A G E N D A
REGULAR COUNCIL MEETING
CITY OF GULF SHORES, ALABAMA
APRIL 10, 2017
4:00 P.M.

1. Call to Order

2. Invocation – Gulf Shores Fire Department Battalion Chief, Bo Smith

3. The Pledge of Allegiance

4. Roll Call

5. Approval of Minutes
   A. March 27, 2017 - Special Meeting
   B. March 27, 2017 - Regular Council Meeting
   C. April 3, 2017 - Council Work Session Meeting

6. Approval of Expense Vouchers

7. Public Hearing
   A. ABC License Application – Anglers at the Pier

8. New Business
   A. Resolution – Authorize Agreement for Use of ROW – Marbella Apt.
   B. Resolution – GSHS Drivers Education Program
   C. Resolution – Authorize Mutual Aid Agreement
   D. Resolution – Approve Proposed Legislative Annexation Bill – County Road 8 East
   E. Resolution – Approve Board Reappointment – Personnel Board
   F. Resolution – Approve Board Appointments – Public Park and Recreation Board
   G. Ordinance – TNC Franchise
   H. Ordinance – Taxi Franchise – Bayside Taxi, Inc.

9. Committee Reports

10. Staff Reports

11. Hearing of Persons Not Listed on Formal Agenda

12. Adjourn

MINUTES OF
REGULAR COUNCIL MEETING
CITY OF GULF SHORES, ALABAMA
APRIL 10, 2017

Mayor Robert Craft called the meeting to order at 4:00 p.m. at City Hall. The invocation was delivered by Gulf Shores Battalion Chief, Bo Smith.

Upon roll call, the following officials answered "present": Councilman Joe Garris, Jr., Councilman Gary M. Sinak, Councilman Philip Harris, Councilman Jason Dyken, M.D., Councilman Stephen E. Jones and Mayor Robert Craft.

Councilman Joe Garris, Jr. then moved to approve the minutes of the Special Meeting of March 27, 2017 as presented; seconded by Councilman Gary M. Sinak, was regularly put; was discussed and considered in full by the Council; and upon the question, the vote thereon was as follows: Councilman Joe Garris, Jr., "aye", Councilman Gary M. Sinak, "aye", Councilman Philip Harris, "aye", Councilman Jason Dyken, M.D., "aye", Councilman Stephen E. Jones, "aye", and Mayor Robert Craft, "aye". Whereupon, Mayor Robert Craft declared the motion carried.

At this time, Councilman Philip Harris moved to approve the minutes of the Regular Council Meeting of March 27, 2017, as presented; seconded by Councilman Joe Garris, Jr., was regularly put; was discussed and considered in full by the Council; and upon the question, the vote thereon was as follows: Councilman Joe Garris, Jr., "aye", Councilman Gary M. Sinak, "aye", Councilman Philip Harris, "aye", Councilman Jason Dyken, M.D., "aye", Councilman Stephen E. Jones, "aye", and Mayor Robert Craft, "aye". Whereupon, Mayor Robert Craft declared the motion carried.

Furthermore, Councilman Gary M. Sinak moved to approve the minutes of the Council Work Session Meeting of April 3, 2017 as presented; seconded by Jason Dyken, M.D. was regularly put; was discussed and considered in full by the Council; and upon the question, the vote thereon was as follows: Councilman Joe Garris, Jr., "aye", Councilman Gary M. Sinak, "aye", Councilman Philip Harris, "abstain", Councilman Jason Dyken, M.D., "aye", Councilman Stephen E. Jones, "aye", and Mayor Robert Craft, "aye". Whereupon, Mayor Robert Craft declared the motion carried.

Councilman Stephen E. Jones moved to approve the expense vouchers in the amount of $2,307,278.49; seconded by Councilman Jason Dyken, M.D.; and the vote of those officials present was unanimously in favor of the motion.

The City Clerk noted that the complete list of vouchers to be paid, as reflected on a computer printout, had been made a permanent record in the Clerk's office.

Mayor Craft stated that this was the time and place for the public hearing, as advertised, on the application from JJM Food Service, LLC d/b/a Anglers at the Pier for a 040-Retail Beer (on or off premises) and 060-Retail Table Win (on or off premises) located at the Gulf State Park Pier.

The City Clerk reported the dates on which the required advertising was done; and she read the letters of reference. The Departmental preliminary review is complete. There were no written objections received and no citizens appeared at the hearing to object. The Clerk stated the license would need to be approved contingent upon the applicant's successful completion of all City departmental final inspections.

Whereupon, Councilman Jason Dyken, M.D. moved to approve the application from JJM Food Service, LLC d/b/a Anglers at the Pier for a 040-Retail Beer (on or off premises) and 060-Retail Table Wine (on or off premises) license and to so notify the ABC Board; seconded by Councilman Stephen E. Jones; and the vote of those officials present was as follows: Councilman Joe Garris, Jr., "aye", Councilman Gary M. Sinak, "aye", Councilman Philip Harris, "aye", Councilman Jason Dyken, M.D., "aye", Councilman Stephen E. Jones, "aye" and Mayor Robert Craft, "aye". Whereupon, Mayor Robert Craft declared the motion carried.

At this time, Councilman Stephen E. Jones introduced and moved for the adoption of the following Resolution:

RESOLUTION NO. 5809-17

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST, RESPECTIVELY, CONSENT AND AGREEMENT REGARDING IMPROVEMENT AND USE OF PORTIONS OF UNOPENED RIGHT-OF-WAY WITH 3M3D INVESTMENTS, LLC DBA MARBELLA APARTMENTS

WHEREAS, the Site Plan for Marbella Apartments to be located at 1901 East 1st Street was approved by the Planning Commission at their February 21, 2017 meeting; and

WHEREAS, the approved site plan includes a total of thirty seven (37) public parking spaces and landscaping improvements to be constructed within the unopened East 19th Avenue right-of-way and have twenty four (24) of the public parking spaces counted as parking credits for Marbella Apartments required parking.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON APRIL 10, 2017, as follows:

Section 1. That pursuant to Section 14-1 B. 4. Of the Zoning Ordinance of the City of Gulf Shores the City Council hereby authorizes and approves the construction of, at the sole expense of the Marbella Apartments, thirty seven (37) public parking spaces and landscaping within the unopened East 19th Avenue right-of-way as shown on the approved site plan for Marbella Apartments with the following conditions:

1. The applicant shall pay half of the estimated $26,000 construction cost of a multiuse path along East 19th Avenue from East 16th Avenue to East 20th Avenue.

2. The access driveway and public parking within East 19th Avenue shall be constructed at 90 degrees to East 1st Street without any curves so as to not prohibit the opening of this right-of-way in the future.

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

The motion for the adoption of Resolution No. 5809-17 was seconded by Councilman Joe Garris, Jr.; was regularly put; was discussed and considered in full by the Council; and upon the question, the vote thereon was as follows: Councilman Joe Garris, Jr., "aye", Councilman Gary M. Sinak, "aye", Councilman Philip Harris "aye", Councilman Jason Dyken, M.D., "aye", Councilman Stephen E. Jones, "aye", and Mayor Robert Craft, "aye". Whereupon, Mayor Robert Craft declared Resolution No. 5809-17 duly and legally adopted.

At this time, Councilman Gary M. Sinak introduced and moved for the adoption of the following Resolution:

RESOLUTION NO. 5810-17

A RESOLUTION AUTHORIZING AN APPROPRIATION TO GULF SHORES HIGH SCHOOL IN AN AMOUNT NOT TO EXCEED $10,000.00 FOR THE PURCHASE OF DRIVING SIMULATOR EQUIPMENT FOR THE DRIVER'S EDUCATION PROGRAM

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON APRIL 10, 2017, as follows:

Section 1. That an appropriation in an amount not to exceed $10,000.00 is hereby authorized to Gulf Shores High School for the purchase of driving simulator equipment for the Driver's Education Program.

