 mi)
 Turn right onto Twin Bridges Trail Destination will be on the right	13.86 mi (+0.3 mi)
 Head northwest on Twin Bridges Trail toward Gulf Oak Ridge Trail	14.17 mi (+0.45 mi)
 Continue straight onto Gulf Oak Ridge Trail Destination will be on the left	14.62 mi (+0.9 mi)
 Head west on Gulf Oak Ridge Trail toward Powerline Rd	15.52 mi (+0.02 mi)
 Turn left onto Powerline Rd	15.54 mi (+0.41 mi)
 Turn left onto Campground Rd	15.95 mi (+0.51 mi)
 Continue onto Catman Rd	16.46 mi (+0.58 mi)
 Turn right onto Rosemary Dunes Trail Destination will be on the left	17.04 mi (+0.06 mi)
 Head southwest on Rosemary Dunes Trail	17.1 mi (+1.66 mi)
 Turn right to stay on Rosemary Dunes Trail Destination will be on the left	18.76 mi (+0.43 mi)
 Head south toward Alabama's Coastal Connection/Perdido Beach Blvd	19.19 mi (+0 mi)
 Turn right onto Alabama's Coastal Connection/Perdido Beach Blvd Destination will be on the right	19.2 mi (+1.98 mi)
 Head west on Alabama's Coastal Connection/Perdido Beach Blvd	21.18 mi (+0 mi)

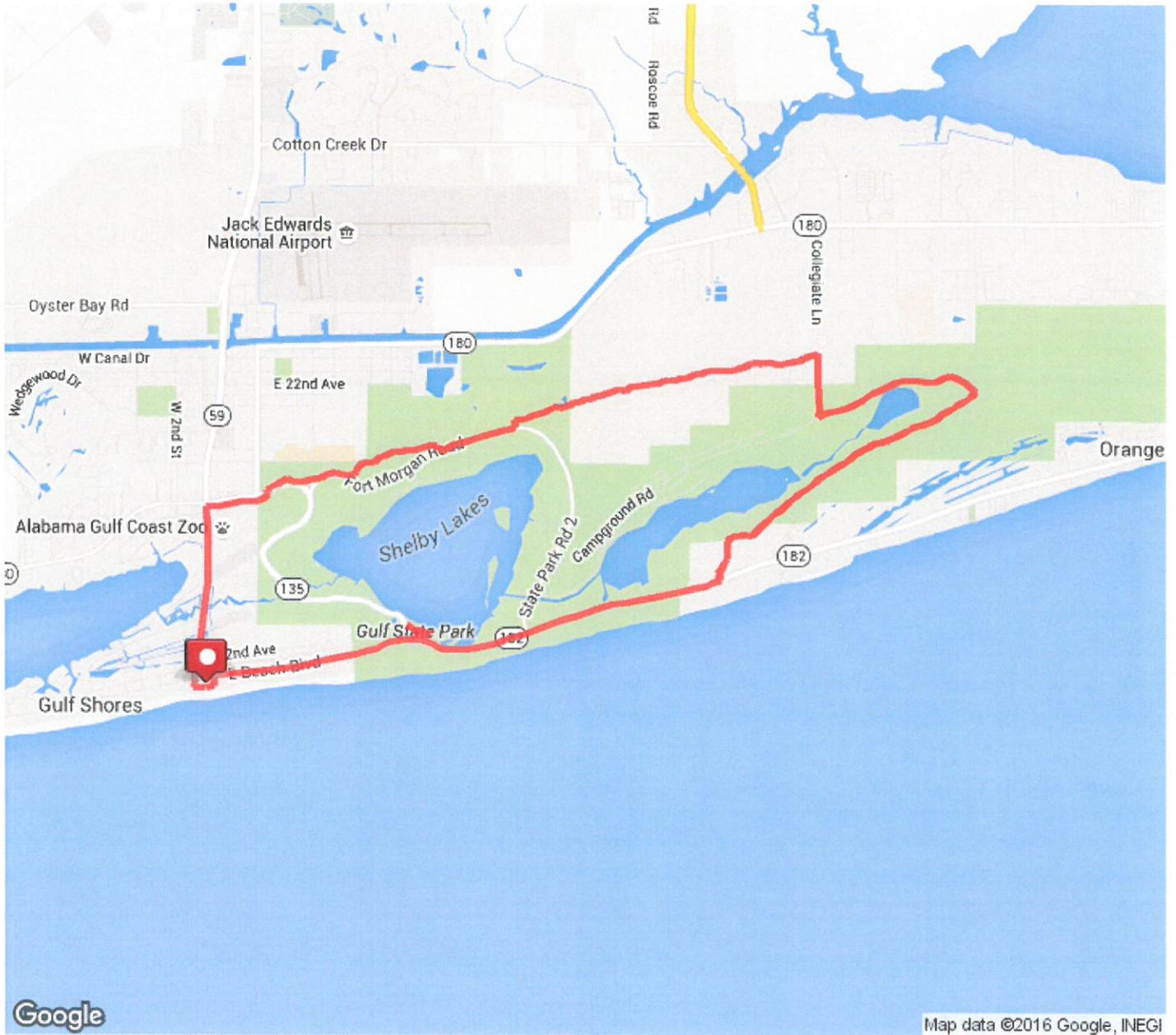
 Turn right onto Alabama's Coastal Connection	21.18 mi (+0.06 mi)
 Turn right	21.25 mi (+0.11 mi)
 Head south toward Alabama's Coastal Connection	21.36 mi (+0.11 mi)
 Turn right onto Alabama's Coastal Connection	21.48 mi (+1.8 mi)
 Head southeast on Alabama's Coastal Connection toward State Park Rd 2	23.27 mi (+1.83 mi)
 Turn right toward Perdido Beach Blvd	25.1 mi (+0.03 mi)
 Turn right onto Perdido Beach Blvd	25.13 mi (+0.34 mi)
 Head west on Perdido Beach Blvd	25.47 mi (+0.07 mi)
 Continue onto E Beach Blvd	25.54 mi (+0.91 mi)
 Turn left onto E 1st St	26.45 mi (+0.06 mi)
 Continue onto E Gulf Pl Destination will be on the left	26.5 mi (+0.01 mi)
 Head west on E Gulf Pl toward Sutton Pl	26.51 mi (+0.07 mi)
 Destination	26.58 mi (+0 mi)

