



AGENDA  
REGULAR COUNCIL MEETING  
CITY OF GULF SHORES, ALABAMA  
NOVEMBER 28, 2016  
4:00 PM

**1. Call To Order**

**2. Invocation**

**3. Pledge Of Allegiance**

**4. Roll Call**

**5. New Business**

A. Resolution - Prohibit Alcohol On Beaches - Spring Break 2017

Documents:

[RESO 5763 - PROHIBIT ALCOHOL ON BEACH 2017.PDF](#)

B. Resolution - Authorize TAP Grant Application

Documents:

[RESO 5764 - AUTHORIZE TAP GRANT APPLICATION.PDF](#)

C. Resolution - 2017 Budget Adoption

Documents:

[RESO 5765 - 2017 BUDGET ADOPTION.PDF](#)

D. Resolution - Designate Signatories On Bank Accounts

Documents:

[RESO 5766 - DESIGNATE SIGNATORIES ON BANK ACCOUNTS.PDF](#)

E. Resolution - Award Bid - Sidewalks

Documents:

[RESO 5767 - AWARD BID - SIDEWALKS.PDF](#)

F. Resolution - Authorize Change Order 1 - Rec Center Pool

Documents:

[RESO 5768 - AUTHORIZE CHANGE ORDER 1 - REC CENTER POOL.PDF](#)

G. Resolution - Board Appointment - Gulf Shores Utilities Board

Documents:

[RESO 5769 - APPOINT ROBERT CRAFT - GSUTILITIES BOARD.PDF](#)

H. Resolution - Approval Of SCALF Issuance Of Bonds - The Haven

Documents:

[RESO 5770 - APPROVAL OF SCALF ISSUANCE OF BONDS - THE HAVEN.PDF](#)

RESOLUTION NO. 5763-16

A RESOLUTION  
DESIGNATING TIME PERIOD  
DURING SPRING BREAK 2017 TO  
PROHIBIT THE POSSESSION OR CONSUMPTION  
OF ALCOHOLIC BEVERAGES ON CERTAIN  
BEACH PROJECT SAND AREAS

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WHEREAS, the adoption of Ordinance 1813 dated March 18, 2016, by the City Council of the City of Gulf Shores found that a policy regarding the consumption of alcohol during the period of March 1 through April 17 bears a substantial relation to health, safety and welfare of visitors and residents, and that a limited prohibition of the possession and consumption of alcoholic beverages on the Gulf beaches during Spring Break is a valid exercise of police power that will substantially promote the health, safety and welfare of the community and particularly that of the residents and young visitors; and

WHEREAS, the use of the beach by the public generally and the use of the private property by upland owners specifically is not interfered with should the City prohibit the possession and consumption of alcohol on portions of the beach project, as all users of the beach may still enjoy access, bathing, boating and fishing.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON NOVEMBER 28, 2016, as follows:

**Section 1.** That during Spring Break 2017, hereby designated as March 4, 2017 through April 16, 2017, it shall be unlawful for any person to possess or consume any alcoholic beverage on the sand of any portion of the beach project area lying east of the eastern boundary of the Bon Secour Wildlife Refuge, west of the western boundary of Gulf State Park, and seaward of the line of sand stabilization fencing installed by the City as part of the beach projects established on the Gulf front beaches within the corporate limits of the City of Gulf Shores; and

**Section 2.** That any person violating Section 4-8 of Ordinance No. 1813 shall be guilty of an offense, punishable as provided in Section 1-8(a) of the Code of Ordinances.

**Section 3.** That this Resolution shall become effective upon its adoption.

ADOPTED this 28th day of November, 2016.

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Robert Craft, Mayor

ATTEST:

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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. 5763-16 (prepared by City Clerk) which Resolution was duly and legally adopted at a regular meeting of the City Council on November 28, 2016.

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City Clerk

**RESOLUTION NO. 5764-16**

**A RESOLUTION  
AUTHORIZING AND CONFIRMING  
APPLICATION FOR 2017  
TRANSPORTATION ALTERNATIVE PROGRAM (TAP) GRANT  
IN AN AMOUNT NOT TO EXCEED \$400,000.00 AND  
AUTHORIZING MATCHING CITY FUNDS TO COMPLETE THE PROJECT  
IN AN AMOUNT NOT TO EXCEED \$100,000.00**

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WHEREAS, the City of Gulf Shores continues to plan, improve and enhance provisions for the health, safety, and well-being of the general public, this project will enhance pedestrian access and safety along Beach Blvd in coordination with the Gulf Place/Beach Blvd redevelopment project; and