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

The motion for the adoption of Resolution No. 5810-17 was seconded by Councilman Joe Garris, Jr.; was regularly put; was discussed and considered in full by the Council; and upon the question, the vote thereon was as follows: Councilman Joe Garris, Jr., "aye", Councilman Gary M. Sinak, "aye", Councilman Philip Harris "aye", Councilman Jason Dyken, M.D., "aye", Councilman Stephen E. Jones, "aye", and Mayor Robert Craft, "aye". Whereupon, Mayor Robert Craft declared Resolution No. 5810-17 duly and legally adopted.

Furthermore, Councilman Stephen E. Jones introduced and moved for the adoption of the following Resolution:

RESOLUTION NO. 5811-17

**A RESOLUTION
AUTHORIZING EXECUTION OF THE
SOUTH ALABAMA MUTUAL AID AGREEMENT
BETWEEN THE CITY OF GULF SHORES AND
BALDWIN COUNTY COMMISSION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON APRIL 10, 2017, as follows:

Section 1. That the Mayor and Emergency Manager Director be and they are hereby authorized and directed to execute and the City Clerk is hereby authorized and directed to attest, respectively, South Alabama Mutual Aid Agreement between The City of Gulf Shores and Baldwin County Commission in substantially the form presented to Council this date.

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

The motion for the adoption of Resolution No. 5811-17 was seconded by Councilman Philip Harris; was regularly put; was discussed and considered in full by the Council; and upon the question, the vote thereon was as follows: Councilman Joe Garris, Jr., "aye", Councilman Gary M. Sinak, "aye", Councilman Philip Harris "aye", Councilman Jason Dyken, M.D., "aye", Councilman Stephen E. Jones, "aye", and Mayor Robert Craft, "aye". Whereupon, Mayor Robert Craft declared Resolution No. 5811 -17 duly and legally adopted.

Councilman Jason Dyken, M.D. introduced and moved for the adoption of the following Resolution:

RESOLUTION NO.5812-17

**A RESOLUTION
AUTHORIZING APPLICATION TO
LEGISLATURE OF ALABAMA
FOR ENACTMENT OF LOCAL LAW
RELATIVE TO ANNEXATION
OF CERTAIN PROPERTIES**

WHEREAS, it is the opinion of the City Council of the City of Gulf Shores, Alabama, that the public health and public good require that certain territory shall be brought within and annexed to the corporate limits of the City of Gulf Shores, Alabama; and truthful

WHEREAS, the City Council deems it wise, expedient and economical to apply for the annexation of said territory to the corporate limits of the City of Gulf Shores, Alabama by the passage of a Local Law in the Legislature of Alabama; and

WHEREAS, the City Council has caused to be prepared a Bill for introduction in the Legislature of Alabama, accurately describing said territory, to accomplish the annexation of said territory to the corporate limits of the City of Gulf Shores, Alabama;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON April 10, 2017, as follows:

Section 1. That the Mayor of the City of Gulf Shores, Alabama, be and is hereby directed to cause the following notice to be published in The Islander, a newspaper of general circulation published in Baldwin County, Alabama, once each week for four consecutive weeks, commencing on March 10,2017, to wit:

A BILL

TO BE ENTITLED

AN ACT

To alter, rearrange, and extend the boundary lines and corporate limits of the municipality of Gulf Shores in Baldwin County, Alabama.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The boundary lines and corporate limits of the City of Gulf Shores in Baldwin County are altered, rearranged, and extended to include within the corporate limits of the municipality, in addition to the lands now included, all of the following territory, to wit:

County Road 8 East Area Annexation - All Parcels and portions of Parcels within the following boundary that are not currently within the corporate limits of the City of Gulf Shores, together with all streets, roads, highways, rights of way, bridges, and stream beds and water bottoms lying within such boundary:

Begin at the point of intersection of the south line of Section 29, Township 8 South, Range 4 East with the west right of way line of Alabama Highway 59; thence northerly along the west right of way line of Alabama Highway 59 to a point that is twelve (12) feet south of the south right-of-way line of South Baldwin County Road 10 (Bon Secour Road); then easterly along an extension of a line that is parallel to and twelve feet south of the right-of-way line of South Baldwin County Road 10 (Bon Secour Road) to a

point 326.79 feet west of the east line of the Northwest Quarter of the Southwest Quarter of Section 21, Township 8 South, Range 4 East; thence northerly to a point of intersection with the north line of the South Half of said Section 21; thence easterly along the north line of the South Half of Section 21, Township 8 South, Range 4 East; thence easterly along the north line of the South Half of Section 22, Township 8 South, Range 4 East to the point of intersection with the west right of way line of the Foley Beach Express; thence southerly and easterly along the west right of way line of the Foley Beach Express to the point of intersection with the east line of Section 27, Township 8 South, Range 4 East; thence southerly along the east line of said Section 27 to the southeast corner of said Section 27; thence westwardly along the south line of said Section 27; thence westwardly along the south line of Section 28, Township 8 South, Range 4 East extended to the point of beginning on the west right of way line of Alabama Highway 59.

Parcel Identification Numbers for parcels within this boundary that are included in the annexation in whole or in part include the following:

2551, 6193, 6828, 26240, 27051, 27238, 27861, 35777, 37104, 54480, 54711, 54903, 55236, 56478, 56481, 58729, 63038, 68593, 81104, 81234, 81235, 82926, 98498, 98499, 98500, 98501, 98575, 98779, 98837, 100250, 100514, 100546, 103200, 103201, 103202, 104130, 104131, 104132, 119387, 121323, 170186, 200216, 200217, 201486, 201675, 209010, 217303, 221376, 228866, 232133, 232137, 232149, 237763, 254403, 256560, 256561, 271749, 271750, 271751, 271752, 271753, 271754, 271755, 271757, 271758, 271759, 271760, 274357, 274360, 312285, 312286, 343645

Section 2. In accordance with Section 11-42-6(b) of the Code of Alabama 1975, a map showing what territory is proposed to be annexed to the City of Gulf Shores is on file in the office of the Judge of Probate in Baldwin County, Alabama, and the map is open to the inspection of the public.

Section 3. The annexation of property by this act shall not extend the police jurisdiction of the City of Gulf Shores.

Section 4. This act shall become effective on the first day of the third month following its passage and approval by the Governor, or its otherwise becoming law.

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

County Road 8 East

The motion for the adoption of Resolution No. 5812-17 was seconded by Councilman Stephen E. Jones; was regularly put; was discussed and considered in full by the Council; and upon the question, the vote thereon was as follows: Councilman Joe Garris, Jr., "aye", Councilman Gary M. Sinak, "aye", Councilman Philip Harris "aye", Councilman Jason Dyken, M.D., "aye", Councilman Stephen E. Jones, "aye", and Mayor Robert Craft, "aye". Whereupon, Mayor Robert Craft declared Resolution No. 5812 -17 duly and legally adopted.

At this time, Councilman Stephen E. Jones introduced and moved for the adoption of the following Resolution:

RESOLUTION NO. 5813-17

**A RESOLUTION
REAPPOINTING JIM HOWELL
TO THE PERSONNEL BOARD
TO SERVE A FULL TERM OF THREE YEARS
ENDING ON MARCH 27, 2020**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON APRIL 10, 2017, as follows:

Section 1. That Jim Howell be and he hereby is reappointed to the Personnel Board, to serve a full term of three years ending on March 27, 2020.

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

The motion for the adoption of Resolution No. 5813-17 was seconded by Councilman Gary M. Sinak; was regularly put; was discussed and considered in full by the Council; and upon the question, the vote thereon was as follows: Councilman Joe Garris, Jr., "aye", Councilman Gary M. Sinak, "aye", Councilman Philip Harris "aye", Councilman Jason Dyken, M.D., "aye", Councilman Stephen E. Jones, "aye", and Mayor Robert Craft, "aye". Whereupon, Mayor Robert Craft declared Resolution No. 5813 -17 duly and legally adopted.

