

MINUTES OF SPECIAL COUNCIL MEETING

CITY OF GULF SHORES, ALABAMA

OCTOBER 27, 2009

The City Council of the City of Gulf Shores, Alabama, met in special session on Monday, October 27, 2009. Mayor Craft 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 convene in executive session to discuss with the City Attorney the legal ramifications of and legal options for controversies not yet being litigated but imminently likely to be litigated if the governmental body pursues a proposed course of action.

The City Attorney advised the Council that a declaration was required by the Act for an Executive Session if it was in regard to the following purpose: legal advice and counsel.

The City Attorney appeared before the Council and stated for the record that he was duly qualified and/or had the personal knowledge to provide the requisite declaration for the stated purpose of the Executive Session authorized by the Act and that discussions would imperil and/or have a detrimental effect if disclosed outside of an Executive Session or would otherwise be contrary to law.

A motion was made by Councilman Garris for the Council to go into Executive Session for the purpose of discussing a controversy not yet being litigated but imminently likely to be litigated if the governmental body pursues a proposed course of action being one of the following purposes authorized by the Act: legal advice and counsel. Said motion was seconded by Councilman Harris; and,

The Mayor directed the City Clerk to enter said motion, purpose and declaration into the minutes of the special meeting and called for a vote on said motion in regard to the Executive Session as follows: Councilman Garris, "aye," Councilman Doughty "aye," Councilman Harris "aye," Councilman Dyken "aye," Councilman Jones "aye," and Mayor Craft "aye".

The Mayor declared that a majority of the votes being in favor of the motion, that such motion had therefore passed and Council would forthwith recess into Executive Session for the purpose as stated in said motion and no other purpose, in accordance with the Act and reconvene at approximately 3:30 p.m.

Council recessed in Executive Session at 2:03 p.m.

The Special Meeting reconvened at 3:05 p.m. with all Council members, except Councilman Dyken, who departed. The Mayor declared a quorum present.

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 of those officials present was unanimously in favor of the motion.

Robert Craft, Mayor

(SEAL)

ATTEST:

Renee F. Moore, MMC, City Clerk