MapMyRun • <http://mapmyrun.com/routes/view/917612025>

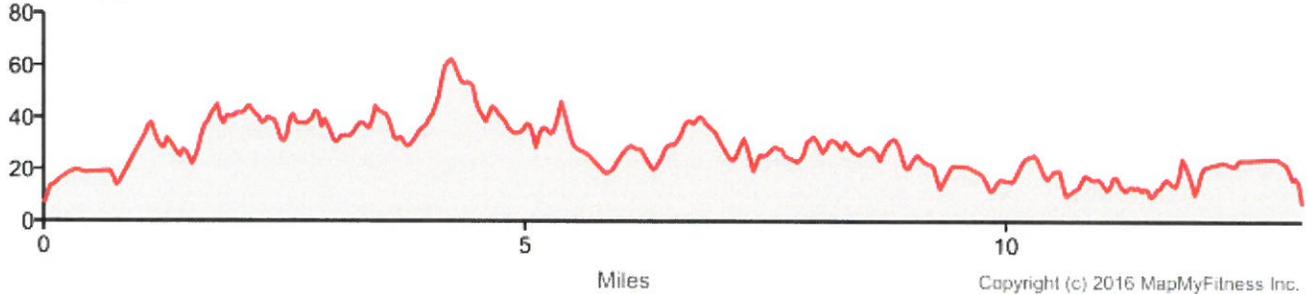


Bi Beach Half Marathon
 Distance: 13.08 mi
 Elevation: 166.3 ft (Max: 62.57 ft)

mapmyrun



ELEVATION (ft)