Furthermore, Councilman Gary M. Sinak introduced and moved for the adoption of the following Resolution:

RESOLUTION NO. 5814-17

**A RESOLUTION
APPOINTING GARY ELLIS
AND JARETT MYERS TO THE
PUBLIC PARK AND RECREATION BOARD**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON APRIL 10, 2017, as follows:

Section 1. That Gary Ellis be and he hereby is appointed to the Public Park and Recreation Board to serve a term of four years ending on March 28, 2020.

Section 2. That Jarett Myers be and he hereby is appointed to the Public Park and Recreation Board to serve a term of four years ending on March 28, 2020.

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

The motion for the adoption of Resolution No. 5814-17 was seconded by Councilman Philip Harris; was regularly put; was discussed and considered in full by the Council; and upon the question, the vote thereon was as follows: Councilman Joe Garris, Jr., "aye", Councilman Gary M. Sinak, "aye", Councilman Philip Harris "aye", Councilman Jason Dyken, M.D., "aye", Councilman Stephen E. Jones, "aye", and Mayor Robert Craft, "aye". Whereupon, Mayor Robert Craft declared Resolution No. 5814 -17 duly and legally adopted.

Councilman Stephen E. Jones moved for unanimous consent of the Council to suspend the rules of procedure to allow for the immediate consideration of the following Ordinance:

ORDINANCE NO. 1837

**AN ORDINANCE
TO AMEND THE CODE OF ORDINANCES,
ADOPTED JULY 24, 1989, AT CHAPTER 22, VEHICLES FOR HIRE,
BY ADDING ARTICLE III. TRANSPORTATION NETWORK COMPANY VEHICLES
SECTION 22-62 – SECTION 22-94**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON APRIL 10, 2017 as follows:

Section 1: That the Code of Ordinances of the City of Gulf Shores, Alabama is hereby amended by the addition of ***Article III. Transportation Network Company Vehicles***, Section 22-62 through Section 22-94 to ***Chapter 22, Vehicles For Hire*** so as to read in its entirety as follows:

CHAPTER 22 – VEHICLES FOR HIRE

* * * *

Article III. – Transportation Network Company Vehicles

Sec. 22-62 Definitions, methods for notice:

1)Definitions.

Affiliated Driver means a driver that operates a transportation network vehicle for a sponsoring company including as an owner, agent, employee or independent contractor of the sponsoring company.

Base of operation means a transportation network company's fixed base of operation from which the company conducts its business and which is suitably staffed by qualified and knowledgeable representatives of the company who are available during regular business hours to accept or respond to notices and inquiries of the city in its administration and enforcement of this division and where records required to be maintained under this division are kept.

Operate means the business of transporting a passenger for compensation upon the public streets and which includes any time when 1) an affiliated driver is logged onto the transportation network company's online-enabled application or digital platform, 2) an affiliated driver has accepted a ride request, 3) an affiliated driver is on route to pick up a passenger, or 4) a passenger is in the vehicle.

Pre-Arranged basis means a written or electronically transmitted reservation made in advance of passenger boarding from a specific location for the exclusive use of transportation network vehicle by a passenger(s) who determine the trip's points of destination and timing.

Public Street means any public street, road, alley, or any other such right-of-way within the corporate limits.

Sponsoring Company means a transportation network company that is licensed under this division that provides sponsorship certification to the city for its affiliated drivers in accordance with this division.

Trade Dress means a unique visual element associated with a transportation network company that is attached to the vehicle while the vehicle is being operated so the public and passengers can readily identify the vehicle as being associated with that particular company.

Transportation Network Company means a company, not otherwise licensed as another type of vehicle for hire company that is engaged in a business that uses an online-enabled application or digital platform to connect actual or potential passengers to an affiliated driver of a transportation network vehicle. Hereinafter referred to as "TNC".

Transportation Network Vehicle means a personal vehicle that is used by a Transportation Network Company Driver to provide Prearranged Rides and is not a taxicab or limousine, within the meaning of Chapter 22, Section II of the Code of Ordinances of the City of Gulf Shores.

Transportation Network Vehicle Driver means an individual operating a Transportation Network Vehicle.

2) *Notice methods.*

(a) *Notice by city.* Unless expressly provided otherwise, all written notice required to be provided by a city enforcement official under this division shall be, at the enforcement official's option, delivered personally, or sent by certified mail, return receipt requested, or by first class U.S. mail, or sent by electronic mail with record of delivery confirmation through electronic mail return-receipt, or by confirmation that the electronic mail was accessed, downloaded or printed, to the base of operation. Unless otherwise expressly provided for in this division, written notices shall be deemed served or received as follows: if by personal delivery, upon delivery; if by first class U.S. mail, three days after mailing; if by certified mail, upon receipt; or if by electronic mail, at the beginning of the next working day.

(b) *Notice to city enforcement official.* Unless otherwise expressly provided for in this division, all written notice required to be provided to an enforcement official under this division shall be provided using any one of the methods, at the option of the person sending the notice, prescribed in subsection (2)(a) above. Unless otherwise expressly provided for in this division, written notices shall be deemed served or received as set forth in subsection (2)(a) above.

Sec. 22-63 Use of Online enabled application or digital dispatch services, information to passengers, obstruction of enforcement.

1) For purposes of this section, the term "enforcement official" means the chief of police, other law enforcement officers of the city, and their respective subordinates or designees.

2) It shall be unlawful for a TNC, its agents, or employees, to disable, eliminate or otherwise prevent access to the company's mobile application by an enforcement official, for the purpose of interfering with or obstructing enforcement of this division, or to otherwise take an action intended to obstruct or interfere with the enforcement of this division by an enforcement official.

Sec. 22-64 Violation

It shall be a violation of this division for a driver or a company, its agents, or employees, to fail to comply with the applicable provisions of this division.

Sec. 22-65 Penalty

An offense against a provision of this division shall be a violation which shall be governed by the provisions of Chapter1, section 1-8 of this code.

Sec. 22-66 Right to amend division

By its issuance of certificates, licenses, authorizations, or other approvals provided for in this division, the city does not waive and expressly reserves the right to, at any time and from time to time, amend or repeal any of the provisions of this division.

Sec. 22-67 Franchise required, Business License Required

It shall be unlawful for any TNC to operate on the streets within the corporate limits of the city or on the streets of the police jurisdiction outside the corporate limits of the city unless and until a franchise agreement and a business license have been obtained therefor.

Sec. 22-68 TNC and Affiliated Driver's insurance

1) *Insurance required.* Before a TNC or an affiliated driver of a transportation network company can operate or allow or cause to be operated a TNV, an affiliated driver of a TNC or the company on the behalf of its affiliated driver shall obtain and maintain in full force and effect automobile insurance that covers the driver in all circumstances:

2) *Coverage requirements.*

(a) Automobile insurance requirements are: Primary automobile liability insurance that provides at least $1,000,000.00 for death, bodily injury, and property damage combined single limit.

(b) The coverage requirements of this subsection (b) may be satisfied by any of the following:

1. Automobile insurance maintained by the affiliated driver of the TNC.
2. Automobile insurance maintained by the TNC.
3. Any combination of (b) 1 and 2.

3) If insurance maintained by an affiliated driver under subsections (2) has lapsed or does not provide the required coverage, insurance maintained by a TNC shall provide the coverage required by this section beginning with the first dollar of a claim and shall have the duty to defend the claim.

4) Coverage under an automobile insurance policy maintained by a TNC may not be made dependent on a personal automobile insurer first denying a claim and a personal automobile insurance policy may not be required to first deny a claim.

5) Insurance required by this section may be placed with an insurer authorized to do business in the state, or with an eligible surplus lines insurer in accordance with Code of Ala. 1975, § 27-10-20.