WHEREAS, the City Council desires to authorize and confirm the City's grant application to the Alabama Department of Transportation, seeking funding assistance from the 2017 Transportation Alternatives Program (TAP) Grant;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON NOVEMBER 28, 2016 as follows:

**Section 1.** That the City would install two 8' sidewalks along Beach Blvd from East 2<sup>nd</sup> Street to West 3<sup>rd</sup> Street in conjunction with ALDOT's Access Management Plan; and

**Section 2.** That the proposed grant funds of \$400,000.00, if awarded, would assist to offset the City's anticipated cost of \$500,000.00 to construct the proposed sidewalks; and

**Section 3.** That the City acknowledges the grant would require a 20% construction match with a maximum grant award of \$400,000.00 and a required match from the City in an amount of up to \$100,000.00 in cash and/or in-kind services; and

**Section 4.** That in the event a grant is awarded, the City understands and confirms that it will sign all documents necessary to comply with all applicable State laws, rules and regulations.

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

ADOPTED this 28th day of November, 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. 5764-16 (prepared by City Clerk), which Resolution was duly and legally adopted at a regular meeting of the City Council on November 28, 2016

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City Clerk

**RESOLUTION NO. 5765-16**

**A RESOLUTION ADOPTING  
CITY OF GULF SHORES  
2017 BUDGET**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA,  
WHILE IN REGULAR SESSION ON November 28th, 2016 as follows:

**Section 1.** That the City of Gulf Shores 2017 Budget be adopted for the City of Gulf Shores, Alabama, for Fiscal Year 2017 beginning January 1, 2017 and ending December 31, 2017.

**GENERAL FUND BUDGET SUMMARY 2017  
(JANUARY 1, 2017 THROUGH DECEMBER 31, 2017)**

TOTAL REVENUES GENERAL FUND		\$35,504,607
<b>EXPENDITURES:</b>		
Executive	\$ 1,576,071	
Human Resources	309,914	
Finance & Administrative Svcs	2,839,468	
Municipal Court	384,291	
Police	5,377,621	
Fire & EMS	3,848,124	
Community Development	451,550	
Building	509,456	
Recreation & Cultural Affairs	314,307	
Events & Programs	714,004	
Library	596,016	
Recreation-Bodenhamer	1,570,175	
Recreation-Sportsplex	1,139,310	
Recreation-Parks	537,610	
Recreation-Beach	422,815	
Recreation-Cultural Center	399,950	
Recreation-City Store	183,737	
Public Works:		
General Services	748,316	
Public Facilities-Custodial	576,333	
Public Facilities-Landscaping	710,745	
Streets	2,014,201	
Maintenance	1,080,005	
Airport Authority	130,264	
Outside Agencies	<u>247,500</u>	
SUBTOTAL OPERATIONS		\$26,681,783
<b>Capital Outlay</b>		
Finance & Admin Capital	50,000	
Police – Capital Outlay	239,500	
Building – Capital Outlay	42,000	
Recreation and Cultural Affairs	10,000	
Recreation Bodenhamer Center	20,000	
Recreation Sportsplex	231,000	
Recreation Parks	27,000	
Recreation Beach	36,000	
Recreation Cultural Center	10,000	
Public Works Capital:		
Custodial	22,500	
Landscaping	193,000	
Streets	663,000	
Maintenance	7,500	
SUBTOTAL CAPITAL		\$1,551,500
Operating Transfers Out		<u>\$7,041,795</u>
Total General Fund Expenses		\$35,275,078
Budget Carry Forward General Fund		\$ 229,529

