



CITY OF FAIRHOPE
CITY COUNCIL PACKET FOR PRESS
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**IT IS SUBMITTED TO THE CITY COUNCIL FOR
CONSIDERATION AND DISCUSSION.**

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FINAL AND/OR APPROVED
MINUTES, RESOLUTIONS OR ORDINANCES.**

**CITY OF FAIRHOPE
CITY COUNCIL WORK SESSION AGENDA**

TUESDAY, 15 MAY 2018 – 4:30 P.M. – COUNCIL CHAMBER

1. Discussion of BBVA Compass Distributed Card Program – Michael Hinson
2. Discussion of Proposed Amendment to Personnel Handbook regarding the Police Department and authorization to “take home” City police vehicles who live outside the Police Jurisdiction.
3. Discussion of Proposed Amendment to Personnel Handbook regarding Exempt salaried employees and clocking in; and all Non-exempt employees (that is, employees paid for all hours worked in excess of 40 hours in a work week) to have an automatic deduction for unpaid meal period.
4. Recycling Discussion and Highway Safety Improvement Grant (Roundabout at North Section, State Highway 104, Veterans Drive, and Scenic 98 – Richard Johnson
5. Discussion of amending Beach Access Fees
6. Discussion of Budget Poll – Mayor Wilson
7. Committee Updates
8. Department Head Updates/Grant Updates

Next Regular Meeting Tuesday, May 29, 2018 at 4:30 p.m. and Same Place

**CITY OF FAIRHOPE
CITY COUNCIL AGENDA**

TUESDAY, 15 MAY 2018 - 6:00 P.M. - CITY COUNCIL CHAMBER

Invocation and Pledge of Allegiance

1. Approve minutes of 23 April 2018 Regular City Council Meeting, minutes of 23 April 2018 Work Session, and minutes of 23 April 2018 Agenda Meeting.
2. Report of the Mayor
3. Public Participation – Agenda Items – (3 minutes maximum)
4. Council Comments
5. **Final Adoption** – Ordinance - Amend Zoning Ordinance No. 1253.
Zoning Ordinance Amendment
 - Article III, Section D.9. Accessory Dwelling Units amending to allow units with kitchens to make a bona fide dwelling unit subject to locational requirements.
(Introduced at the April 23, 2018 City Council Meeting)
6. **Final Adoption** – Ordinance – Amend Zoning Ordinance No. 1253.
Request to amend Ordinance No. 1142 known as the Greeno Professional Village Planned Unit Development (PUD) to allow the building orientation, parking area orientation, and 25'-0" tall light poles reflected in the Site Plan Approval request SR 17.03. This property of Community Bank, National Association, generally located at 200 N. Greeno Road, Fairhope, Alabama. Tax PPIN: 77195. (Introduced at the April 23, 2018 City Council Meeting)
7. Site Plan Approval (SR 17.03) – Request of Gulf States Engineering and Dale Partners, LLC for Site Plan Approval for Community Bank, National Association, generally located at Lot 1 of the Greeno Professional Village PUD; 200 N. Greeno Road, Fairhope, Alabama.
8. Resolution – That the City Council hereby approves and adopts the recommended \$5.00 per pumpout fee associated with the Pumpout station located at Fairhope Docks.
9. Resolution – That by the City Council of the City the Settlement Agreement is hereby approved and that the Mayor and the City Clerk of the City are hereby authorized and directed to execute and attest, respectively, for and on behalf of the City, the Settlement Agreement with The Utilities Board of the City of Daphne.
10. Resolution – That due to the City being unable to reach an agreement with the Buying Group, That the City Council hereby rescinds Resolution No. 3043-18; and authorizes Mayor Karin Wilson to execute Extension No. 1 for the Contract with Mowrey Elevator Company of Florida, Bid No. 012-17, Citywide Elevator Maintenance 2017 for one additional year; as per terms and conditions of the original awarded bid Inc.