6) The driver of a TNV shall carry proof of coverage satisfying this section on their person or at a readily accessible place inside the vehicle at all times while the vehicle is being operated and present it to an enforcement official upon request. If the insurance is maintained by the TNC such proof of the insurance shall, at a minimum, identify the TNC's insurance company, policy number, and effective dates of the policy. Proof of insurance may be displayed electronically through the TNC's digital platform in accordance with Code of Ala. 1975, § 32-7A-6. In the event of an accident, the driver shall provide this insurance coverage information to the directly interested parties, automobile insurers, and investigating police officers, upon request pursuant to state law.

7) In a claims coverage investigation, a TNC shall provide, upon request, information concerning the on-line or operational status of an affiliated driver to the relevant parties.

8) Before a business license can be issued under this division the certificate holder that is a TNC shall file with the city clerk-treasurer a certificate of insurance evidencing the company-required insurance under this section, which insurance policy and certificate shall provide that the City of Gulf Shores shall be given at least 30 days' prior notice of cancellation. Such policy shall not be canceled or suspended, either by the insured or the insurer, unless at least 30 days' notice in writing of the intention to cancel or suspend policy has been filed with the city clerk-treasurer, and upon such suspension or cancellation of insurance, the right to operate or cause to be operated a TNV for said insured shall stand automatically suspended, without action being required by the city, until such time as an acceptable policy and certificate of insurance shall be on file with the city clerk-treasurer. The company shall notify its affiliated drivers that its insurance is not in effect and that the right to operate or cause to be operated a TNV has been automatically suspended.

9) Nothing in this section shall be construed to excuse compliance with state mandated coverage requirements for motor vehicles, including the requirements under the Motor Vehicle Safety-Responsibility Act, Chapter 7, Title 32, Code of Ala. 1975, as such may be amended from time to time.

Sec. 22-69 Renewal

Upon the certification that there have been no changes in the information submitted as a prerequisite to the granting of a franchise, including the required insurance coverage, and upon the approval of the City Council, a franchise agreement granted to a franchisee may be renewed annually for additional periods of one year each from the date of expiration.

Sec. 22-70 Transfer

No franchise or business license may be assigned or transferred to any other company or person.

Sec. 22-71 Action against Business License

1) Upon the recommendation of the Chief of Police, the City Clerk-treasurer may petition the city council to take action against a business license issued under this division in accordance with Chapter 8, section 8-31 of this Code, which includes the notice and hearing requirements set forth therein.

2) It shall be unlawful for any person, including the company or a driver, to operate or allow or cause to be operated a TNV under a license or franchise during the effective period of an adverse action taken against the license or franchise.

Sec. 22-72 Driver's Authorization

It shall be unlawful for any person to operate or allow or cause to be operated a TNV without the driver's authorization required by this division.

Sec. 22-73 Sponsorship and driver authorization

1) *Disqualifying factors.* For purposes of this section, the term "disqualifying factor" means any of the following:

(a) The person has had more than three moving violations in the immediately preceding three-year period, or one major violation in the immediately preceding three-year period, including any of the following:

1. Attempting to evade the police.
2. Reckless driving.
3. Driving on a suspended or revoked license.

(b) The person has been convicted within the past seven years of any of the following:

1. Driving under the influence of drugs or alcohol.
2. Any Narcotics Violation.
3. Fraud.
4. A sexual offense.
5. The use of a motor vehicle to commit a felony.
6. Any crime involving property damage.
7. Theft.
8. An act of violence.
9. An act of terror.
10. A felony.

(c) The person is a match in the National Sex Offender Registry Database.

(d) The person does not possess a valid driver's license.

(e) The person is not at least 21 years of age.

2) *Sponsorship.* In order for an affiliated driver of a TNC to operate its TNV the driver must be sponsored by the TNC with which he or she is affiliated. Nothing in this division shall be construed to prevent a driver from being sponsored by more than one company at the same time or to prevent the holder of a chauffeur's license from operating as an affiliated driver of a TNC. In order to sponsor an affiliated driver a TNC shall:

(a) Conduct, or have a nationally accredited third-party conduct for each driver, annually, each of the following:

1. A local and national criminal background check, using the person's social security number, which shall include:

(i)Multi-State/Juris Criminal Records Locator or other similar commercial nationwide database with validation (primary source search); and

(ii) National Sex Offender Registry database.

2. A driving record check in the driver's state of licensure.

(b) Obtain from each driver each of the following:

1. The legal name, address, and age of the individual.
2. A legible copy of the driver's license and motor vehicle registration.
3. A description of the driver's vehicle, which includes the make, model, year of manufacture, state license number, the V.I.N., and the owner of the vehicle if different than the driver.

(c) Have on file with the Revenue Division a current sponsorship certification from an authorized representative of the company, which the company shall submit annually by January 31 with its renewal for a business license, stating under oath that:

1. All affiliated drivers' vehicles are in compliance with the standards and requirements of this division and have passed their required inspections.
2. The insurance required in Section 22-68 is in full force and effect.
3. The company has conducted, or has had a third-party conduct, the required criminal background and driving record checks for each driver outlined above, and any annual renewals required, and has obtained the required information outlined above; and
4. Each affiliated driver does not have a disqualifying factor, as that term is defined in subsection (1) items a through e, of this section.

(d) *Driver authorization.* The receipt by the Revenue Division of the City of Gulf Shores, AL of the sponsorship certification required from the sponsoring company shall constitute a driver authorization for all affiliated drivers sponsored by the company to operate their TNV for the sponsoring company. The

sponsoring company shall maintain the list of its affiliated drivers that the company is currently sponsoring to operate in the city.

(e) *Random audit.* In order to verify compliance with the sponsorship requirements of this section, once during any calendar year the Chief of Police or the Revenue Division may conduct a random audit of the sponsorship information and records on file with the sponsoring company. The random audit may be conducted on up to 25 of the sponsoring company's affiliated drivers that are selected by the Chief or Revenue Division from among 100 driver names or unique identifying numbers supplied to the city by the company. It shall be a violation of this subsection (d) for a company to fail to comply with an audit request. Where the results of the audit demonstrate non-compliance with the sponsorship requirements of this section, the sponsoring company shall be in violation of this section and shall be subject to action being taken against its franchise or business license.

(f) Driver authorization shall automatically expire or terminate, without action being required by the city, as follows:

1. On February 1 of each year for every affiliated driver of a sponsoring company unless the sponsoring company has provided a new sponsorship certification to the city;
2. For a driver that is no longer affiliated with a sponsoring company; or
3. For every affiliated driver of a sponsoring company upon the sponsoring company no longer operating or being allowed to operate in the city for whatever reason.

(g) It shall be unlawful for a company or driver to operate or allow or cause to be operated a transportation network vehicle when the driver authorization has terminated or expired under this subsection.

(h) It shall be unlawful for a driver to operate, or for a sponsoring company to knowingly allow or cause an affiliated driver to operate, a TNV if that driver does not meet the qualifications necessary for company sponsorship.

(i) Upon the request of a passenger or potential passenger, the chief of police or another law enforcement officer of the city, a driver of a TNV, while the vehicle is in operation as a TNV, shall present proof that it is an affiliated driver of a TNC and that it is authorized to operate a TNV for the company with which it is affiliated.

Sec. 22-74 Business License

Notwithstanding anything to the contrary contained in this Code, an affiliated driver of a TNC that is working for the company as an independent contractor shall not be required to obtain a business license from the city so long as the company has obtained and maintains an annual business license to conduct business as a transportation network company.

Sec. 22-75 Vehicle Authorization

In order for a TNV to be authorized to be operated on the public streets the vehicle must meet applicable standards and requirements of this division for a TNV, pass all required inspections, and be duly insured in accordance with this division.

Sec. 22-76 Vehicle Standards

1) A TNV operated upon the public streets of the city shall be kept clean, sanitary, fit and of good appearance, and in a safe condition for the transportation of passengers.

