



AGENDA
COUNCIL WORK SESSION /
RESCHEDULED REGULAR COUNCIL MEETING
CITY OF GULF SHORES, ALABAMA
DECEMBER 5, 2016
4:00 PM

1. Call To Order

2. Pledge Of Allegiance

3. Roll Call

4. New Business

A. Ordinance - Amend Code - Beach Equipment Rental

Documents:

[ORD - AMEND CODE - BEACH EQUIPMENT RENTAL WITH REVISIONS.PDF](#)

B. Ordinance - Taxi Franchise Renewals

Documents:

[ORD 1831 - TAXI FRANCHISE RENEWALS.PDF](#)

C. Resolution - Budget Amendment 3

Documents:

[RESO 5771 - BUDGET AMENDMENT 3.PDF](#)

D. Resolution - Reschedule 2017 COW And Council Meetings Due To Municipal Holidays

Documents:

[RESO 5773 - RESCHEDULE 2017 COW AND COUNCIL MTGS DUE TO HOLIDAY.PDF](#)

E. Resolution - ALDOT Maintenance Of ROW

Documents:

[RESO 5772 -ALDOT MAINTENANCE OF ROW.PDF](#)

5. Adjourn

ORDINANCE NO.

**AN ORDINANCE
TO AMEND THE CODE OF ORDINANCES,
ADOPTED JULY 24, 1989, AT CHAPTER 8, BUSINESS LICENSES, TAXES
AND REGULATIONS, ARTICLE I, IN GENERAL, TO AMEND
SECTION 8-8, ITEM D, RELATING TO BEACHFRONT AND WATERFRONT RECREATIONAL
BUSINESSES BY CHANGING CERTAIN LANGUAGE AND
REWRITING THE SECTION AS REQUIRED**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON DECEMBER 12, 2016, as follows:

Section 1. That Chapter 8, BUSINESS LICENSES, TAXES AND REGULATIONS of the *Code of Ordinances*, adopted July 24, 1989, be and it is hereby amended at Article I. IN GENERAL, Section 8-8. Item (d) (3) by changing certain language so the entire Section shall read as follows:

CHAPTER 8 BUSINESS LICENSES, TAXES, AND REGULATIONS

ARTICLE I. IN GENERAL

* * *

Section. 8-8. - Beachfront and waterfront recreational businesses; businesses engaging in the business of rental of gasoline-powered watersports equipment, engaging in the business of provision of recreational parasail rides, engaging in the business of provision of towed water ride services utilizing water craft or gasoline-powered watersports equipment, or engaging in the business of the on-site rental of beach chairs and umbrellas authorized and regulated.

* * *

(d) *Businesses engaging in the business of the on-site rental of beach chairs and umbrellas* . Any license issued to any person engaged in the business of the on-site rental of beach chairs and umbrellas (hereafter referred to as "beach rental accessories") is expressly conditioned on compliance with all the following requirements:

- (1) The licensee's business shall be operated only at a site properly zoned for such business, owned by, leased in writing to, or licensed in writing to the licensee and specifically designated on the license as issued. An inspection by the revenue division or its designee of any proposed site is required before any license may be issued.

(2) Each approved site must maintain a minimum landward setback of thirty-five (35) feet from the water's edge and a sufficient minimum north setback to avoid contact with any existing berm or dune. Wooden lounge setups must be spaced so as to leave one (1) aisle not less than ten (10) feet wide for north/south travel at the end of each dune walkover or pathway leading to the water. All lounge setups must remain north of beach attendant stands when present.

(3) Each licensee under this subsection (d) shall at all times maintain commercial general liability insurance covering all aspects of the activities hereby licensed, with limits no less than five hundred thousand dollars (\$500,000.00) combined single limit, naming the City of Gulf Shores as an additional insured. The licensee shall provide a certificate of insurance evidencing the coverage above to the revenue division before licensed activities begin. Written notice of any significant changes in coverage conditions shall be given immediately to the revenue division.

(4) Each approved site will be allowed a maximum number of wooden lounge sets and temporary on-site storage facilities that can remain on the beach overnight established by the City based on surveys taken in 2015. Each site will reduce the number of wooden lounge sets by 20% of the original total per year beginning in 2017, with the discontinuance of all wooden lounge sets removed from all sites by 2021.

* * *

Section 2. This Ordinance shall become effective on **January 1, 2017** and shall continue in force and effect until repealed by action of the Council.

