

MINUTES OF SPECIAL EMERGENCY COUNCIL MEETING

CITY OF GULF SHORES, ALABAMA

AUGUST 31, 2008

The City Council of the City of Gulf Shores, Alabama, met in special emergency session on Sunday, August 31, 2008. Mayor Duke called the meeting to order at 2:00 p.m.

Upon roll call, all officials answered "present." The Mayor declared a quorum present.

The Mayor stated that due notice of the time, place and purpose of this meeting had been given to all members of the City Council and that each member had signed the acceptance of service of said notice, waiving all irregularities, if any, in said notice. The notice and acceptance of service and waiver signed by each member was ordered inserted in the minutes of this meeting at the end thereof.

The Mayor stated that the purpose of the Meeting was to consider Resolutions relative to Hurricane Gustav.

Councilman Jones moved for the adoption of the following Resolution:

RESOLUTION NO. 4534-08

**A RESOLUTION
DECLARING AN EMERGENCY
AFFECTING PUBLIC HEALTH,
SAFETY AND CONVENIENCE
DUE TO HURRICANE GUSTAV**

WHEREAS, the Governor of the State of Alabama has ordered a Mandatory Evacuation for certain areas of the City of Gulf Shores due to the expected landfall of Hurricane Gustav; and,

WHEREAS, the *Code of Alabama, 1975*, Section 31-9-2(a), allows for declaration of a local State of Emergency if the City warrants; and,

WHEREAS, if Hurricane Gustav results in the impairment or loss of various critical public facilities and the inability of the City to provide adequately for the health, safety, and convenience of the public; and

WHEREAS, if there is a need for the City to enter into various public works contracts to affect the repair of critical public facilities and to provide adequately for the health, safety, and convenience of the public without delay;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN SPECIAL SESSION ON AUGUST 31, 2008, as follows:

Section 1. That the City Council of the City of Gulf Shores has determined that conditions warrant a local State of Emergency as authorized by the *Code of Alabama 1975*, Section 31-9-2(a).

Section 2. That the City Council of the City of Gulf Shores does hereby declare a local State of Emergency effective on Sunday, August 31, 2008, until such time as the Council rescinds such and

authorizes the Mayor to take all actions necessary and allowed by *Code of Alabama 1975, Section 31-9-10.*

Section 3. That an emergency affecting public health, safety and convenience is hereby declared to exist in the City of Gulf Shores within the meaning of *Code of Alabama, Section 39-2-2(e)* as a result of Hurricane Gustav.

Section 4. That the Mayor and City Clerk be and they are hereby authorized and directed to execute and attest, respectively, all contracts determined by the Mayor to be necessary to meet the emergency without public advertisement.

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

The motion for the adoption of Resolution No. 4534-08 was seconded by Councilman Garris; was regularly put; and upon the question, the vote thereon was as follows: Councilman Garris, "aye," Councilman Doughty, "aye," Councilman Harris, "aye," Councilman Craft, "aye," Councilman Jones, "aye," and Mayor Duke, "aye." Whereupon, the Mayor declared Resolution No. 4534-08 duly and legally adopted.

Councilman Doughty moved for the adoption of the following Resolution:

RESOLUTION NO. 4535-08

**A RESOLUTION
DESIGNATING LOCAL AGENT
FOR MATTERS PERTAINING TO
FEDERAL DISASTER ASSISTANCE
AS RESULT OF HURRICANE GUSTAV**

WHEREAS, it is contemplated that the City of Gulf Shores will be declared a disaster area as a result of Hurricane Gustav; and

WHEREAS, in the event such declaration is made the City desires to obtain Federal assistance;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN SPECIAL SESSION ON August 31, 2008, as follows:

Section 1. That Mark Acreman, Public Works Director, is hereby designated as the City of Gulf Shores local agent for matters pertaining to Federal disaster assistance as a result of Hurricane Gustav.

Section 2. That he is hereby authorized to execute for and on behalf of the City, a public entity established under the laws of the State of Alabama, an application and to file it in the appropriate State office for the purpose of obtaining certain Federal financial assistance under the Disaster Relief Act (Public Law 100-707) or otherwise available from the President's Disaster Relief Fund.

Section 3. That the City of Gulf Shores, a public entity established under the laws of the State of Alabama, hereby authorizes Mark Acreman to provide to the State and to the Federal Emergency Management Agency (FEMA) the assurances and agreements as required for all matters pertaining to such Federal disaster assistance.

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

The motion for the adoption of Resolution No. 4535-08 was seconded by Councilman Jones; was regularly put; and upon the question, the vote thereon was as follows: Councilman Garris, "aye," Councilman Doughty, "aye," Councilman Harris, "aye," Councilman Craft, "aye," Councilman Jones, "aye," and Mayor Duke, "aye." Whereupon, the Mayor declared Resolution No. 4535-08 duly and legally adopted.

There being no further business to come before the Council at this time, Councilman Harris moved to adjourn; seconded by Councilman Jones; and the vote was unanimously in favor of the motion.

George W. Duke, III, Mayor

(SEAL)

ATTEST:

Renee F. Moore, MMC, City Clerk