2) In addition to all other applicable requirements of this division, a TNV shall have the company's trade dress, as approved by the Chief of Police. The trade dress shall be attached in a readily visible location on the exterior of the TNV while it is being operated and shall be of sufficient size to be seen from a distance of 25 feet.

3) A TNV shall be no older than ten model years of age from the current model year (as measured from June 30 of the calendar year following the model year).

Sec. 22-77 Vehicle inspections

1) *Inspections.*

(a) *Required.* No person shall operate or allow or cause to be operated a TNV until the vehicle has been inspected as prescribed in this section and found to be in safe operating condition, clean, sanitary, fit, of good appearance, and meeting the applicable standards and requirements

of this division. The vehicle inspection requirements established by this division shall be met no later than 30 days after the vehicle is first placed into service as a TNV.

(b) *Inspection criteria*. To pass inspection a TNV shall, at a minimum, meet applicable state laws governing vehicle equipment and, in addition, shall pass an inspection of the following vehicle components:

(1) Steering:
- a. Steering arm;
- b. Tie rod-ends and draglink;
- c. Front springs, shackles and clamps;
- d. Sector to frame mounting; and
- e. Steering free play.

(2) Wheels:
- a. Bearings; and
- b. Lugs.

(3) Tires: Minimum tread depth (inches) 3/32

(4) Brakes:
- a. Master cylinder:
  - 1. Fluid level; and
  - 2. Leaks.
- b. Wheel cylinder;
- c. Brake hose and lines;
- d. Hydrovac and lines;
- e. Vacuum or air tanks;
- f. Parking brake;
- g. Vacuum or air gauge and buzzer or light;
- h. Brake pedal fade;
- i. Pedal pads;
- j. Adjustment; and
- k. Brakes.

(5) Lights:
- a. Head;
- b. Clearance;
- c. Directional;
- d. Flashers;
- e. Brake stop and tail; and
- f. Reflectors.

(6) Exhaust system:
- a. Exhaust manifold;
- b. Exhaust pipe;
- c. Muffler; and
- d. Tail pipe.

(7) Rear end:
- a. Springs, shackles and clamps;
- b. Leaks; and
- c. Drive shaft guards.

(8) Clutch and transmission:
- a. Adjustment; and
- b. Release.

(9) Body:
- a. Seats securely fastened and in good condition;
- b. Broken glass in any window; and, broken or cracked glass in windshield which obstructs the driver's vision;
- c. Mirrors, left, right and inside;
- d. Wipers;
- e. Windshield washers;

f.Seals on pedal at cowl;
g.Horn;
h.Floor, sides and roof in good condition;
i.Markings;
j.Seatbelts (all factory installed);
k.Flags and flares;
l.First aid kit; and
m.Sun visor for driver.

(b) *Inspections*. Inspections shall be performed by a private technician or mechanic that is ASE (Automotive Service Excellence) certified (series A), and that is not an employee of the TNC. The qualified mechanic or technician inspecting the vehicle shall issue to the driver a vehicle inspection sheet certifying that the vehicle has passed inspection. It shall be the responsibility of the sponsoring company to confirm that a TNV has passed the required inspections.

(c) *Frequency of inspections.*

(1) No later than the thirty-first day after a TNV is initially placed into service and annually thereafter within 20 days of the anniversary date the TNV was initially placed into service, the vehicle must pass prescribed inspection.

(2) The Chief of Police is hereby authorized to maintain constant vigilance over all TNV to confirm they are kept in a condition of continued fitness for public use in compliance with this division and to that end are hereby authorized to make such incidental or random on-the-road inspections as they deem advisable, provided that, such inspections shall be conducted only when the vehicle is being operated under this division.

Sec. 22-78 Vehicles failing inspection; out of service

1) If, after an incidental or on the road or random inspection, a TNV is found, in the enforcement official's opinion, not to be in a safe condition for the transportation of passengers, or is being operated without the required insurance coverage, the vehicle shall be placed out of service. The enforcement official shall note the deficiencies in writing and provide a copy to the driver and the driver's sponsoring company. The enforcement official will place the vehicle back in service as soon as the sponsoring company notifies the enforcement official that the noted deficiencies have been remedied.

2) It shall be unlawful for a driver to operate, or for the sponsoring company to knowingly allow or cause to be operated, a TNV that is out of service under this section.

3) The chief of police shall notify a sponsoring company if the TNV of an affiliated driver has been taken out of service under the provisions of this section. Upon receiving such notification, the TNC shall remove the affiliated driver from the platform.

Sec. 22-79 Rates Disclosures

1) TNV may charge on a per mile (distance traveled), per trip (flat fee) or per hour (time elapsed) basis, or a combination thereof, conditioned as follows:

(a) The rates shall be uniformly applied to all passengers, and the rates, including the method of calculating the fare, shall be posted in the online application (app) and on the company's website.

(b) If the rates, including the method of calculating the fare, vary from the normally posted rate on the company website and the application (app), then the company must require that the passenger positively acknowledge on the application device used to summons the driver that they agree to the rate structure being charged for the trip requested. The company shall provide potential passengers with the option of obtaining an estimated fare before the passenger engages the service.

(c) The company shall disclose to the passenger prior to the passenger entering the TNV if it is operating during a period of dynamic pricing. The company shall also provide the passenger an option to be notified when the time of dynamic pricing is no longer in effect.

(d) The company may charge incidental and additional charges provided that it shall notify a passenger of all such charges that may be added to the charge before the passenger accepts the transportation. Notwithstanding the foregoing, in no event shall the company or driver charge an incidental or additional charge on the basis of a person's disability.

(e) Upon completion of a ride, the TNC shall transmit to the passenger an electronic receipt, either by electronic mail or via text message. The message shall document the point of origin and destination of the ride, the total distance and duration of the ride, the total fare paid including the base fare and any additional charges, and the driver's first name and the contact information for the company's customer service department, including the department's email address or a hyperlink to a contact form.

2) The company's software application or website shall display to a potential passenger or passenger before the passenger enters the vehicle a picture of the driver assigned to transport the passenger and the make and model of the vehicle the driver is approved to use, including the license plate number of the vehicle. The company shall make available on the mobile application and the receipt provided to the passenger, the contact information for their customer service department, including the department's email address or a hyperlink to a contact form.

3) Nothing in this division shall be construed to prevent a TNC from providing free service or discounted rates so long as the company does not discriminate in doing so.

Sec. 22-80 Unauthorized fares

1) No company or driver shall demand or suggest that any passenger or prospective passenger pay a fare larger than that authorized in this division.

2) No company or driver shall demand or suggest that any passenger pay an amount that exceeds the passenger-accepted rate.

Sec. 22-81 Street hails, soliciting passengers

1) No TNV driver shall accept or respond to passengers' or potential passengers' requests for service via traditional street hail, including hand gestures and verbal statements.

2) *Soliciting passengers.*

(a) For the purpose of this section, the term "solicit" means an appeal by a driver upon a public street using words or gestures to elicit immediate patronage of a vehicle for hire by attempting to direct people to a TNV that is parked, stopped, standing, or moving upon a public street.

(b) No TNV driver shall solicit passengers.

Sec. 22-82 Pre-arrangement

Pre-arranged services. It shall be unlawful for a TNC or a TNV driver to fail to demonstrate prearrangement by presenting upon request of the chief of police, or their respective designee, proof of pre-arrangement, including a copy of the reservation or an electronic record made in advance of passenger pick-up.

Sec. 22-83 Number of passengers and luggage

1) No TNC or TNV driver shall allow more passengers to be transported than the number of available seats that are equipped with operative safety belts.

2) No TNC or TNV driver shall allow more children to be transported than the number for which operative child passenger restraint devices are available for children within the legal age limit requiring such devices.

3) No driver shall carry any luggage exceeding the vehicle's storage volume or load-carrying capacity regardless of the number of passengers occupying the vehicle.

