



AGENDA
REGULAR COUNCIL MEETING
CITY OF GULF SHORES, ALABAMA
SEPTEMBER 13, 2021
4:00 P.M.

1. Call To Order

2. Invocation

A. Larry Wood, Senior Minister St. Andrew By The Sea

3. Pledge Of Allegiance

4. Roll Call

5. Approval Of Minutes

- a. August 23, 2021 - Regular Council Meeting
- b. August 29, 2021 - Emergency Council Meeting
- c. August 31, 2021 - Executive Session Meeting
- d. August 31, 2021 - Special Meeting
- e. September 7, 2021 - Special Meeting
- f. September 7, 2021 - Council Work Session Meeting

6. Approval Of Expense Vouchers

7. Presentation Of Petitions, Requests And Communications

- A. Presentation - Deputy Police Chief Dan Netemeyer & Fire Chief Of Operations Robert Rowland
- B. Public Assembly Permit Application - Doc's Hot Trot For ARC

Documents:

[RAC - PUBLIC ASSEMBLY PERMIT APPLICATION - DOCS HOT TROT FOR ARC.PDF](#)

8. New Business

A. Resolution - Demolition Of Unsafe & Nuisance Property

Documents:

[RESO - DEMOLITION OF UNSAFE AND NUISANCE PROPERTY.PDF](#)

B. Resolution - Reschedule Business License Revocation Hearing

Documents:

[RESO - RESCHEDULE BUSINESS LICENSE REVOCATION HEARING.PDF](#)

C. Resolution - Award Material Only Bid - Traffic Signal Poles & Mast Arms

Documents:

[RESO - AWARD BID - TRAFFIC SIGNAL POLES AND MAST ARMS BID.PDF](#)

D. Resolution - Award Bid - City-Wide Drainage Maintenance

Documents:

[RESO - AWARD BID - MCELHENNEY CONSTRUCTION - DRAINAGE MAINTENANCE.PDF](#)

E. Resolution - Authorize Professional Services Contract - Barge Design Solutions

Documents:

[RESO - AUTHORIZE PROFESSIONAL SERVICES CONTRACT -BARGE DESIGN SOLUTIONS.PDF](#)

F. Resolution - Authorize Independent Administrative Services Agreement

Documents:

[RESO - AUTHORIZE INDEPENDENT ADMINISTRATIVE SERVICES AGREEMENT.PDF](#)

G. Resolution - Amend Employee Handbook - Secondary Jobs - GSPD

Documents:

[RESO - AMEND EMPLOYEE HANDBOOK - SECONDARY JOBS - GSPD.PDF](#)

H. Ordinance - Amend Code - Golf Carts

Documents:

[ORD - AMEND CODE - GOLF CARTS.PDF](#)

9. Committee Reports

10. Staff Reports

11. Hearing Of Persons Not Listed On Formal Agenda

12. Adjourn

APPLICATION FOR PUBLIC ASSEMBLY

1. EVENT INFORMATION

Event Name: LULU'S Presents Doc's Hot Trot for ARC

Contact Information (Applicant will serve as the sole contact for all correspondence from the City.)

Applicant

Name: **Dennis Young**

Address: **P.O. Box 128 Silverhill, AL**

Phone #:

Cell #: **251-284-8484**

Email : **dennisyoung8484@gmail.com**

Web Address:

Event Organizer

Name: **Robertsdale Rotary Foundation**

Address: **P.O. Box 1133 Robertsdasle, AL**

Phone #:

Cell #:

Email :

Purpose

Athletic/Recreation

Outdoor Market

Parade

Concert/Performance

Fitness

Festival/Fair

Social

Demonstration/Rally

Other

Event Description

5 K Run and 1 mile Fun Run

Location*

Address: **LULU'S 200East 25th Ave. Gulf Shores, AL**

*An official letter from owner of property permitting activity **MUST** accompany application, if not owned by applicant

Attendance

Anticipated Attendance Total **250-300** Per Day

Dates/Times*

Setup Date/Time **6:30 AM** Dismantle Date/Time **10:30 AM**

Event Start Date **11/6/2021** Event End Date **same**

****Event Hours 8:00 AM-9:30AM**

***If requesting multiple days please detail each day and time of operation in the Site Plan.**

****Please indicate the intended daily event start and end time(s).**

Is this an annual event? **Yes** **No** How many years have you been holding this event? **25+**

Event Features (check all that apply and include supporting documentation)

- Beverage/Food Vendors
- Merchandise Vendors
- Stages/Platforms
- Pyrotechnics
- Shuttle Service
- Entertainment
- Tents/Canopies
- Restrooms
- Use of Public Property
- Vehicles on Display
- Animals
- Electrical /Generator Usage
- Fencing/Barricades
- Outdoor Cooking
- Inflatables/Bounce Houses