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 Head west on E Gulf PI toward Sutton PI	0 mi (+0.07 mi)
 Turn right onto Sutton PI	0.07 mi (+0.06 mi)
 Continue onto Gulf Shores Pkwy	0.13 mi (+1.09 mi)
 Turn right Destination will be on the right	1.22 mi (+0.01 mi)
 Head east toward 1st St Destination will be on the left	1.23 mi (+0.4 mi)
 Head north toward Alabama's Coastal Connection/Fort Morgan Road Partial restricted usage road Destination will be on the left	1.63 mi (+0.65 mi)
 Head northeast toward Maintenance Dr Restricted usage road	2.28 mi (+0.56 mi)
 Turn right onto Maintenance Dr	2.84 mi (+0.04 mi)
 Turn left onto Fort Morgan Road/State Park Rd 2 Continue to follow State Park Rd 2	2.88 mi (+0.51 mi)
 Turn left onto Gulf Oak Ridge Trail	3.39 mi (+2.08 mi)
 Head south on Powerline Rd toward Campground Rd	5.47 mi (+0.41 mi)
 Turn left onto Campground Rd Destination will be on the left	5.88 mi (+0.02 mi)
 Head northeast on Campground Rd	5.9 mi (+0.49 mi)
 Continue onto Catman Rd	6.4 mi (+0.58 mi)
 Head southwest on Rosemary Dunes Trail	6.98 mi (+1.72 mi)
 Turn right to stay on Rosemary Dunes Trail	8.7 mi (+0.43 mi)
 Head west on Alabama's Coastal Connection/Perdido Beach Blvd toward State Park Rd 2	9.14 mi (+2.02 mi)
 Turn right Destination will be on the right	11.15 mi (+0.01 mi)
 Head northeast toward Alabama's Coastal Connection	11.17 mi (+0.02 mi)
 Turn left onto Alabama's Coastal Connection	11.18 mi (+0.03 mi)
 Turn right	11.22 mi (+0.11 mi)
 Head south toward Alabama's Coastal Connection	11.33 mi (+0.11 mi)

 Turn right onto Alabama's Coastal Connection Destination will be on the right	11.44 mi (+0.08 mi)
 Head southeast on Alabama's Coastal Connection	11.52 mi (+0.11 mi)
 Turn right toward Perdido Beach Blvd	11.63 mi (+0.03 mi)
 Turn right onto Perdido Beach Blvd	11.66 mi (+0.41 mi)
 Continue onto E Beach Blvd	12.06 mi (+0.91 mi)
 Turn left onto E 1st St	12.97 mi (+0.06 mi)
 E 1st St turns slightly right and becomes E Gulf PI Destination will be on the left	13.03 mi (+0.05 mi)
 Destination	13.08 mi (+0 mi)

MapMyRun • <http://mapmyrun.com/routes/view/982060271>

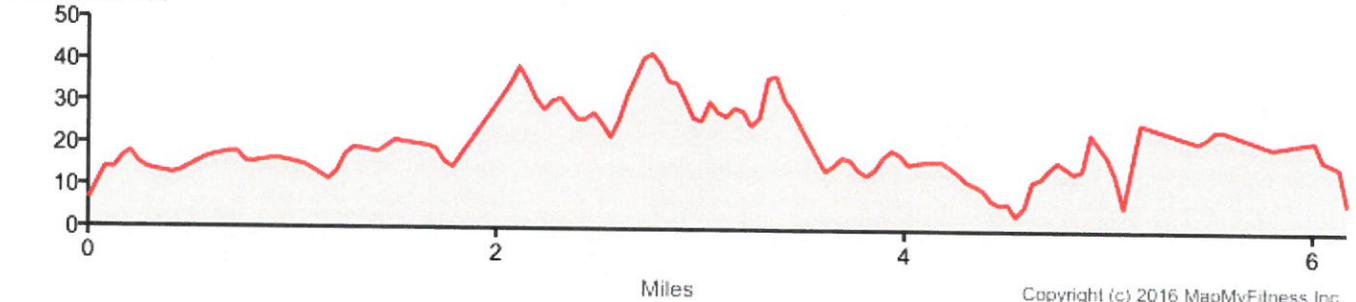


Big Beach 10k
 Distance: 6.17 mi
 Elevation: 80.98 ft (Max: 42.06 ft)

mapmyrun



ELEVATION (ft)