11. Resolution – That the City Council Resolution No. 3027-18; and authorizes the purchase of Six (6) Motorola Portable Radios APX6000 7/800 mhz1.5 with Accessories and Software; for the IT Department and the type of equipment needed is on the Alabama State Department of Purchasing bid list and therefore does not have to be let out for bid; with a total cost of \$24,996.00.
12. Resolution – That the City Council approves the selection of Magnolia River for Professional Consultant Services for RFQ No. PS015-18, Cast Iron Replacement Program with System Mapping and System Modeling; and hereby authorizes Mayor Karin Wilson to negotiate the fee schedule.
13. Resolution – That the City Council approves the selection of Safe Span, LLC for Professional Bridge Inspection Services for RFQ No. PS017-18, for the Public Works Department for Bridge Inspections; and hereby authorizes Mayor Karin Wilson to negotiate the fee schedule.
14. Resolution – That the City Council approves the selection of Mott MacDonald, LLC to perform Professional Engineering Services for Outfall Assessments for 2018 (RFQ No. PS019-18); approves and accepts the not to exceed amount of \$9,526.00; and hereby authorizes Mayor Karin Wilson to execute a contract with Mott MacDonald, LLC for same.
15. Resolution – To Award Bid for a Metal Building Maintenance Barn for the Soccer Complex for the Recreation Department (Bid Number 003-18) to Kemko, Inc., with a total bid proposal of \$25,347.00.
16. Resolution – That the City of Fairhope has voted to purchase 21,000 linear feet of Gas Pipe for the Gas Department to replenish inventory; and authorizes procurement, from Consolidated Pipe & Supply Company, Inc. based on the option allowed by the Code of Alabama 1975, Section 41-16-51(b)(7) to obtain quotes. The total cost will be \$18,690.00.
17. Resolution – That the City of Fairhope has voted to purchase a 2018 Ford F150 SuperCab 4x2 Pickup for the Fire Department and the type of vehicle needed is on the Alabama State Department of Purchasing bid list and therefore does not have to be let out for bid; with a cost not-to-exceed \$26,295.00.
18. Resolution – That the City of Fairhope has voted to purchase a 2018 Ford F150 SuperCab 4x2 Pickup for the Meter Department and the type of vehicle needed is on the Alabama State Department of Purchasing bid list and therefore does not have to be let out for bid; with a cost not-to-exceed \$22,956.00.
19. Resolution – That the City of Fairhope approves the procurement of a PowerMaster 7332 3-Phase Metering Site Analyzer for Electric Department Tri-State Utility Products, Inc., as Sole Source Provider in the State of Alabama for Powermetrix products. The units must fit into our existing standardized system; and are exempt from formal bid pursuant to Code of Alabama 1975, Section 41-16-75. The total cost is \$37,740.00; and that the City Council amends the budget to move \$37,740.000 from Operating Supplies to Capital Outlay for the PowerMaster 7332 3-Phase Metering Site Analyzer.

20. Public Participation – (3 minutes maximum)
21. Executive Session – To discuss pending litigation and possible settlement options regarding said pending litigation; and to discuss the consideration the City is willing to offer or accept when considering the purchase, sale, exchange, lease, or market value of real property. The discussions could have a detrimental effect upon the competitive position of the City in the negotiations if the matter was discussed in public.
22. Adjourn

**City Council Work Session - 4:30 p.m.
on Tuesday, May 15, 2018 – Council Chambers**

**City Council Agenda Meeting - 5:30 p.m.
on Tuesday, May 15, 2018 – Council Chambers**

Next Regular Meeting – Tuesday, May 29, 2018 - Same Time and Place

- Mr. Johnson explained Agenda Item No. 8: a resolution for an outfall study with the GOMA grant for \$22,500.00 which will show a baseline for different storm events. This will be a working model to see what is going on, how to correct flooding issues, and how to maintain.
- Operations Director Richard Peterson address Council President Burrell's question regarding using multiple firms. Mr. Peterson explained each project. He also mentioned a diver last week for the outfall line to check out the breach. Mr. Peterson said we need to get an anchor block on pipe with a wraparound sleeve; and will need to excavate approximately five feet around pipe. He mentioned the Van Antwerp Building and Portico and the need to supplement flow to Section Street and Fairhope Avenue: 4" to 6" pipe.
- Community Affairs Director Sherry-Lea Botop addressed the City Council regarding two upcoming low-impact films and need for a possible waiver by the City Council. She said one will be on April 30, 2018 and May 1, 2018; and the other one will be on May 8, 2018 and May 9, 2018. Ms. Botop requested the \$5,000.00 deposit and the \$1,000.00 fee be waived; and liability insurance will be provided. The consensus from the City Council was to move forward and have a resolution for the agenda.
- Ms. Botop handed out the results from the Dan Burden Walkability Study and Wayfinding. She addressed the street closures and "Parking Rodeo" for First Friday Art Walk; Agenda Item No. 18.
- Councilmember Robinson questioned the legality of Agenda Item No. 7: An Ordinance Repealing and Replacing Ordinance No. 590 to protect the Public Health, Safety and Welfare by providing Policy and Procedure for Park Beach Entrance Fee at Fairhope's bay front within the City of Fairhope. Mayor Wilson suggested it be for Fairhope not just City limits.
- Councilmember Brown explained Agenda Item No. 18 regarding the street closings and Art Walk. Ms. Botop mentioned pedestrians being pushed into the streets; and this is only a test. The consensus was to remove Church Street and add Fairhope Avenue from Section Street to Church Street. City Clerk Lisa Hanks mentioned the Ordinance was introduced at the last meeting and there is not publication until after it is adopted. The City Council could amend it and then reintroduce it.
- Building Official Erik Cortinas addressed the City Council regarding the Retreat at Fly Creek Apartments. He said they have begun harvesting the trees and the gabion walls. Mr. Cortinas said the land disturbance permits have been granted; and Phase II is on the May 7, 2018 Planning Commission meeting.
He also gave an update on the Grand Hotel upgrades.