2. INSURANCE CERTIFICATE AND ENDORSEMENTS

In addition to completing the application form and paying permit and rental fees (when applicable), the applicant is required to submit an original certificate of insurance showing Commercial General Liability coverage with a minimum of \$1,000,000 combined single limit per occurrence. If automobiles or inflatables will be utilized, the applicant shall obtain a minimum of \$1,000,000 combined single limit coverage per accident, including owned, hired and non-owned automobiles or inflatables. If any alcohol will be served, liquor liability coverage must be obtained and is subject to Alabama’s statutory limits. If the applicant has employees, workers’ compensation insurance must be obtained and is subject to Alabama’s statutory limits. The applicant also agrees to endorse the City of Gulf Shores (City of Gulf Shores, Alabama, Attn: Purchasing Officer, P.O. Box 299, Gulf Shores, AL 36547) as an additional insured on the general liability, auto, and liquor liability policy and to include a copy of each endorsement with the certificate of insurance. Proof of insurance, acceptable to the City, shall be furnished no later than five (5) days preceding the date of the assembly. Failure to provide proof of insurance will automatically revoke permit. Each certificate of insurance shall provide that the insurer must give the City of Gulf Shores at least thirty (30) days’ prior written notice of cancellation and termination of the applicant’s coverage there under.

3. ACKNOWLEDGEMENT AND SIGNATURE

I, the applicant, understand that I am responsible to provide all information necessary to meet the conditions and requirements of the application process and that by providing such information it is no guarantee that my proposed event will be issued a permit by the City of Gulf Shores. I further agree to defend, indemnify and hold the City of Gulf Shores harmless from and against all third party claims, demands, liabilities, losses, damages, suits, judgments, costs, expenses (collectively, "Third Party Claims") and reasonable attorney's fees in any manner arising out of or resulting from bodily injury, sickness, disease or death of any person or persons, or damage to or destruction of tangible property, including the loss of use resulting therefrom, or caused by or occurring during the course of performance of any services provided and to meet all department deadlines including submitting proof of proper insurance, a detailed site map, payment of all departmental fees, and details for any contract services required to make the proposed event safe and successful. I verify that I have read and understand this application and the conditions under which my request will be considered. The risk of promoting an event before the permit is issued is the sole responsibility of the applicant.

Dennis A. Young

Print Name of Applicant



Signature

6/29/2021

Date

PERMIT AUTHORIZATION - FOR OFFICIAL USE ONLY

Fire Chief _____ Date _____

Chief of Police _____ Date _____

Public Works Director _____ Date _____

Planning & Zoning Director _____ Date _____

Building Official _____ Date _____

Finance & Admin Director _____ Date _____

Recreation & Cultural Affairs Director _____ Date _____

Fire Department Estimated Cost	\$
Police Department Estimated Cost	\$
Public Works Estimated Cost	\$
Planning & Zoning Estimated Cost	\$
Building Department Estimated Cost	\$
Finance Department Estimated Cost	\$
City Facility Rentals/Fees	\$
Total	\$

City Administrator

Date

Emily Tidwell

From: Emily Tidwell
Sent: Monday, August 16, 2021 3:57 PM
To: Edward J. Delmore; Mark Sealy; Lee W. Jones; Brandan Franklin; Grant Brown; Mark Acreman; Noel Hand
Cc: Andy Bauer; Matt Young; Wanda Parris; Mindy Singleton; Temple Smith; Layla Andrews; Alicia Talley; Jason Woodruff; Josh Coleman; Melvin Shepard; George Surry; Bill Cowan; Brian Dugall; Brigette Reynolds; Shelby DeBlieux; Lindsey Hart; Lauren Traywick
Subject: Hot Trot Assembly Permit
Attachments: hot trot 2021.pdf

Tracking:	Recipient	Delivery	Read	Response
	Edward J. Delmore	Delivered: 8/16/2021 3:58 PM	Read: 8/17/2021 7:59 AM	Approve: 8/17/2021 8:01 AM
	Mark Sealy	Delivered: 8/16/2021 3:58 PM	Read: 8/16/2021 4:30 PM	Approve: 8/23/2021 8:12 AM
	Lee W. Jones	Delivered: 8/16/2021 3:58 PM		Approve: 8/17/2021 8:16 AM
	Brandan Franklin	Delivered: 8/16/2021 3:58 PM		Approve: 8/17/2021 11:28 AM
	Grant Brown	Delivered: 8/16/2021 3:58 PM	Read: 8/17/2021 8:29 AM	Approve: 8/27/2021 3:00 PM
	Mark Acreman	Delivered: 8/16/2021 3:58 PM	Read: 8/27/2021 11:54 AM	Approve: 8/27/2021 11:57 AM
	Noel Hand	Delivered: 8/16/2021 3:58 PM	Read: 8/17/2021 6:55 AM	Approve: 8/17/2021 6:55 AM

CITY ADMINISTRATOR *Shelby DeBlieux* 8/29/21

Robertsdale Rotary Club
Robertsdale Rotary Club Foundation
P.O. Box 1133
Robertsdale AL. 36567

MS. Wanda Parris , City Clerk

City of Gulf Shores, AL.