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 Head west on E Gulf Pl toward Sutton Pl	0 mi (+0.07 mi)
 Turn right onto Sutton Pl	0.07 mi (+0.06 mi)
 Continue onto Gulf Shores Pkwy Destination will be on the right	0.13 mi (+0.06 mi)
 Head north on Gulf Shores Pkwy toward W 1st Ave	0.2 mi (+0 mi)
 Turn right onto W 1st Ave	0.2 mi (+0.51 mi)
 Head west on E 1st Ave toward E 3rd St	0.71 mi (+0.01 mi)
 Turn right onto E 3rd St	0.72 mi (+0.06 mi)
 Turn left onto E 2nd Ave Destination will be on the right	0.78 mi (+0.14 mi)
 Head west on E 2nd Ave toward E 1st St	0.92 mi (+0.35 mi)
 Turn right onto Gulf Shores Pkwy Destination will be on the right	1.27 mi (+0.22 mi)
 Head north on Gulf Shores Pkwy toward Windmill Ridge Rd	1.49 mi (+0.75 mi)
 Turn right	2.23 mi (+0.42 mi)
 Turn right onto Alabama's Coastal Connection/Fort Morgan Road Continue to follow Alabama's Coastal Connection	2.65 mi (+0.53 mi)
 Head southwest on Alabama's Coastal Connection	3.18 mi (+1.54 mi)
 Turn right onto Perdido Beach Blvd Destination will be on the right	4.72 mi (+0 mi)
 Head west on Perdido Beach Blvd	4.73 mi (+0.42 mi)
 Continue onto E Beach Blvd	5.15 mi (+0.91 mi)
 Turn left onto E 1st St	6.06 mi (+0.06 mi)
 E 1st St turns slightly right and becomes E Gulf Pl Destination will be on the left	6.11 mi (+0.06 mi)
 Destination	6.17 mi (+0 mi)



SMALL TOWN, BIG BEACH

COUNCIL AGENDA SUMMARY

DATE: April 4, 2016

TO: Mayor Craft, City Council

FROM: City Clerk

ISSUE: Board Reappointments

RECOMMENDATION: Reappoint Randy Kaiser – Personnel Board – 3 Year Term
Reappoint Linda Bender – Beautification Board – 3 Year Term

PREVIOUS COUNCIL ACTION:

(1) Approval of Resolution No. 5292-13 appointing Randy Kaiser to the Personnel Board for a three year term expiring on March 27, 2016.

(2) Approval of Resolution No. 5499-15 appointing Linda Bender to the Beautification Board to fill the unexpired term of Carol Wall expiring on April 9, 2016.

BUDGET IMPLICATIONS: None

RELATED ISSUES: None

ATTACHMENTS: None

DEPARTMENT: Human Resources, Public Works and Executive Department

STAFF CONTACT: Wanda Parris, City Clerk



SMALL TOWN, BIG BEACH

COUNCIL AGENDA SUMMARY

DATE: April 4, 2016

TO: Mayor Craft, City Council

FROM: City Clerk

ISSUE: Designation of Erie Meyer Civic Center as Polling Place within City of Gulf Shores

RECOMMENDATION: Because our population has increased significantly and voter turnout has been excellent whenever elections are held, it has become evident we have outgrown the use of the Adult Activity Center as our polling place. Our office received multiple calls after the March Presidential Primary and Constitutional Amendment Vote stating the voting lines were long, too much time to get through the door, and the elderly and handicap access was limited. Convenient parking was also impacted.

In addition, we received a call from the Baldwin County Commission Office requesting use of the Civic Center for the November Presidential Election for the same reasons above.

Please designate the Erie Hall Meyer Civic Center located at 1930 West 2nd Street within the municipality as the place of voting for use by all electors in all wards for all elections ordered after April 11, 2016.