Sec. 22-84 Prohibition against discrimination; Accessibility

1) With respect to passengers and potential passengers, a TNC shall adopt a policy of non-discrimination on the basis of destination, race, color, national origin, religion, sex (including pregnancy), disability, age, sexual orientation or gender identity, and shall notify its affiliated drivers of such policy.

2) TNV drivers shall comply with all applicable laws regarding non-discrimination against passengers or potential passengers and shall comply with the non-discrimination policy set forth in subsection (1) above.

3) TNV drivers shall comply with all applicable laws relating to accommodation of service animals and shall not refuse to load mobility aids, such as wheelchairs and walkers, which can fit into a standard truck or rear storage compartment of a vehicle.

Sec. 22-85 Two or more destinations, single destination

1) If a TNV is carrying two or more passengers to different destinations, the driver shall be the sole judge of the order in which such passengers shall be delivered to their destination and the shortest possible route shall be followed.

2) Any TNV driver charging on a per mile basis shall take the most direct route possible that will carry the passenger to his/her destination safely and expeditiously, unless the passenger requests otherwise.

Sec. 22-86 Record and reports of operations; cooperation with law enforcement

1) Every TNC shall keep accurate books and records of account of its operations in the city at the company's base of operations for a minimum of one year.

2) Every TNC shall keep a record on any of its affiliated drivers who were alleged to have committed a violation of this division or their terms of service or who have been suspended or banned from driving for the company, including any zero-tolerance complaints and the outcome of the investigation into those complaints. In addition, every TNC shall maintain records of its affiliated drivers for at least two years after the date on which the driver's activation on the company's digital network has ended.

3) With regard to its operations in the city, a TNC shall create and retain, for at least a two-year period, individual trip records, in written or electronic format, which includes pick-up and drop-off information, the name of the driver, the time of pickup and delivery of passengers.

4) In order to provide reasonable response in traffic incident investigations, a TNC must provide upon the request of the police chief or his designees, factual information regarding the company's affiliated drivers and vehicles so as to determine whether or not a particular driver was active on the company's dispatch system application, in route to a passenger location, or engaged with a passenger at a specific time and date. Where a warrant or other legal process is necessary in order to obtain the requested information, a TNC shall cooperate with law enforcement officials in obtaining and promptly responding to such legal process.

5) A TNC shall cooperate to the fullest extent reasonably possible with law enforcement to provide information about specific law enforcement incidents potentially involving an affiliated driver or an affiliated driver's TNV. If local, state, or federal law enforcement asserts that access to such information must be immediate to prevent a reasonable threat of death, or serious physical injury, to a person, then the company, or any driver, shall provide that information immediately. A TNC shall provide an emergency contact number to the chief of police for such instances. In all other law enforcement situations, such information shall be provided promptly in response to the issuance of a subpoena to review such records. Any failure to comply with this subsection shall result in the immediate suspension of the company's franchise and business license. Where a warrant or other legal process is necessary in order to obtain the

requested information, a TNC shall cooperate with law enforcement officials in obtaining and promptly responding to such legal process.

Sec. 22-87 Base of operations; registered agent; customer service number

1) A TNC must maintain a base of operations. The base of operations shall be suitably staffed by qualified and knowledgeable representatives of the company who are available during regular business hours to accept or respond to notices and inquiries of the city in its administration and enforcement of this division and where records required to be maintained under this division are kept. Failure to maintain a base of operation shall be a violation of this division and cause for action being taken against the company's business license and the certificate of need and necessity.

2) The location of the base shall not be changed without first notifying the Chief of Police.

3) Companies must be qualified to do business in the state and must maintain an agent for service of process in the state.

4) At a minimum a TNC shall maintain accessibility to a customer service representative via telephone or electronic mail that shall be staffed with suitable personnel who are able to assist consumers with complaints or inquiries during normal business hours.

5) A TNC shall provide a 24/7 emergency contact number to the city in the case of emergencies.

Sec. 22-88 Driver requirements; conduct

1) A driver must be clean and neat in appearance.

2) A driver must be physically capable of operating a vehicle in a safe manner. A driver shall not be impaired by fatigue, illness or other medical conditions to an extent that would render him/her incapable of safely operating a vehicle or would pose a liability to himself/herself, his/her passengers or the general public.

3) Each driver of a TNV, while operating such vehicle upon the public streets of the city, shall comply with all of the traffic regulations of the State of Alabama and the city and shall not commit any act that would threaten the health or safety of his/her passengers or the general public, which includes an act which would constitute a violation of driving while under the influence laws of this state.

4) No driver of any TNV shall use or authorize the use of the vehicle for an illegal purpose.

5) No driver shall operate a vehicle or be in actual physical control of a vehicle while under the influence of alcohol and/or any substance, which impairs the mental or physical faculties of such person to a degree, which renders him/her incapable of safely operating the vehicle.

Sec. 22-89 Trailers

No trailer or semi-trailer shall be attached or secured to a TNV while it is being used to transport passengers.

Sec. 22-90 Lost Property

It shall be the duty of the driver of a TNV to carefully search such vehicle immediately after the termination of business for any property lost or left therein and any such property, unless sooner claimed or delivered to the owner, shall be taken to and deposited with the police department within 24 hours after the finding thereof. The police department, unless the same is sooner claimed by the owner, shall dispose thereof in the manner prescribed by law for lost and stolen property.

Sec. 22-91 Cleaning of Vehicle

It shall be the duty of the driver of a TNV to keep and maintain any such vehicle at all times in a safe, comfortable, clean, and sanitary condition. The seats, floors, steps, running boards, upholstery, and baggage compartments of any such vehicle shall be thoroughly cleaned in such a manner as to be free of visible dirt, dust, soil, trash, and rubbish of every description.

Sec. 22-92 Alcoholic Beverages

Any alcoholic beverage transported in a TNV shall be in its closed original container.

Sec. 22-93 Out of town vehicles

A TNC certified by a jurisdiction other than the city may cause or allow an affiliated driver to bring passengers using the vehicle certified by another jurisdiction into the city from their jurisdiction of origin, but may not allow or cause the driver to pick up any passenger from any destination or accept any business within the city, unless the TNC is also certified in accordance with this division.

Sec. 22-94 Expiration and Automatic Repeal
Sections 22-62 through 22-93 of the Code of Ordinances will expire and be automatically repealed on December 31, 2018, unless sooner terminated or extended by Ordinance duly adopted by the Council.

Section 2. That the provisions of this Ordinance are severable and a determination of the invalidity of any portion of this Ordinance shall not affect the validity and enforceability of the remainder of the Ordinance.

Section 3. That this Ordinance shall become effective upon its adoption and publication as required by law.

The motion for unanimous consent was seconded by Councilman Philip Harris; and upon the question, the vote thereon was as follows: Councilman Joe Garris, Jr., "aye," Councilman Gary M. Sinak, "aye", Councilman Philip Harris, "aye", Councilman Jason Dyken, M.D., "aye," Councilman Stephen E. Jones, "aye" and Mayor Robert Craft, "aye". Mayor Robert Craft then declared the rules suspended.

After lengthy discussion between meeting attendees and Council, Councilman Jason Dyken, M.D. then moved for the adoption of Ordinance No. 1837 and to waive the reading of said Ordinance at length. The motion for the adoption of Ordinance No. 1837 was seconded by Councilman Philip Harris; was regularly put; was discussed and considered in full by the Council; and upon the question, the vote thereon was as follows: Councilman Joe Garris, Jr., "aye," Councilman Gary M. Sinak, "aye", Councilman Philip Harris, "aye", Councilman Jason Dyken, M.D., "aye," Councilman Stephen E. Jones, "aye" and Mayor Robert Craft, "aye". Whereupon, Mayor Robert Craft declared Ordinance No. 1837 duly and legally adopted.