Please find included the following:

Application for Assembly Permit for the Hot Trot for ARC

Course map

Copy of Insurance Certificate

The Hot Trot for ARCBC is a 5K and 1 mile run. This is an annual fundraiser to benefit the Association for Retarded Citizens of Baldwin County. The run is organized and presented by the Robertsdale Rotary Club Foundation. The foundation is the philanthropic organization for our club and is an all volunteer 501c3 corporation established to raise and distribute funds throughout Baldwin County. There are no administrative costs associated with our Foundation. All net proceeds from the race will be presented to the ARC. All pre and post race activities will take place at LULU's. The runs will take place on the right of way as described in the map provided. We provide personnel on the course to direct runners, for traffic control, water stations, and any other personal assistance that participants may need. Please Note:

No City of Gulf Shores employees are needed for prep or clean up

Food, water, and facilities provided by Lulu's

Emergency medical will be provided if needed

Vehicle access and parking is at Lulu's

No camping or trailer facilities required

No illumination facilities

No communication facilities required

Signage placement shown course map (as provided)

Noise control and abatement as required

No daily waste disposal required

Insurance information provided

All net proceeds go to benefit the Association for Retarded Citizens of Baldwin County. We therefore respectfully request that any permit fees be waived.

Please contact me at 251-284-8484 or email to: dennisyoung8484@gmail.com

If approved please send permit to: Robertsdale Rotary Club P.O. Box 1133 Robertsdale, AL. or email to dennisyoung8484@gmail.com

Sincerely

A handwritten signature in black ink, appearing to read "Dennis Young", written in a cursive style.

Dennis Young

Robertsdale Rotary Club

02/04/2014 16:50 2519474112

01/28/2013 10:35 2519474112

DR. D. KEITH COOPER

PAGE 06

DR. D. KEITH COOPER

PAGE 06

Jun 18 11 09:50

JOHN BOWEN, C. M. D. P. C.

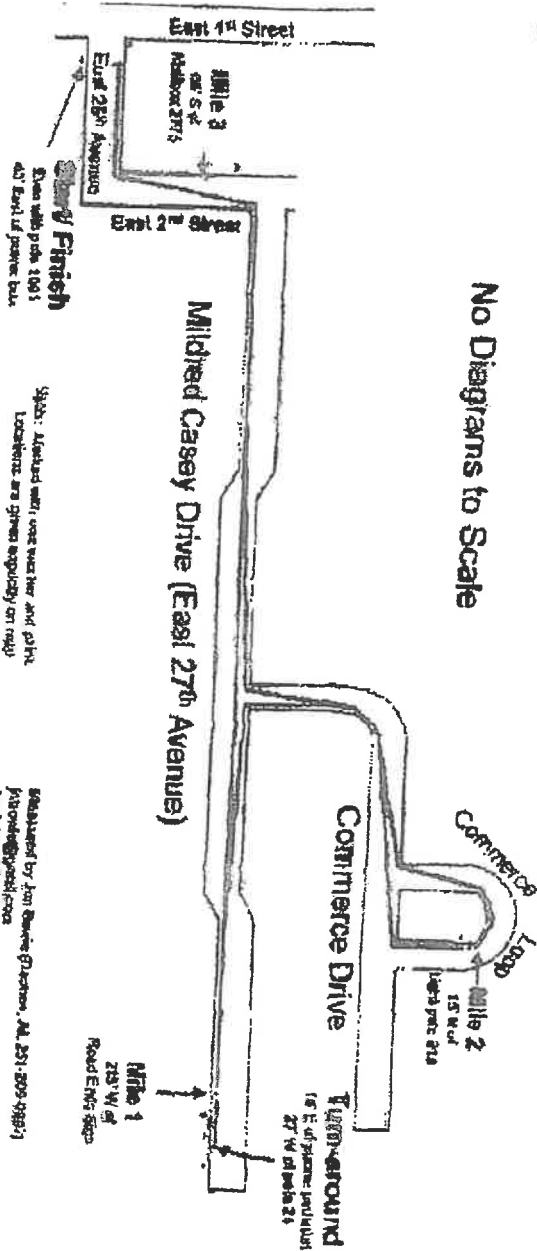
HOT TROT 5K II

Gulf Shores, Alabama

Start/finish and Turn-around marked with washers and paint



No Diagrams to Scale



Start/finish
Even with poles 1001
At End of power bar

Spots: Marked with one washer and paint
Locations are given roughly on map

Illustrated by Jan Renee O'annon, AL 251-209-9981
jason@jasonpro.com
Assisted by Keith Cooper
06 June 2014
Categorized on Alltop0210
Race contact: Keith Cooper (251-942-5877)



June 22, 2021

City of Gulf Shores

P.O. Box 299

Gulf Shores, AL 36547

Attention: City Clerk

Dennis Young with the Robertsdale Rotary Club is hereby given permission to use a portion of LuLu's property, Gulf Shores' location at 200 East 25th Avenue, to stage the annual Doc's Hot Trot for ARC 5K and 1 Mile Run/Walk on November 6th, 2021 from 6:30 a.m. – 10:30 a.m. Two years ago, the event was an incredibly successful charity run that raised over \$8,000 for the ARC. Thank you for your attention in this matter.

Thank you,

A handwritten signature in black ink that reads 'Gabrielle Barnett'.