BUDGET IMPLICATIONS: None

RELATED ISSUES: None

ATTACHMENTS: None

DEPARTMENT: Executive Department

STAFF CONTACT: Wanda Parris, City Clerk

ORDINANCE NO.

AN ORDINANCE
TO AMEND THE CODE OF ORDINANCES,
ADOPTED JULY 24, 1989, AT CHAPTER 2, ADMINISTRATION,
ARTICLE I. IN GENERAL, BY THE ADDITION OF SECTION 2-6. DESIGNATION OF
POLLING PLACE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES,
ALABAMA, WHILE IN REGULAR SESSION ON APRIL 11, 2016, as follows:

Section 1. That Chapter 2, ADMINISTRATION, of the Code of Ordinances, adopted July 24, 1989, be and it is hereby amended by the addition of Section 2-6. Designation of Polling Place, reading in its entirety as follows:

CHAPTER 2 ADMINISTRATION

ARTICLE I. IN GENERAL

...

Section 2-6. Designation of polling site.

Pursuant to the provisions of Section 11-46-24, Code of Alabama 1975, as amended, the City Council, for all elections it may order after April 11, 2016, designates one central place (location) within the municipality as the place of voting for use by all electors in all wards as follows: Erie Hall Meyer Civic Center, located at 1930 West 2nd Street, Gulf Shores, Alabama 36542.

Section 2. That this Ordinance shall become effective upon its adoption and publication as required by law and shall continue in effect until repealed by action of the Council.

ADOPTED this 11th day of April, 2016.

Robert Craft, Mayor

ATTEST:

Wanda Parris, MMC
City Clerk

C E R T I F I C A T E

I, Wanda Parris, MMC, City Clerk of the City of Gulf Shores, Alabama, do hereby certify that the foregoing is a true and correct copy of Ordinance No. (prepared by City Clerk), which Ordinance was duly and legally adopted at a regular meeting of the City Council on April 11, 2016, and the same was duly published as required by law.

City Clerk



SMALL TOWN, BIG BEACH

COUNCIL AGENDA SUMMARY

DATE: April 4, 2016

TO: Mayor Craft, City Council

FROM: City Administrator

ISSUE: Reappointment of Municipal Court Judge and City Prosecutor

RECOMMENDATION: Reappoint Judge Frank Hollon for 2 year term
Reappoint Prosecutor, Attorney Ken Raines for 2 year term

PREVIOUS COUNCIL ACTION: In April, 2012, the Council appointed Judge Frank Hollon as Municipal Court Judge and Attorney Ken Raines as the Municipal Prosecutor for a term of two years. In April, 2014 they both were reappointed for a two year term ending in April, 2016.

BUDGET IMPLICATIONS: No salary modifications have been given over the previous two year term. After factoring in average pay adjustments at the full time employee rate for two years and pursuant to Section 12-14-30, Code of Alabama 1975, the recommendation is to adjust Judge Hollon's salary from \$40,200/year to \$44,000/year and Attorney Ken Raines monthly retainer from \$2,100/month to \$2,400/month. That pursuant to Section 12-14-33, Code of Alabama 1975, it is also proposed that in the pay period beginning January 1 of each year hereafter, or at such time as all City employees are eligible to receive an annual salary adjustment, that both the Judge and Prosecutor be included in the adjustments. They both are eligible to participate in the City's insurance program at their own expense.

BUDGET IMPLICATIONS: \$7,400.00/year

RELATED ISSUES: None

ATTACHMENTS: Draft Resolution

DEPARTMENT: Municipal Court and Executive Department

STAFF CONTACT: Steve Griffin, City Administrator

Ken McKenzie, Senior Court Magistrate

RESOLUTION NO. -16

A RESOLUTION
REAPPOINTING THE HONORABLE FRANK T.HOLLON
AS MUNICIPAL JUDGE FOR THE CITY OF GULF SHORES
AT THE CURRENT ANNUAL SALARY OF \$44,000.00
FOR A TWO-YEAR TERM ENDING APRIL 16, 2018,
PURSUANT TO SECTION 12-14-30,
CODE OF ALABAMA 1975;

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES,
ALABAMA, WHILE IN REGULAR SESSION ON APRIL 11, 2016, as follows:

Section 1. That The Honorable Frank T. Hollon be and he is hereby reappointed as Judge for the Municipal Court for the City of Gulf Shores, Alabama, at the current annual salary of \$44,000.00 for a two-year term beginning April 16, 2016 and ending April 16, 2018, pursuant to Section 12-14-30, *Code of Alabama 1975*.