Councilman Stephen E. Jones moved for unanimous consent of the Council to suspend the rules of procedure to allow for the immediate consideration of the following Ordinance:

ORDINANCE NO. 1838

AN ORDINANCE
GRANTING A NONEXCLUSIVE FRANCHISE
TO BAYSIDE TAXI, INC.
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, Bayside Taxi, Inc. has requested a nonexclusive 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 Bayside Taxi, Inc. 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 REGULAR SESSION ON April 10, 2017, as follows:

Section 1. That the nonexclusive franchise be and it is hereby granted to, Bayside Taxi, Inc. 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 Bayside Taxi, Inc. 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 April 10, 2017.

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

The motion for unanimous consent was seconded by Councilman Joe Garris, Jr.; and upon the question, the vote thereon was as follows: Councilman Joe Garris, Jr., "aye," Councilman Gary M. Sinak, "aye", Councilman Philip Harris, "aye", Councilman Jason Dyken, M.D., "aye," Councilman Stephen E. Jones, "aye" and Mayor Robert Craft, "aye". Mayor Robert Craft then declared the rules suspended.

Councilman Philip Harris then moved for the adoption of Ordinance No. 1838 and to waive the reading of said Ordinance at length. The motion for the adoption of Ordinance No. 1838 was seconded by Councilman Joe Garris, Jr.; was regularly put; was discussed and considered in full by the Council; and upon the question, the vote thereon was as follows: Councilman Joe Garris, Jr., "aye," Councilman Gary M. Sinak, "aye", Councilman Philip Harris, "aye", Councilman Jason Dyken, M.D., "aye," Councilman Stephen E. Jones, "aye" and Mayor Robert Craft, "aye". Whereupon, Mayor Robert Craft declared Ordinance No. 1838 duly and legally adopted.

COMMITTEE REPORTS:
No reports at this time.

STAFF REPORT:

Department Heads presented brief project updates.

There being no further business to come before the Council, Councilman Joe Garris, Jr. moved to adjourn; seconded by Councilman Stephen E. Jones; and the vote of those officials present was unanimously in favor of the motion.

Mayor Robert Craft declared the meeting adjourned at 5:03 p.m.

Robert Craft
Mayor

Attest:
Wanda Parris, MMC
City Clerk

City of Gulf Shores
Expense Vouchers
March 18-31, 2017

Account Summary

Account Number	Account Name		
01-1417020	Inventory-Automotive Sup.	$	410.42
01-1417030	Inventory-Facility R & M Sup	$	118.75
01-1417040	Inventory-Hurricane Sup	$	59.32
01-1417050	Inventory-Janitorial Sup.	$	2,727.90
01-1417060	Inventory-Office Supplies	$	477.20
01-1417070	Inventory-City Store	$	2,503.06
01-2052015	Publix Tax Payable to Colonial	$	210,000.00
01-2296062	Deposits (Security)-SpecEvents	$	700.00
01-3221020	Permits - Electrical	$	250.00
01-3478800	Bodenhamer - Recreational Progrms	$	145.00
01-3479000	Bodenhamer-MembershipFees	$	15.00
01-3479050	Programs & Events	$	150.50
01-501-63260	Registration Fees/Tuition	$	18.00
01-501-63311	Professional Services	$	5,511.78
01-501-64421	Equipment Rental	$	348.91
01-501-65310	Telephone	$	188.73
01-501-65510	Ordinance Codification	$	566.11
01-501-65810	Meals/Lodging/Travel	$	56.05
01-501-66150	Supplies - Office	$	274.45
01-501-66210	Natural Gas	$	15.60
01-501-66220	Electricity	$	557.90
01-501-68110	Miscellaneous	$	145.00
01-508-52081	Recruiting	$	120.00
01-508-64211	Refuse Collection	$	49.70
01-508-65310	Telephone	$	256.92
01-508-66220	Electricity	$	266.90
01-519-64310	Maintenance - Software	$	6,936.03
01-519-64421	Equipment Rental	$	1,968.76
01-519-65310	Telephone	$	340.88
01-519-65311	Internet Service	$	2,503.50
01-519-65810	Meals/Lodging/Travel	$	299.71
01-519-66112	Computer	$	6,219.70
01-519-66114	Network Software	$	22,371.35
01-519-66150	Supplies - Office	$	489.09
01-519-66170	Furn,Equip,Fixt,SmTools<$5000	$	347.99
01-519-66171	ComputerPerphs&Parts(CityWide)	$	448.90
01-519-66211	Natural Gas (Emerg Generator)	$	18.71
01-519-66220	Electricity	$	901.45
01-519-66260	Fuel, Oil & Lubricants	$	33.06
01-519-68650	IT Hardware	$	9,564.92
01-519-80802	Furniture & Equipment	$	326.01
01-520-64421	Equipment Rental	$	49.70
01-520-65310	Telephone	$	71.91
01-520-66150	Supplies - Office	$	141.27
01-520-66220	Electricity	$	255.20
01-530-63260	Registration Fees/Tuition	$	1,985.00
01-530-64383	R & M - Vehicle	$	2,640.78
01-530-64421	Equipment Rental	$	49.70
01-530-65310	Telephone	$	836.76
01-530-66155	Supplies - Operating	$	766.09
01-530-66170	Furn,Equip,Fixt,SmTools<$5000	$	249.98
01-530-66195	Uniform Rental/Purchases	$	1,455.38
01-530-66210	Natural Gas	$	192.36
01-530-66220	Electricity	$	2,172.30
01-530-66260	Fuel, Oil & Lubricants	$	4,376.78
01-530-68110	Miscellaneous	$	600.00
01-535-64324	R & M - Equipment	$	119.74
01-535-64383	R & M - Vehicle	$	2,473.99
01-535-65310	Telephone	$	495.47
01-535-66120	EMS Supplies	$	6,862.54
01-535-66155	Supplies - Operating	$	522.27
01-535-66170	Furn,Equip,Fixt,SmTools<$5000	$	298.03
01-535-66195	Uniform Rental/Purchases	$	557.93
01-535-66210	Natural Gas	$	120.94
01-535-66220	Electricity	$	1,073.00
01-535-66260	Fuel, Oil & Lubricants	$	715.54
01-540-63320	Engineering/ConsultingServices	$	789.60
01-540-64324	R & M - Equipment	$	346.67
01-540-64421	Equipment Rental	$	924.98
01-540-65310	Telephone	$	137.38
01-540-65410	Legal Notices/Publications	$	305.02
01-540-66150	Supplies - Office	$	26.93
01-540-66210	Natural Gas	$	7.80
01-540-66220	Electricity	$	188.80
01-540-66260	Fuel, Oil & Lubricants	$	42.97
01-540-68110	Miscellaneous	$	25.73
01-541-65310	Telephone	$	112.91
01-541-66210	Natural Gas	$	7.80
01-541-66220	Electricity	$	188.80
01-541-66260	Fuel, Oil & Lubricants	$	246.66
01-541-68110	Miscellaneous	$	25.73
01-550-65310	Telephone	$	43.14
01-550-66220	Electricity	$	245.85
01-550-66260	Fuel, Oil & Lubricants	$	48.25
01-551-51068	Contract Labor	$	192.00
01-551-65310	Telephone	$	143.81
01-551-65570	Printing	$	17.50
01-551-65710	Programs/Special Events	$	19,094.00
01-551-65716	Entertainment Series	$	2,269.00
01-551-66150	Supplies - Office	$	57.98
01-551-66210	Natural Gas	$	608.89
01-552-64324	R & M - Equipment	$	69.13
01-552-64332	Contract/Consulting Services	$	119.97
01-552-65310	Telephone	$	197.05
01-552-66155	Supplies - Operating	$	370.15
01-552-66220	Electricity	$	762.00
01-552-66411	Books,Periodicals &Other Matls	$	2,353.67
01-553-51068	Contract Labor	$	2,322.50
01-553-64324	R & M - Equipment	$	39.17
01-553-64332	Contract/Consulting Services	$	1,017.50
01-553-64383	R & M - Vehicle	$	17.02
01-553-65310	Telephone	$	833.51
01-553-65710	Programs/Special Events	$	1,066.33
01-553-65715	Programs - Sports	$	4,104.74