Gabrielle Barnett

LuLu's Director of Marketing

Gabrielle@LuLuBuffett.com

GULF SHORES: 200 East 25th Avenue • P.O. Box 413 • Gulf Shores, Alabama 36547 • 251-967-LULU (5858)
DESTIN: 4607 Legendary Marina Drive • P.O. Box 5858 • Destin, Florida 32540 • 850-710-LULU (5858)
NORTH MYRTLE BEACH: 4954 Highway 17 South • North Myrtle Beach, South Carolina 29582 • 843-491-5011

www.LuLuBuffett.com



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
6/29/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

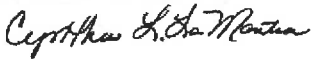
PRODUCER Arthur J. Gallagher Risk Management Services, Inc. 2850 Golf Road Rolling Meadows IL 60008	CONTACT NAME: Ali Sulita	
	PHONE (A/C, No, Ext): 1-833-3ROTARY FAX (A/C, No): 630-285-4062 E-MAIL ADDRESS: rotary@ajg.com	
INSURED All Active US Rotary Clubs & Districts Robertsdale Rotary Clu and Foundation ATTN: Risk Management Dept. 1560 Sherman Ave. Evanston, IL 60201-3698	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A: Lexington Insurance Company	19437
	INSURER B:	
	INSURER C:	
	INSURER D:	
	INSURER E:	

COVERAGES **CERTIFICATE NUMBER:** 899307648 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR/ INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Liquor Liability Included GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER:	Y	015375594	7/1/2021	7/1/2022	EACH OCCURRENCE \$2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$500,000 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$2,000,000 GENERAL AGGREGATE \$4,000,000 PRODUCTS - COMP/OP AGG \$4,000,000 \$
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY		015375594	7/1/2021	7/1/2022	COMBINED SINGLE LIMIT (Ea accident) \$2,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$		NOT APPLICABLE			EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y / N If yes, describe under DESCRIPTION OF OPERATIONS below	N/A	NOT APPLICABLE			PER STATUTE OTHER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
The Certificate Holder is included as an additional insured where required by written contract or permit subject to the terms and conditions of the general liability policy, but only to the extent bodily injury or property damage is caused in whole or in part by the acts or omissions of the insured.

CERTIFICATE HOLDER City of Gulf Shores 1905W 1st Street Gulf Shores AL	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
--	--

**A RESOLUTION
APPROVING AND DIRECTING THE DEMOLITION OF A
STRUCTURE DEEMED TO BE UNSAFE
TO THE EXTENT THAT IT IS A PUBLIC NUISANCE AND
AUTHORIZING THE EXECUTION OF A CONTRACT WITH STEINER SERVICES
IN AN AMOUNT NOT TO EXCEED \$12,000.00**

WHEREAS, a structure located within the City of Gulf Shores has been deemed unsafe and a public nuisance under *Alabama Code of Law, Section 11-53B.1*. The structure is located at 300 Sunrise Drive, Gulf Shores, Alabama.

WHEREAS, the owner received a letter on April 15, 2021, by certified and first class mail, notifying them of the City's above determination. The owner has been met with on site and had several conversations with staff regarding the deteriorated condition of this property, how to obtain permits and the demolition and process for removal of the structure.

WHEREAS, in addition, the City requested and received bids from eight contractors for the demolition and removal of the structure.

WHEREAS, Steiner Services provided the lowest bid for the demolition of the structure at \$12,000.00.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON SEPTEMBER 13, 2021, as follows:

Section 1. That the City Council of the City of Gulf Shores hereby deems the structure located at 300 Sunrise Drive, Gulf Shores, Alabama unsafe to the extent that it is a public nuisance within the meaning of Chapter 53B of Title 11 of the Code of Alabama.

Section 2. That the City Council hereby allows the property owner thirty (30) days from the date of adoption of this Resolution to obtain permits, demolish, and remove the unsafe structure from 300 Sunrise Drive, Gulf Shores, Alabama.

Section 3. That at the end of the thirty (30) day property owner grace period, if the property owner has not completed the total demolition and removal of the unsafe structure, Steiner Services is hereby authorized and directed to demolish the structure at 300 Sunrise Drive, Gulf Shores, Alabama at a cost not to exceed the amount of \$12,000.00.

Section 4. That the Mayor and City Clerk are hereby authorized to execute and attest, respectively, a contract between the City of Gulf Shores and Steiner Services for demolition and removal of the unsafe structure at 300 Sunrise Drive in Gulf Shores, Alabama; and in substantially the form presented to Council this date.

Section 5. That upon demolition of the structure by Steiner Services, the expense will be allocated from Account A/R – Abatement of Buildings. A lien will be placed on the property if the invoice is not paid in a timely manner.

Section 6. That this Resolution shall become effective upon its adoption.

ADOPTED this 13th day of September, 2021.

Robert Craft, Mayor

RESOLUTION NO. -21

**A RESOLUTION
AMENDING RESOLUTION NO. 6449-21
RESCHEDULING THE BUSINESS LICENSE REVOCATION HEARING
FOR GULF SHORES LANDFILL, LLC**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES,
ALABAMA, WHILE IN REGULAR SESSION ON SEPTEMBER 13, 2021, as follows:

Section 1. That based upon information reported to the City Council, the Council finds that cause may exist under Code of Ordinances Section 8-31(a) for revocation of Business License BL #13-012003 issued on January 25, 2021 to Gulf Shores Landfill, LLC.

Section 2. That a rescheduled Special Meeting and hearing on the matter of revoking said license was held by the City Council at Gulf Shores City Hall (1905 West 1st Street) at 4:00 p.m. on August 31, 2021 which extended the hearing date to September 13th, 2021.