**OTHER FUND BUDGET SUMMARY 2017  
(JANUARY 1, 2017 THROUGH DECEMBER 31, 2017)**

	REVENUE	EXPENDITURE	
<b>Special Revenue</b>			
2% Lodging Tax Revenue	2,761,000		
Transfer to General Fund		1,900,000	
Transfer to Beach Reserves		550,651	
Transfer to Beach Fund		<u>70,000</u>	
Total 2% Lodging Tax Expenses			<u>\$2,520,651</u>
Budget Carry Forward 2% Lodging			\$240,349
<b>Police &amp; Fire Related Grants</b>			
Police and Fire	435,000		
Transfer to General		390,000	
Muni Court Exps		<u>35,000</u>	
SUBTOTAL		435,000	
<b>Impact Fees Fund</b>			
Impact Fees Revenue	642,000		
Recreation Equipment		305,000	
Public Works		200,000	
Police		75,000	
Fire		<u>62,000</u>	
SUBTOTAL		642,000	
<b>Beach Restoration &amp; Projects Fund</b>			
Transfer from 2% Ldg Tax	620,651		
Grant-ADEM Recycling Program	<u>26,000</u>		
SUBTOTAL	646,651		
Beach Monitoring		70,000	
Police and Streets		546,651	
Capital Outlay		<u>30,000</u>	
SUBTOTAL		646,651	
<b>2014 GO Warrant Fund</b>			
Match proceeds (ADEM&ALDOT)	4,543,000		
Capital Outlay Projects		4,543,000	
<b>Storm Damage Fund</b>			
Transfer from General Fund	230,008		
<b>2016 Taxable Line of Credit (LOC)</b>			
Proceeds from 2016 Taxable LOC	6,471,646		
Gulf Place Redesign		6,471,646	
<b>Debt Service Fund</b>			
Transfers/Rent	4,051,787		
Bond Payments		4,051,787	
<b>Total All Funds Revenue</b>	<b>55,285,699</b>		
<b>Total All Funds Expense</b>	<b>54,585,813</b>		
General Fund Budget Carry Forward			\$229,529
2% Lodging Budget Carry Forward			240,349
Storm Damage Fund			<u>230,008</u>
Budget Carry Forward			<b>\$699,886</b>

**Section 2.** That this Resolution shall become effective upon its adoption.

ADOPTED this 28th day of November, 2016.

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Robert Craft, Mayor

ATTEST:

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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. 5765-16 (prepared by City Clerk), which Resolution was duly and legally adopted at a regular meeting of the City Council on November 28, 2016.

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City Clerk

**RESOLUTION NO. 5766-16**

**A RESOLUTION  
DESIGNATING SIGNATORIES ON MULTIPLE  
CITY OF GULF SHORES BANK ACCOUNTS:**

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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON NOVEMBER 28, 2016 as follows:

**Section 1.** That the following be and they are hereby authorized as signatories on bank accounts for the City of Gulf Shores, with signatures of two (2) authorized individuals required on all checks, one to be from Group A and one to be from Group B:

- A. Robert S. Craft, Mayor  
Philip Harris, Mayor Pro Tempore  
Jason Dyken, Councilman
- B. Wanda Parris, City Clerk  
Cynthia A. King, Finance & Administration Director

**Section 2.** That the following be and they are hereby authorized as signatories on the City of Gulf Shores Payroll bank accounts, with signatures of one (1) authorized individual required on all checks, one to be from Group A or Group B:

- B. Robert S. Craft, Mayor  
Philip Harris, Mayor Pro Tempore  
Jason Dyken, Councilman
- B. Wanda Parris, City Clerk  
Cynthia A. King, Finance & Administration Director

**Section 3.** That the following be and they are hereby authorized as signatories on the City of Gulf Shores Municipal Court Collections bank account, with signatures of two (2) authorized persons required on all checks:

Kenneth B. McKenzie, Municipal Court Clerk  
Lesa Brannen, Magistrate  
Carmen Matthews, Magistrate  
Natasha Touchstone, Magistrate  
Wanda Parris, City Clerk  
Cynthia A. King, Finance & Administration Director

**Section 4.** That the following be and they are hereby authorized as signatories on the City of Gulf Shores Municipal Court Judicial Administration Fund bank account, with signatures of two (2) authorized persons required on all checks:

Kenneth B. McKenzie, Municipal Court Clerk  
Frank T. Hollon, Municipal Court Judge  
Lesa Brannen, Magistrate  
Carmen Matthews, Magistrate  
Natasha Touchstone, Magistrate  
Wanda Parris, City Clerk

**Section 5.** That the following be and they are hereby authorized as signatories on the bank and investment accounts and certificates of deposit of the Thomas B. Norton Library Advisory Board Fund bank account for the City of Gulf Shores, with signatures of two (2) authorized individuals required on all checks, one to be from Group A and one to be from Group B:

- A. Robert Craft, Mayor  
Philip Harris, Mayor Pro Tempore  
Jason Dyken, Councilman
- B. Bobbie Rooker, President, Library Advisory Board  
Judy A. Watley, Treasurer, Library Advisory Board

**Section 6.** That the following be and they are hereby authorized as signatories on the Public Education Building Authority bank account, with signatures of two (2) authorized persons required on all checks:

Robert S. Malone, PEBA Chairman  
Barbara Frerman, PEBA Board Member  
Wanda Parris, City Clerk  
Cynthia A. King, Finance & Administration Director

**Section 7.** That the following be and they are hereby authorized as signatories on the City of Gulf Shores Drug Enforcement bank account, with signatures of one (1) authorized individual required on all checks:

Edward Delmore, Police Chief  
Fred M. Beaman, Deputy Police Chief

**Section 8.** That any resolution or parts thereof that conflict with this Resolution shall be and are hereby rescinded.