Section 3. The provisions of this Ordinance are hereby declared severable; if any portion of this Ordinance shall be held unconstitutional or otherwise invalid by a court of competent jurisdiction, such ruling shall not affect the remaining portions of this Ordinance.

ADOPTED and **APPROVED** this 12th day of December, 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. (prepared by City Clerk), which Ordinance was duly and legally adopted at a regular meeting of the City Council on December 12, 2016 and the same was duly published as required by law.

City Clerk

ORDINANCE NO. 1831

**AN ORDINANCE
GRANTING RENEWAL OF A NONEXCLUSIVE FRANCHISE
TO A BETTER CAB, A CAB, AB TAXI, A-1 TAXI, "A" MS. MARY TAXI,
BEACH BUGGY TAXI, BLUE DOLPHIN TAXI, COASTAL EXPRESS,
MODERN LIMOUSINE, COAST.CAB & TAXI,
EXPRESS SHUTTLE/TAXI, AND SURF'S UP TAXI
TO PROVIDE TRANSPORTATION SERVICE IN THE CITY OF GULF SHORES;
AND AUTHORIZING THE EXECUTION OF A FRANCHISE AGREEMENT
BETWEEN THE CITY OF GULF SHORES AND THE COMPANY**

WHEREAS, A Better Cab, A Cab, AB Taxi, A-1 Taxi, "A" Ms. Mary Taxi, Beach Buggy Taxi, Blue Dolphin Taxi, Coastal Express, Modern Limousine & Taxi, Coast.Cab, Express Shuttle/Taxi, and Surf's Up Taxi have requested the renewal of their franchise to empower the Company to provide transportation service in the City of Gulf Shores; and

WHEREAS, the City is desirous of granting of a nonexclusive franchise to A Better Cab, A Cab, AB Taxi, A-1 Taxi, "A" Ms. Mary Taxi, Beach Buggy Taxi, Blue Dolphin Taxi, Coastal Express, Modern Limousine & Taxi, Coast.Cab, Express Shuttle/Taxi and Surf's Up Taxi to provide transportation service in the City; and

WHEREAS, the residents of the City will be benefited by the granting of such a franchise renewal;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN RESCHEDULED REGULAR SESSION ON DECEMBER 5, 2016, as follows:

Section 1. That the renewal of a nonexclusive franchise be and it is hereby granted to, A Better Cab, A Cab, AB Taxi, A-1 Taxi, "A" Ms. Mary Taxi, Beach Buggy Taxi, Blue Dolphin Taxi, Coastal Express, Modern Limousine & Taxi, Coast.Cab, Express Shuttle/Taxi and Surf's Up Taxi for operation of a taxi service within the corporate limits of the City.

Section 2. That the Mayor and City Clerk are hereby directed and authorized to execute and attest, respectively, a Franchise Agreement between the City of Gulf Shores and A Better Cab, A Cab, AB Taxi, A-1 Taxi, "A" Ms. Mary Taxi, Beach Buggy Taxi, Blue Dolphin Taxi, Coastal Express, Modern Limousine & Taxi, Coast.Cab, Express Shuttle/Taxi and Surf's Up Taxi which sets forth the requirements, covenants and agreements of a franchise to the Company for operation of a taxi service within the City.

Section 3. That the subject Franchise Agreement, the full text of which is available for examination in the office of the City Clerk, is dated December 5, 2016.

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

ADOPTED this 5th day of December, 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. 1831 (prepared by City Clerk), which Ordinance was duly and legally adopted at a rescheduled regular meeting of the City Council on December 5, 2016, and the same was duly published as required by law.

City Clerk

RESOLUTION NO. 5771-16

**A RESOLUTION AMENDING
CITY OF GULF SHORES
2016 BUDGET**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN RESCHEDULED REGULAR SESSION ON December 5th, 2016 as follows:

Section 1. That the City of Gulf Shores 2016 Budget be amended for the City of Gulf Shores, Alabama, for Fiscal Year 2016 beginning January 1, 2016 and ending December 31, 2016.