Section 3. That upon review of additional information and with awareness of an ongoing investigation potentially related to business license revocation issues and zoning regulation violations, and upon recommendation of the City Attorney and without objection by the licensee's legal counsel, the City Council hereby amends Resolution No. 6449-21 and resets the date of the business license revocation hearing to Monday, September 27, 2021 during the regularly scheduled September 27th, 2021 Council Meeting.

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

ADOPTED this 13th day of September, 2021.

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. -21 (prepared by City Clerk), which Resolution was duly and legally adopted at a regular meeting of the City Council on September 13, 2021.

City Clerk

RESOLUTION NO. -21

**A RESOLUTION
ACCEPTING THE BID OF
SOUTHERN LIGHTING AND TRAFFIC SYSTEMS
IN THE AMOUNT OF \$56,800.00 FOR
TRAFFIC SIGNAL POLES AND MAST ARMS MATERIALS
FOR EAST 2ND ST. / HWY 182 AND
AUTHORIZING EXECUTION OF CONTRACT**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON SEPTEMBER 13, 2021, as follows:

Section 1. That the bid of Southern Lighting and Traffic Systems in the amount of \$56,800.00 for Traffic Signal Poles and Mast Arms Materials for East 2nd St./Hwy 182, be and the same is hereby accepted, being the lowest, most responsible, among sealed bids opened on August 19, 2021.

Section 2. That the Mayor and City Clerk be and they are hereby authorized and directed to execute and attest, respectively, a materials only contract between the City of Gulf Shores and Southern Lighting and Traffic Systems; in substantially the form presented to Council this date.

Section 3. That funding for this project is included in the \$350,000.00 budgeted in FY 2021, Account #43-879-65530, Hwy. 182 Improvements.

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

ADOPTED this 13th day of September, 2021.

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. -21 (prepared by City Clerk), which Resolution was duly and legally adopted at a regular meeting of the City Council on September 13, 2021.

City Clerk

RESOLUTION NO. -21

**A RESOLUTION
ACCEPTING THE BID OF MCELHENNEY CONSTRUCTION, LLC
TO ASSIST THE PUBLIC WORKS DEPARTMENT
WITH CITY-WIDE DRAINAGE MAINTENANCE
IN AN AMOUNT NOT TO EXCEED \$150,000.00**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON SEPTEMBER 13, 2021 as follows:

Section 1. That the bid of McElhenney Construction, LLC to assist the Public Works Department with City-wide drainage maintenance, be and the same is hereby accepted, being the only conforming bidder, most responsible, among sealed bids opened on September 1, 2021.

Section 2. That the Mayor and City Clerk be and they are hereby authorized and directed to execute and attest, respectively, a contract between the City of Gulf Shores and McElhenney Construction to assist the Public Works Department with City-wide drainage maintenance in an amount not to exceed \$150,000.00; and in substantially the form presented to Council this date.

Section 3. That funding for this project is included in the \$150,000 budgeted in FY 2021, Account #01-563-64375, R&M Streets/Drainage/Sidewalks.

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

ADOPTED this 13th day of September, 2021.

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. -21 (prepared by City Clerk), which Resolution was duly and legally adopted at a regular meeting of the City Council on September 13, 2021.

City Clerk

RESOLUTION NO. -21

**A RESOLUTION
AUTHORIZING EXECUTION OF A
PROFESSIONAL SERVICES CONTRACT
WITH BARGE DESIGN SOLUTIONS TO COMPLETE
A STUDY OF THE VARIOUS DRAINAGE INFRASTRUCTURE
SURROUNDING JACK EDWARDS AIRPORT
IN AN AMOUNT NOT TO EXCEED \$20,375.00**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON SEPTEMBER 13, 2021, as follows:

Section 1. That the Mayor and City Clerk be and they are hereby authorized and directed to execute and attest, respectively, a professional services contract between the City of Gulf Shores and Barge Design Solutions for a Drainage Study for various drainage infrastructure surrounding Jack Edwards Airport; in an amount to exceed \$20,375.00 as defined in scope of work and/or as specified for additional authorized services.

Section 2. That funding for the study would be provided through unspent monies in the taxable line of credit in FY2021 Account#42-879-80911, Land & Improvements. This is half of the total cost of the study, the other half would be funded through the Airport Authority.

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

ADOPTED this 13th day of September, 2021.

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. -21 (prepared by City Clerk), which Resolution was duly and legally adopted at a regular meeting of the City Council on September 13, 2021.

City Clerk

RESOLUTION NO. -21

**A RESOLUTION
APPROVING AND AUTHORIZING EXECUTION OF AN
INDEPENDENT ADMINISTRATIVE SERVICES AGREEMENT
WITH HART HALSEY LLC D/B/A EXTRA DUTY SOLUTIONS
TO ADMINISTER OUTSIDE EMPLOYEMENT SERVICES
FOR THE GULF SHORES POLICE DEPARTMENT**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON SEPTEMBER 13, 2021, as follows:

Section 1. That the Mayor and City Clerk be and they are hereby authorized and directed to execute and attest, respectively, an Independent Administrative Services Agreement between the City of Gulf Shores and Hart Halsey LLC, d/b/a Extra Duty Solutions who will administer outside employment services for the Gulf Shores Police Department, as defined in scope of work of authorized services.