**Section 9.** That this Resolution shall become effective upon its adoption.

ADOPTED this 28th day of November, 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.5766 -16(prepared by City Clerk), which Resolution was duly and legally adopted at a regular meeting of the City Council on November 28, 2016.

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City Clerk

**RESOLUTION NO. 5767 -16**

**A RESOLUTION  
ACCEPTING THE BID OF C. THORTON, INC. FOR  
CONSTRUCTION OF 8' SIDEWALKS ALONG STATE HWY 59  
FROM STATE HIGHWAY 180 TO 20<sup>th</sup> AVE.  
IN AN AMOUNT NOT TO EXCEED \$600,000.00**

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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES,  
ALABAMA, WHILE IN REGULAR SESSION ON NOVEMBER 28, 2016, as follows:

**Section 1.** That the bid of C. Thorton, Inc. in the amount of \$583,277.00, be and the same is hereby accepted, being the lowest, most responsible, among sealed bids opened on November 15, 2016. Since this is a unit bid contract, Public Works recommends awarding the contract in an amount not to exceed \$600,000.00.

**Section 2.** That the Mayor and City Clerk be and they are hereby authorized and directed to execute and attest, respectively, a contract between the City of Gulf Shores and C. Thorton, Inc. to construct 8' Sidewalks along State Highway 59 from State Highway 180 to 20<sup>th</sup> Ave.; in substantially the form presented to Council this date. These sidewalks will be ADA accessible and provide safe pedestrian pathways along State Highway 59.

**Section 3.** That currently there is \$1,054,403 budgeted in the Capital Improvements Fund Account #40-879-65400 Hwy 59 Sidewalks, which includes \$100,000 in funding for 2016 and \$518,000 in funding for 2017, for this work.

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

ADOPTED this 28th day of November, 2016.

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Robert Craft, Mayor

ATTEST:

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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. 5767-16 (prepared by City Clerk), which Resolution was duly and legally adopted at a regular meeting of the City Council on November 28, 2016.

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City Clerk

**RESOLUTION NO. 5768-16**

**A RESOLUTION  
AUTHORIZING AND DIRECTING THE MAYOR AND CITY CLERK  
TO EXECUTE AND ATTEST, RESPECTIVELY,  
CHANGE ORDER NO. 1 TO THE CONTRACT BETWEEN  
THE CITY OF GULF SHORES AND COX POOLS OF THE SOUTHEAST, INC.  
IN AN AMOUNT NOT TO EXCEED \$8,900.00  
FOR ADDITIONAL SERVICES RELATED TO THE  
BODENHAMER RECREATION CENTER POOL RENOVATION PROJECT**

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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES,  
ALABAMA, WHILE IN REGULAR SESSION ON NOVEMBER 28, 2016, as follows:

**Section 1.** That the Mayor and City Clerk be and they are hereby authorized and directed to execute and attest, respectively, Change Order No. 1 to the contract between the City of Gulf Shores and Cox Pools of the Southeast, Inc. for additional services related to the Bodenhamer Recreation Center Pool Renovation Project, and in substantially the form presented to Council this date, and more particularly described as:

Change Order No. 1 – Add \$8,900.00

**Section 2.** That this Resolution shall become effective upon its adoption.

ADOPTED this 28<sup>TH</sup> day of November, 2016.

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Robert Craft, Mayor

ATTEST:

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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. 5768 -16 (prepared by City Clerk), which Resolution was duly and legally adopted at a regular meeting of the City Council on November 28, 2016.

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City Clerk

**RESOLUTION NO. 5769-16**

**A RESOLUTION APPOINTING  
ROBERT CRAFT  
TO THE GULF SHORES UTILITIES BOARD,  
PLACE 2,  
TO SERVE THE UNEXPIRED TERM OF  
CAROLYN DOUGHTY ENDING ON APRIL 1, 2021**

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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA,  
WHILE IN REGULAR SESSION ON November 28, 2016, as follows:

**Section 1.** That Robert Craft be and he hereby is appointed to the Gulf Shores Utilities Board, Place 2, to serve the unexpired term of Carolyn Doughty ending on April 1, 2021.