Section 2. That pursuant to Section 12-14-33, Code of Alabama 1975, in the pay period beginning January 1 of each year hereafter, or at such time as all City employees are eligible to receive an annual salary adjustment, that the Municipal Court Judge will receive the same consideration.

Section 3. Judge Hollon is eligible to participate in the City's insurance program upon submission of an application for insurance to the HR Department. The City shall subtract from his monthly salary the insurance costs for single or family coverage under the City's group insurance program as provided to all City employees; and

Section 4. That this Resolution shall become effective upon its adoption.

ADOPTED this 11th day of April, 2016.

Robert Craft, Mayor

ATTEST:

Wanda Parris, MMC
City Clerk

CERTIFICATE

I, Wanda Parris, MMC, City Clerk of the City of Gulf Shores, Alabama, do hereby certify that the foregoing is a true and correct copy of Resolution No. -16 (prepared by City Clerk), which Resolution was duly and legally adopted at a regular meeting of the City Council on April 11, 2016.

City Clerk

RESOLUTION NO. -16

A RESOLUTION
REAPPOINTING THE HONORABLE KENNETH R. RAINES,
ATTORNEY AT LAW,
TO THE POSITION OF PROSECUTOR FOR THE MUNICIPAL COURT
OF THE CITY OF GULF SHORES, ALABAMA;
AND DEFINING COMPENSATION, BENEFITS,
AND ESTABLISHING FEES AND EXPENSES
ELIGIBLE FOR REIMBURSEMENT

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA,
WHILE IN REGULAR SESSION ON APRIL 11, 2016, as follows:

Section 1. That Kenneth R. Raines was appointed as Prosecutor for the Municipal Court of the City of Gulf Shores, Alabama effective April 18, 2012 and reappointed on April 28, 2014 for a term of two years; and

Section 2. That a minimum monthly retainer of \$2,400.00 shall be paid to Mr. Raines as remuneration for the regular hours of legal services rendered each month as the Prosecutor in and for the Municipal Court of the City of Gulf Shores, plus the following stipulations:

Upon services rendered in excess of the regular hours each month, additional remuneration at the hourly rate of \$90.00 may be billed to the City by Mr. Raines and approved by the Administrative Officer or Mayor.

No charges shall be made for travel time or travel expenses.

Section 3. That pursuant to Section 12-14-33, Code of Alabama 1975, in the pay period beginning January 1 of each year hereafter, or at such time as all City employees are eligible to receive an annual salary adjustment, that the Municipal Court Prosecutor will receive the same consideration.

Mr. Raines is eligible to participate in the City's insurance program upon submission of an application for insurance to the HR Department. The City shall subtract from his monthly retainer the insurance costs for single or family coverage under the City's group insurance program as provided to all City employees; and

Section 4. That should Mr. Raines be unable to represent the City of Gulf Shores as Prosecutor, the City shall be represented by an individual from Mr. Raines' firm; and

Section 5. That this Resolution shall become effective upon its adoption.

ADOPTED this 11th day of April, 2016.

Robert Craft, Mayor

ATTEST:

Wanda Parris, MMC
City Clerk

C E R T I F I C A T E

I, Wanda Parris, MMC, City Clerk of the City of Gulf Shores, Alabama, do hereby certify that the foregoing is a true and correct copy of Resolution No. -16 (prepared by City Clerk), which Resolution was duly and legally adopted at a regular meeting of the City Council on April 11, 2016.

City Clerk