Section 2. That funding for this would be one dollar per man hour equipment fee paid to the City.

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

ADOPTED this 13th day of September, 2021.

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. -21 (prepared by City Clerk), which Resolution was duly and legally adopted at a regular meeting of the City Council on September 13, 2021.

City Clerk

RESOLUTION NO. -21

**A RESOLUTION
AMENDING RESOLUTION NO. 3975-05,
EMPLOYEE HANDBOOK FOR
THE CITY OF GULF SHORES BY REWRITING
THE ENTIRE SECTION ENTITLED SECONDARY JOBS**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON SEPTEMBER 13, 2021, as follows:

Section 1. That Resolution No. 3975-05, adopting the Employee Handbook for the City of Gulf Shores, be and it is hereby amended by adding certain language at **SECONDARY JOBS**, so the entire section shall read as follows:

* * *

Secondary Jobs

Employees of the City of Gulf Shores are expected to devote their full time and attention to the City and needs of its customers. Secondary employment that interferes with an employee's performance of his/her job duties for the City is prohibited. Current employees must report all secondary jobs to their Department Head. Applicants must report all secondary jobs to the Human Resources Director at the time of application for employment. Certain designated managers and professional and technical experts are expected to devote all of their working energies to the performance of their duties at the City and, therefore, may not accept outside positions. Employees are not to accept full-time, part-time, or temporary employment with any organization that does business with the City, such as major contractors, suppliers, and customers. This prohibition on employment includes serving as an advisor or consultant to any such organization, unless that activity is conducted as a representative of the City.

- Employees seeking or engaged in outside employment for other businesses, operating private businesses, or otherwise being gainfully employed during off-duty hours, can do so provided that:
 - a) The demands of that secondary employment do not interfere with the efficient effective, professional performance of the employee's duties; and
 - b) The secondary employment does not give rise to a conflict of interest; and
 - c) The secondary employment does not cause the employee to violate any written rules or regulations of their department, any City Ordinance, any state or federal laws.
- Employee seeking outside employment must complete the "Request for Outside Employment" form from the Human Resources Department and forward it to the

appropriate Department Head. The form must be approved by the Department Head, City Administrator, and Mayor.

- No city equipment, vehicles, supplies, uniforms will be used by the employee in connection with any secondary employment unless specifically authorized by the Department Head.
- Employees will not allow a normal work day and secondary employment to overlap.
- Secondary employment necessitating interruption of the employee's regular duty will not be authorized.
 - Any private organization, entity or individual seeking outside employment services from the Police Department (e.g., security, traffic control) must submit a request to the Chief of Police, or Deputy Chief of Police, in advance of the desired service. Such services will be subject to the following:
 - a) A request for special services during or at the site of a strike, lockout, picket or other physical demonstration of a labor dispute will not be approved.
 - b) Any request to act as security for a bar, nightclub, or any establishment with a majority of revenue coming from alcohol sales will not be approved.
 - c) Any request for service that would represent a conflict, or perceived conflict of interest for the Department or the City, will be denied.
 - d) Any request for services, outside the corporate limits, must additionally be approved by the mayor.
 - Whenever a request for outside employment services is approved, any member working the event shall be subject to the following conditions:
 - a) The member shall wear the department uniform and carry department identification.
 - b) The member shall be subject to the rules and regulations of this department.
 - c) Compensation for such approved outside employment shall be made to the member.
 - d) Outside employment services may be subject to the memorandum of understanding process.
 - e) Outside employment shall be assigned at the discretion of the Chief of Police or the authorized designee.
- An employee who is out on workers compensation, FMLA, or in a light-duty status working part time for the City, is not permitted to engage in any type of secondary employment while receiving any type of disability compensation as a result of their City of Gulf Shores duties.
- An employee who is injured or who has become ill as a result of their secondary employment is to promptly submit a detailed written report of the injury or illness to the Department Head.

Employees who do not comply with this policy are subject to disciplinary measures up to and including dismissal.

* * *

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

ADOPTED this 13th day of September, 2021.

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. - 21 (prepared by City Clerk), which Resolution was duly and legally adopted at a regular meeting of the City Council on September 13, 2021.

City Clerk

ORDINANCE NO.

**AN ORDINANCE
TO AMEND THE *CODE OF ORDINANCES*, ADOPTED JULY 24, 1989,
BY ADDING CERTAIN LANGUAGE
AT CHAPTER 21, TRAFFIC, ARTICLE I. IN GENERAL,
SECTION 21-13 PERMITTING AND REGULATING THE OPERATION OF
GOLF CARTS AND LICENSED LOW SPEED VEHICLES ON
CERTAIN PUBLIC STREETS WITHIN THE CITY OF GULF
AT SUBSECTION 1 (B) DESIGNATED CART STREETS**

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON SEPTEMBER 13, 2021 as follows:

Section 1: That the Code of Ordinances, City of Gulf Shores, Alabama, is hereby amended at Section 21-13 to Chapter 21, Traffic, Subsection 1 (b) Designated Cart Streets by adding certain streets located in Cypress Park Subdivision so that the entire Ordinance shall read as follows:

Section 21-13. Operation of Golf Carts On Certain Public Streets Permitted And Regulated.