01-553-66121	Pool Supplies	$	62.30
01-553-66125	Tennis Supplies	$	225.25
01-553-66150	Supplies - Office	$	71.80
01-553-66170	Furn,Equip,Fixt,SmTools<$5000	$	376.20
01-553-66210	Natural Gas	$	2,960.83
01-553-66220	Electricity	$	86.00
01-553-66260	Fuel, Oil & Lubricants	$	68.10
01-554-51068	Contract Labor	$	15,139.54
01-554-64324	R & M - Equipment	$	3,931.70
01-554-64325	R & M Irrigation	$	86.99
01-554-64383	R & M - Vehicle	$	28.04
01-554-64421	Equipment Rental	$	404.28
01-554-65310	Telephone	$	125.15
01-554-66155	Supplies - Operating	$	2,324.01
01-554-66157	Supplies - Turf	$	615.67
01-554-66160	Supplies - Turf-ChemFertilizer	$	1,917.00
01-554-66170	Furn,Equip,Fixt,SmTools<$5000	$	2,697.99
01-554-66210	Natural Gas	$	10.40
01-554-66260	Fuel, Oil & Lubricants	$	478.48
01-554-68821	Concession Stand Purchases	$	7,366.89
01-555-51068	Contract Labor	$	399.00
01-555-64110	Water/Sewer	$	185.00
01-555-64324	R & M - Equipment	$	46.24
01-555-64325	R & M Irrigation	$	110.08
01-555-64326	R & M-Tennis Courts	$	2,369.43
01-555-64421	Equipment Rental	$	468.90
01-555-66155	Supplies - Operating	$	676.26
01-555-66157	Supplies - Turf	$	85.00
01-555-66160	Supplies - Turf-ChemFertilizer	$	1,120.50
01-555-66170	Furn,Equip,Fixt,SmTools<$5000	$	159.99
01-555-66220	Electricity	$	250.20
01-555-66260	Fuel, Oil & Lubricants	$	252.09
01-556-64110	Water/Sewer	$	690.00
01-556-64324	R & M - Equipment	$	404.28
01-556-65310	Telephone	$	14.38
01-556-66131	Parking Meter Supplies	$	114.99
01-556-66155	Supplies - Operating	$	2,335.43
01-556-66170	Furn,Equip,Fixt,SmTools<$5000	$	445.64
01-556-66195	Uniform Rental/Purchases	$	946.50
01-556-66220	Electricity	$	1,874.46
01-556-66260	Fuel, Oil & Lubricants	$	98.43
01-556-68110	Miscellaneous	$	159.38
01-557-51068	Contract Labor	$	121.35
01-557-64324	R & M Equipment	$	1,049.20
01-557-64363	R&M Property & Facility	$	29.36
01-557-65310	Telephone	$	434.18
01-557-65705	Senior Programs	$	283.79
01-557-66210	Natural Gas	$	28.71
01-557-68110	Miscellaneous	$	18.42
01-557-80874	Improvements	$	475.30
01-560-64421	Equipment Rental	$	207.93
01-560-65310	Telephone	$	153.91
01-560-66150	Supplies - Office	$	59.80
01-560-66220	Electricity	$	327.80
01-560-66260	Fuel, Oil & Lubricants	$	172.63

01-561-51068	Contract Labor	$	1,128.00
01-561-65310	Telephone	$	14.38
01-561-66117	Supplies - Custodial	$	413.14
01-561-66195	Uniform Rental/Purchases	$	18.74
01-561-66260	Fuel, Oil & Lubricants	$	262.81
01-562-51068	Contract Labor	$	3,865.97
01-562-64211	Refuse Collection	$	77.00
01-562-65310	Telephone	$	28.76
01-562-66140	Supplies - Landscape	$	656.61
01-562-66170	Furn,Equip,Fixt,SmTools<$5000	$	48.52
01-562-66195	Uniform Rental/Purchases	$	212.41
01-562-66260	Fuel, Oil & Lubricants	$	626.71
01-562-68110	Miscellaneous	$	52.27
01-563-51068	Contract Labor	$	2,912.90
01-563-64211	Refuse Collection	$	6,622.00
01-563-64246	MowingContract-ROWs,Splx&IndPk	$	74.10
01-563-64375	R & M - Streets/Drainage/Sidewalks	$	983.66
01-563-64378	R & M-Street Lights	$	27,351.09
01-563-65310	Telephone	$	43.14
01-563-66150	Supplies - Office	$	35.00
01-563-66155	Supplies - Operating	$	50.00
01-563-66162	Supplies-Mosquito Control	$	172.24
01-563-66170	Furn,Equip,Fixt,SmTools<$5000	$	150.29
01-563-66195	Uniform Rental/Purchases	$	478.84
01-563-66220	Electricity	$	71.00
01-563-66260	Fuel, Oil & Lubricants	$	4,351.20
01-563-66510	Traffic Signs/Markers	$	700.15
01-564-51068	Contract Labor	$	672.00
01-564-63260	Registration Fees/Tuition	$	340.00
01-564-64324	R & M - Equipment	$	3,263.54
01-564-64332	Contract/Consulting Services	$	1,892.61
01-564-64363	R & M - Property&Facility	$	3,746.92
01-564-64379	R & M-Street/TrafficLight	$	304.37
01-564-64383	R & M - Vehicle	$	3,218.61
01-564-65310	Telephone	$	165.28
01-564-66155	Supplies - Operating	$	176.68
01-564-66170	Furn,Equip,Fixt,SmTools<$5000	$	86.56
01-564-66195	Uniform Rental/Purchases	$	128.86
01-564-66260	Fuel, Oil & Lubricants	$	787.13
01-991-94104	Transfer to Debt Service Fund	$	1,500,000.00
01-564-68110	Miscellaneous	$	2.50
11-579-68135	Misc Expense - MunCtJudicialAdmFund	$	990.00
37-530-66170	Furn,Equip,Fixt,SmTools<$5000	$	600.00
37-563-51068	Contract Labor	$	5,937.84
37-563-66170	Furn,Equip,FixtSmTools<$5000	$	5,604.90
37-563-80841	Equipment	$	147.68
37-563-80874	Improvements	$	2,744.20
38-2225010	DeferredContrib-Swlk/BkwyPmts	$	5,320.00
40-553-80874	Bodenhamer Improvements	$	18,307.15
40-879-65455	ALDOT/100% NEPA Funds Project	$	28,527.45
40-879-65500	RecTrail-Ft. Morgan W. Fairway	$	5,424.00
40-879-65525	Hwy 59 Bridge Widening-Bayou Village	$	136,126.77
40-879-65528	Hwy 59 Sidewalks-Phase II	$	62,610.44
40-879-65530	Hwy 182 Improvements	$	23,000.00
42-501-80874	Improvements-Gulf Place Redesign	$	1,777.59

55-501-64332	Contract/Consulting Services	$ 41,272.44
	TOTAL	**$ 2,307,278.49**
	TOTAL BUDGET	**$ 21,221,106.36**
	REMAINING BUDGET	**$ 18,913,827.87**

City of Gulf Shores
Inter-City Tansfers
March 18-31, 2017

10-991-93702	TferToBchRestFnd-BchRest-PhIII	$ 70,000.00
10-991-93761	TranToBchR&RFnd-Monitori-PhIII	$ 600,651.00
01-1335500	Due from Public Ed Bldg Auth Fund	$ 100,000.00
	TOTAL	**$ 770,651.00**
	TRANSFER BUDGET	**$ 9,628,920.55**
	REMAINING TRANSFER BUDGET	**$ 8,858,269.55**