**GENERAL FUND BUDGET SUMMARY 2016
(JANUARY 1, 2016 THROUGH DECEMBER 31, 2016)**

| | | |
|-----------------------------------|----------------|---------------------|
| TOTAL REVENUES GENERAL FUND | | \$36,572,220 |
| EXPENDITURES: | | |
| Executive | \$ 1,475,971 | |
| Human Resources | 280,288 | |
| Finance & Administrative Svcs | 2,642,817 | |
| Municipal Court | 400,702 | |
| Police | 5,711,855 | |
| Fire & EMS | 3,606,949 | |
| Community Development | 385,143 | |
| Building | 497,785 | |
| Recreation & Cultural Affairs | 261,317 | |
| Events & Programs | 718,225 | |
| Library | 566,308 | |
| Recreation-Bodenhamer | 1,558,186 | |
| Recreation-Sportsplex | 1,079,821 | |
| Recreation-Parks | 515,801 | |
| Recreation-Beach | 396,188 | |
| Recreation-Cultural Center | 428,339 | |
| Recreation-City Store | 200,899 | |
| Public Works: | | |
| General Services | 712,557 | |
| Public Facilities-Custodial | 562,109 | |
| Public Facilities-Landscaping | 694,119 | |
| Streets | 1,928,742 | |
| Maintenance | 1,066,335 | |
| Airport Authority | 125,936 | |
| Outside Agencies | <u>227,500</u> | |
| SUBTOTAL OPERATIONS | | \$26,043,892 |
| Capital Outlay | | |
| Finance & Admin Capital | 21,000 | |
| Police – Capital Outlay | 265,500 | |
| Parking Beach – Capital Outlay | 85,000 | |
| Fire – Capital Outlay | 200,000 | |
| Building – Capital Outlay | 42,000 | |
| Recreation Bodenhamer Center | 70,000 | |
| Recreation Sportsplex | 28,800 | |
| Recreation Parks | 40,200 | |
| Recreation Beach | 61,000 | |
| Recreation Cultural Center | 55,000 | |
| Recreation City Store | 21,500 | |
| Public Works: | | |
| Custodial | 44,000 | |
| Landscaping | 32,000 | |
| Streets – Capital | 614,500 | |
| Maintenance | 9,000 | |
| SUBTOTAL CAPITAL | | \$1,589,500 |
| Operating Transfers Out | | <u>\$9,347,280</u> |
| Total General Fund Expenses | | <u>\$36,980,672</u> |
| Budget Carry Forward General Fund | | \$(408,452) |

**OTHER FUND BUDGET SUMMARY 2016
(JANUARY 1, 2016 THROUGH DECEMBER 31, 2016)**

| | REVENUE | EXPENDITURE | |
|--|-------------------|----------------|-----------------------|
| Special Revenue | | | |
| 2% Lodging Tax Revenue | 2,641,000 | | |
| Transfer to General Fund | | 1,900,000 | |
| Transfer to Beach Reserves | | 661,082 | |
| Transfer to Beach Fund | | <u>70,000</u> | |
| Total 2% Lodging Tax Expenses | | | <u>\$2,631,082</u> |
| Budget Carry Forward 2% Lodging | | | \$9,918 |
| Police & Fire Related Grants | | | |
| Police and Fire | 415,000 | | |
| Transfer to General | | 370,000 | |
| Muni Court Exps | | <u>45,000</u> | |
| SUBTOTAL | | 415,000 | |
| Impact Fees Fund | | | |
| Impact Fees Revenue | 401,500 | | |
| Recreation Equipment | | 212,000 | |
| Public Works | | 120,000 | |
| Police | | 29,500 | |
| Fire | | <u>40,000</u> | |
| SUBTOTAL | | 401,500 | |
| Beach Restoration & Projects Fund | | | |
| Transfer from 2% Ldg Tax | 731,082 | | |
| Grant-ADEM Recycling Program | <u>197,278</u> | | |
| SUBTOTAL | 928,360 | | |
| Beach Monitoring | | 70,000 | |
| Police and Streets | | 536,082 | |
| Capital Outlay | | <u>322,278</u> | |
| SUBTOTAL | | 928,360 | |
| 2014 GO Warrant Fund | | | |
| Match proceeds (ADEM&ALDOT) | 2,043,973 | | |
| Transfer from General Fund | <u>1,890,184</u> | | |
| SUBTOTAL | 3,934,157 | | |
| Capital Outlay Projects | | 4,745,835 | |
| Budget Carryforward 2014 GO W. | | | (811,678) |
| Storm Damage Fund | | | |
| Transfer from General Fund | 24,000 | | |
| | | | 24,000 |
| Budget Carryforward Storm Damage | | | |
| Debt Service Fund | | | |
| Transfers/Rent | 7,716,310 | | |
| Bond Payments | | 10,166,491 | |
| Budget Carryforward Debt Service | | | (2,450,181) |
| 2016 Taxable Line of Credit | | | |
| Proceeds from 2016 LOC | 3,000,000 | | |
| Gulf Place Redesign | | 2,884,129 | |
| Transfer From 2016 B | | <u>115,871</u> | |
| Subtotal 2016 B Expense | | 3,000,000 | |
| Total All Funds Revenue | 55,632,547 | | |
| Total All Funds Expense | 59,268,940 | | |
| Budget Carryforward | | | |
| General Fund | | | \$(408,452) |
| 2% Lodging | | | 9,918 |
| 2014 GO Warrant Fund | | | (811,678) |
| Storm Damage Fund | | | 24,000 |
| Debt Service Fund | | | <u>(2,450,181)</u> |
| Total Budget Carry Forward | | | \$ (3,636,393) |