(a) *Policy Statement.* This Section is enacted pursuant to the authority of the Alabama Constitutional Amendment adopted pursuant to Act No. 2016-271. In enacting this Section, the City Council confirms its view that golf carts are not designed or manufactured to be suitable for use on public streets and roads, and the City of Gulf Shores in no way advocates or endorses the operation of golf carts on public streets. The City understands that residents within golf course residential communities and other communities desire to have the option to operate their golf carts on a limited basis within those communities in order to access the amenities in and immediately adjacent to those communities, and have secured the adoption of Act No. 2016-271 to allow the enactment of ordinances permitting such operation in Baldwin County subject to the terms of the

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Act and to such other restrictions the City may impose as authorized by the Act. In designating public streets on which golf carts may be legally operated, the Act requires the City to determine that golf carts may safely travel on such designated streets after consideration of factors including, but not limited to, the speed, volume, and character of motor vehicle traffic using the street. The designation in this Section of certain streets as streets on which golf carts may safely travel is not a determination or representation by the City that operation of golf carts on such streets is in fact safe or advisable even if done in accordance with this Ordinance due to the limited drive characteristics and safety features of golf carts. All persons operating golf carts must be observant of, and attentive to the safety of themselves and others, including their passengers, other motorists, bicyclists, and pedestrians. All persons who operate or ride carts on public streets inside the City of Gulf Shores do so at their own risk and peril, and no permit for the operation of a golf cart on the public streets shall be issued except upon execution by the owner of the golf cart of a written undertaking to indemnify and hold the City, its officials, officers, agents, and employees harmless from any and all liability of any kind or character directly or indirectly associated with such operation.

(b) *Definitions.* As used in this Section, the following terms shall have the following meanings:

“Cart” shall mean a golf cart equipped with approved seat belts for each occupant, head lights, brake lights, turn signals, a windshield, a rear view mirror, efficient brakes, reliable steering apparatus, safe tires, red reflectorized warning devices on both the front and rear and an orange warning flag displayed at least six (6) feet above the ground, excepting, however any, State Tagged Cart or Municipal Service Vehicle.

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“Designated Cart Street” shall mean the following public streets within the corporate limits of the City of Gulf Shores, Alabama designated under this Section for the use of Carts, to be marked with appropriate signage advising that the street may be utilized by Carts:

THE FOLLOWING CERTAIN STREETS IN CYPRESS PARK SUBDIVISION AND SURROUNDING AREA:

West 19th Avenue - stops @ West 1st Street
West 22nd Avenue - stops @ West 1st Street
West 23rd Avenue
East 24th Avenue
West 1st Street
West 2nd Street
West 3rd Street
West 4th Street
West Canal Drive
Clubhouse Drive - stops @ West 1st Street
Professional Lane
Office Park Drive
Lakewood Court
Hogan Drive
Wedgewood Drive
West Fairway Drive
East Fairway Drive
Bear Creek Drive
Bear Creek Cove
Bear Creek Court
Mossy Oak Drive
Heron Cove Lane
Lopez Court
Trevino Drive
Regency Road
Heritage Drive
Twisted Oak Circle
Camelia Circle
Royal Oak Circle
Pineridge Drive
Forestwood Drive
Holly Lane

THE FOLLOWING CERTAIN STREETS IN CRAFT FARMS:

ALTON ST
AUGUSTA DR
BIRKDALE ST

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BLUE HERON DR
COTTON CREEK BLVD
COTTON CREEK CIR
CRAFT FARMS BLVD
CRAIGEND LOOP
CYPRESS BEND DR
CYPRESS CIR
CYPRESS LAKE DR
CYPRESS POINT DR
DARLEY CIR
DORR AV
ESTATES DR
GLEN EAGLES AV
GREENAN WAY
GROVE ST
GYAWS AV
INVERNESS CIR
LADYBANK ST
MUIRFIELD CT
OLDE PARK CT
OLDE PARK LN
OLDE PARK RD
PINEHURST CIR
PINEHURST DR
PINEHURST PT
PINEVIEW PL
PORTLAND CIR
PRESTWICK AV
PRESTWICK CIR
ROYAL DR
ROYAL GLEN BLVD
ROYAL TROON CIR
ROYAL TROON DR
SAINT ANDREWS DR
SAINT ANDREWS DR E
TURNBERRY DR
VILLAGE DR
VILLAGE LN
WILLOW POINT CT

THE FOLLOWING CERTAIN STREETS IN MARTYN WOODS AT BON SECOUR:

LYMAN BOULEVARD
MILLHOUSE ROAD
TREASURE OAKS ROAD
TREASURE OAKS COURT
BEATRICE ROAD
MILLWOOD DRIVE

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THE FOLLOWING CERTAIN STREETS IN AVENTURA:

STAFFORD BOULEVARD
ALDRIN AVENUE
CONRAD COURT
BORMAN COURT
BORMAN LOOP
ROOSA AVENUE
SHEPARD STREET
APOLLO AVENUE
POGUE STREET
WORDEN STREET
LANDWARD DRIVE NORTH
LANDWARD DRIVE SOUTH
HAISE LANE
GEMINI STREET
MERCURY CIRCLE

By Resolution of the Council adopted from time to time subsequent to the enactment of this Section, the list of Designated Cart Streets may be amended by the addition of other streets or the deletion of streets previously listed, provided, however, no street on which the speed limit is greater than 25 miles per hour shall be designated as a Designated Cart Street.