**Section 2.** That this Resolution shall become effective upon its adoption.

ADOPTED this 28th day of November, 2016.

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Robert Craft, Mayor

ATTEST:

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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.5769 -16 (prepared by City Clerk), which Resolution was duly and legally adopted at a regular meeting of the City Council on November 28, 2016.

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City Clerk

RESOLUTION NO. 5770-16

A RESOLUTION  
APPROVING BONDS PURSUANT TO  
SECTION 11-62-1 OF THE CODE OF ALABAMA (1975)

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**WHEREAS**, The Special Care Facilities Financing Authority of the City of Pell City, Alabama, a public corporation organized under the laws of the State of Alabama (the “Issuer”), pursuant to the authority and provisions of Chapter 62 of Title 11 of the Code of Alabama 1975 (the “Enabling Act”), proposes to issue its revenue bonds in an amount not to exceed \$60,000,000 (the “Bonds”) to provide financing for the benefit of Noland Health Services, Inc., a nonprofit corporation organized under the laws of the State of Delaware (the “User”).

**WHEREAS**, the Issuer proposes to use the proceeds of the Bonds to (i) refinance certain outstanding indebtedness on certain health care facilities of the Issuer, including long-term acute care facilities (“LTAC”), skilled nursing facilities (“SNF”), assisted living facilities (“AL”), specialty care assisted living facilities (“SCALF”), independent living apartments (“IL”), extended care centers, community centers, nursing homes and related support facilities, offices, medical services and equipment (collectively, the “Existing Facilities”), and (ii) to finance the costs of acquiring and the costs of reimbursement for certain new facilities and additions, renovations and improvements to, and equipment for, certain health care facilities of the Issuer, including long-term acute care facilities, skilled nursing facilities, assisted living facilities, specialty care assisted living facilities, independent living apartments, extended care centers, community centers, nursing homes and related support facilities, offices, medical services and equipment (collectively, the “New Facilities” and together with the Existing Facilities, the “Bond-Financed Facilities”).

**WHEREAS**, the Bond-Financed Facilities are or will be located throughout the State of Alabama, and a portion of the Bond-Financed Facilities are or will be located in the City of Gulf Shores, Alabama.

**WHEREAS**, the Bond-Financed Facilities located in the City of Gulf Shores, Alabama, are or will be located at the following location(s) (principal use and estimated proceeds of the Bonds to be spent at such location(s) noted in parentheses): The Haven Memory Care Facility (SCALF) (\$7,635,898), 6848 Gulf Shores Parkway, Gulf Shores, AL 36542.

**WHEREAS**, by agreement with the Issuer, all of the Bond-Financed Facilities will be leased to the User, as the initial manager or operator thereof. The User is expected to sublease portions of the Bond-Financed Facilities to one or more of its wholly owned affiliates.

**WHEREAS**, the Bonds will be limited obligations of the Issuer and will be payable solely from the rentals payable by the User and any other revenues or receipts derived by the Issuer from the Bond-Financed Facilities. The lease agreement between the Issuer and the User will provide for the payment of rentals by the User sufficient to pay debt service on the Bonds when due. The Bonds will be secured under an agreement whereby the Issuer will pledge the rentals and other receipts from the Bond-Financed Facilities for the benefit of the holders of the Bonds. The Bonds will not be general obligations of the Issuer and will not in any way constitute a debt, liability or obligation of the State of Alabama or any political subdivision of the State of Alabama. The Bonds will not be payable from any tax revenues.

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY** the City Council of the City of Gulf Shores, Alabama, as follows:

**Section 1.** That the City Council hereby consents to and approves the issuance of the Bonds for the purposes set forth herein, and that such consent and approval is being given pursuant to, and solely for the purposes of, the provisions of Section 11-62-1 of the Enabling Act.

**Section 2.** That such consent and approval should not be construed as expressing any view whatsoever as to the financial feasibility of the Bond-Financed Facilities or the adequacy of any security provided for the Bonds.

**Section 3.** That this Resolution or the consents and approvals set forth herein shall never be taken to impose any liability or obligation of any kind whatsoever upon the City of Gulf Shores, Alabama.

Adopted this 28<sup>TH</sup> day of November, 2016.

\_\_\_\_\_  
Robert Craft, Mayor

ATTEST:

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. 5770-16 (prepared by City Clerk), which Resolution was duly and legally adopted at a regular meeting of the City Council on November 28, 2016.

City Clerk