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

ADOPTED this 5th day of December, 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.5771-16 (prepared by City Clerk), which Resolution was duly and legally adopted at a rescheduled regular meeting of the City Council on December 5, 2016.

City Clerk

RESOLUTION NO. 5773-16

**A RESOLUTION RESCHEDULING
COUNCIL WORK SESSION MEETINGS AND
REGULAR COUNCIL MEETINGS FOR 2017
DUE TO HOLIDAY SCHEDULE FOR CITY OFFICES**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN RESCHEDULED REGULAR SESSION ON DECEMBER 5, 2016, as follows:

Section 1. That the schedule for the Council Work Session Meetings and Regular Council Meetings for the year 2017, be and it is hereby revised due to the holiday schedule for City offices.

Section 2. That the following City Council Meeting Schedule is hereby approved:

| <u>MEETING DATE</u> | <u>HOLIDAY</u> | <u>MEETING</u> | <u>ALTERNATE DATE</u> |
|---------------------------|-------------------------------------|--------------------------------------|----------------------------|
| Monday, January 2, 2017 | New Year's Day | Council Work Session | Cancelled |
| Monday, January 9, 2017 | Rescheduled January 2, 2017 | Council Work Session | |
| Monday, January 16, 2017 | Martin Luther King Day | Council Meeting | Cancelled |
| Tuesday, January 17, 2017 | Rescheduled January 16, 2017 | Council Meeting | |
| Monday, January 23, 2017 | Rescheduled Council Mtg. | Council Work Session | Monday, January 23, 2017 |
| Monday, January 30, 2017 | Rescheduled Council Mtg. | Council Meeting | Monday, January 30, 2017 |
| Monday, September 4, 2017 | Labor Day | Council Work Session | Tuesday, September 5, 2017 |
| Monday, December 4, 2017 | Rescheduled Meetings | Council Work Session/Council Meeting | |
| Monday, December 11, 2017 | Rescheduled Meetings | Council Work Session/Council Meeting | |
| Monday, December 18, 2017 | Week before Christmas | Council Work Session | Cancelled |
| Monday, December 25, 2017 | Week of Christmas | Regular Council Meeting | Cancelled |
| 2018 | | | |
| Monday, January 1, 2018 | New Year's Day and the Day After | Council Work Session | Monday, January 9, 2018 |

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

ADOPTED this 5th day of December, 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.5773-16 (prepared by City Clerk), which Resolution was duly and legally adopted at a rescheduled regular meeting of the City Council on December 5, 2016.

City Clerk

RESOLUTION NO. 5772 -16

**A RESOLUTION AUTHORIZING
THE MAYOR OF THE CITY OF GULF SHORES
TO ENTER INTO AN AGREEMENT FOR THE COOPERATIVE
MAINTENANCE OF PUBLIC RIGHT OF WAY WITH THE ALABAMA
DEPARTMENT OF TRANSPORTATION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES,
ALABAMA, WHILE IN RESCHEDULED REGULAR SESSION ON DECEMBER 5, 2016, as
follows:

SECTION 1. The City Council hereby authorizes the Mayor to enter into an agreement for the cooperative maintenance of public right of way with the Alabama Department of Transportation. A copy of the proposed Agreement for the cooperative maintenance of public right of way is attached hereto as Exhibit A and incorporated by reference as though set forth fully herein, subject to any changes approved by the Mayor and City Attorney.

SECTION 2. If any part, section or subdivision of this Resolution shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this Resolution, which shall continue in full force and effect notwithstanding such holding.

SECTION 3. This Resolution shall become effective immediately upon its adoption.

ADOPTED this 5th day of December, 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. 5772-16 (prepared by City Clerk), which Resolution was duly and legally adopted at a rescheduled regular meeting of the City Council on December 5, 2016.

City Clerk