“State Tagged Cart” shall mean a golf cart, low speed vehicle, or neighborhood electric vehicle that is registered with and licensed by the State of Alabama under Title 32 of the Code of Alabama.

“Municipal Service Vehicle” shall mean a City operated State Tagged Cart or other City operated motorized equipment or vehicle when in service for the provision of public safety or public maintenance services.

(c) Rules and Regulations

Carts may not be operated on any public street, road, or highway within the corporate limits of the City of Gulf Shores that is not a Designated Cart Street and may be operated

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only on Designated Cart Streets in accordance with the following rules and regulations. A State Tagged Cart that is not a Municipal Service Vehicle may not be operated on any public street, road, or highway within the corporate limits of the City of Gulf Shores on which the posted legal speed limit is greater than 25 miles per hour.

(1) No person who is not a driver licensed by the State of Alabama or, in the case of a non-resident, by his or her home state or country or who is less than eighteen (18) years of age may operate a Cart on a designated Cart Street.

(2) Carts may be operated on Designated Cart Streets only between the hours between sunrise and no later than 10:00 p.m. The headlights on the Cart shall be illuminated at all times when it is in operation on Designated Cart Streets regardless of the time of operation.

(3) Any person who operates a Cart on the Designated Cart Streets must adhere to all State and municipal laws applicable to the operation of motor vehicles, including, without limitation, all laws concerning the operation of a vehicle under the influence of alcohol or drugs. The operator of a Cart may not overtake and pass in the same lane occupied by the vehicle being overtaken. A Cart may not be operated between lanes of traffic or between adjacent lines or rows of vehicles, and Carts may not be operated two or more abreast in a single lane.

(4) Cart drivers must yield the right-of-way to overtaking vehicles at all times.

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(5) The maximum occupancy of a Cart shall be the number of occupants for which the Cart has approved seat belts. No Cart shall be operated on any public street unless all occupants are seated with their seat belts fastened. No child under the age of five (5) shall be transported in a Cart on any public street.

(6) No Cart shall be operated on any public sidewalk or bike path.

(7) No Cart shall be parked in a designated handicapped parking space unless the driver or at least one passenger has a valid handicap parking permit that is displayed on the Cart.

(8) No Cart may be operated on a Designated Cart Street without a valid permit sticker issued by the Gulf Shores Police Department to the owner of the Cart attached. A yearly fee of twenty dollars (\$25.00) per Cart will be charged by for this permit sticker on the basis of each calendar year or portion thereof. Each Cart must be inspected annually before a permit is issued and no permit shall be issued for any Cart that does not meet the equipment and condition requirements of this Ordinance. No permit shall be issued for any Cart without proof that any person who may operate the Cart on a public street is covered by a policy of liability insurance held by the owner of the Cart. The required minimum liability limits for the operation of the Cart shall be the same as required by the State of Alabama for operation of a motor vehicle.

(d) *Violations.* The following shall constitute violations of this Section:

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- (1) The operation of a Cart on any public street, road, or highway within the corporate limits or police jurisdiction of the City of Gulf Shores that is not a Designated Cart Street.
- (2) The operation of a Cart on a Designated Cart Street in violation of any of the rules or regulations set out in subsection (c) above.
- (3) The operation of a golf cart that is not a Cart with a valid permit sticker on any public street, road, or highway within the corporate limits or police jurisdiction of the City of Gulf Shores.
- (4) The operation of a State Tagged Cart that is not a Municipal Service Vehicle on any public street, road, or highway within the corporate limits of the City of Gulf Shores on which the posted legal speed limit is greater than 25 miles per hour.

The unauthorized operation of a golf cart, Cart, or State Tagged Cart on any public street, road, or highway in violation of this Section shall be a violation for which the City may assess and collect a civil penalty from the owner in the amount of fifty dollars (\$50.00). In addition, any person committing a violation of this Section shall, upon conviction, be punished by a fine of not less than one dollar (\$1.00) nor more than two hundred dollars (\$200.00) and/or may be imprisoned for a period not exceeding thirty (30) days, at the discretion of the court trying the case. In the event of the assessment of a civil penalty against the owner, of a conviction of the owner or operator of a violation, or both, and at the discretion of the Chief of Police reviewable by appeal to the City Council, the Cart permit sticker issued to a Cart operated in violation of this Ordinance may be revoked by the Chief of Police.

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(e) Section Supplementary To Federal and State Regulation.

The provisions of this Section shall be interpreted as supplementary to all other municipal, state and federal laws and regulations now or hereafter in force, and compliance with this Section does not relieve an individual from the requirement of compliance with all other applicable municipal, state and federal laws and regulations, if any.

Section 2. The provisions of this Ordinance are severable. If any part of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, such declaration shall not affect the validity and enforceability of the remaining provisions of the Ordinance.

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

Adopted this 13th day of September, 2021.

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 September 13, 2021 and the same was duly published as required by law.

City Clerk