Work Session
Monday, 23 April 2018
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There being no further business to come before the City Council, the meeting was duly adjourned at 5:55 p.m.

Jack Burrell, Council President

Lisa A. Hanks, MMC
City Clerk

STATE OF ALABAMA)
 :
COUNTY OF BALDWIN)(

The City Council met in an Agenda Meeting at 5:30 p.m.,
Fairhope Municipal Complex Council Chamber,
161 North Section Street, Fairhope, Alabama 36532,
on Monday, 23 April 2018.

Present were Council President Jack Burrell, Councilmembers: Jay Robinson,
Robert Brown and Kevin Boone, Mayor Karin Wilson, City Attorney Marion E. Wynne,
and City Clerk Lisa A. Hanks. Councilmember Jimmy Conyers was absent.

The Agenda Meeting discussion was included in the City Council Work Session.

Jack Burrell, Council President

Lisa A. Hanks, MMC
City Clerk

STATE OF ALABAMA)(
 :
COUNTY OF BALDWIN)(

The City Council, City of Fairhope, met in regular session at 6:00 p.m., Fairhope Municipal Complex Council Chamber, 161 North Section Street, Fairhope, Alabama 36532, on Monday, 23 April 2018.

Present were Council President Jack Burrell, Councilmembers: Jay Robinson, Jimmy Conyers (arrived at 7:45 p.m.), Robert Brown, and Kevin Boone, Mayor Karin Wilson, City Attorney Marcus E. McDowell, and City Clerk Lisa A. Hanks.

There being a quorum present, Council President Burrell called the meeting to order. The invocation was given by Dr. Ed Glaize, Senior Pastor of Fairhope United Methodist Church, and the Pledge of Allegiance was recited.

Council President Burrell stated there was a need to add on an agenda items after Agenda Item Number 18: a resolution that the City Council hereby authorizes limited waivers of 10-day application submission, pre-production meeting requirements, deposits and fees for two low impact video and film productions to be shot in the City of Fairhope on April 30, 2018 through May 1, 2018; and on May 8, 2018 and May 9, 2018. Said projects are produced by Mary Productions South and Citizens Pictures. All other film permit requirements remain in full force; and a resolution that Resolution No. 3048-18 is hereby amended and now approves the purchase of Ten (10) Laptop Computers for the Police Department and the equipment is available for direct procurement through “National IPA” Buying Group Contract; and therefore, does not have to be let out for bid. This has been nationally bid through the National IPA’s bid process. The total cost is \$10,109.50.

Councilmember Boone moved to add on the above-mentioned items not on the printed agenda. Seconded by Councilmember Brown, motion passed unanimously by voice vote.

Councilmember Boone moved to approve minutes of the 9 April 2018, regular meeting; minutes of the 9 April 2018, work session; and minutes of the 9 April 2018, agenda meeting. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

Mayor Wilson addressed the City Council and invited everyone to the State of the City on Thursday at 6:00 p.m. at the James P. Nix Center. She mentioned there would be a video and a summary for the year; and there would be an info-graph in the Utility bills. Mayor Wilson said we have \$50,000.00 from surplus vehicles; and the fuel dock is moving forward.

23 April 2018

Mayor Wilson congratulated Tomas Catar for his work at the Tennis Center; and we now have better management with more than double the tournaments scheduled for this year. She also mentioned the following items: storm drain medallions are scheduled to be installed with media coverage every 30 minutes which helped to promote Earth Day Mobile Bay; the Earth Day event was the greatest success yet; and the Restore Act Funds with four projects and wants the Council onboard with these.

Mayor Wilson announced that City Clerk Lisa Hanks has been nominated for Clerk of the Year by the District VIII Clerks of the Alabama Association of Municipal Clerks and Administrators (“AAMCA”) which consists of Baldwin County, Mobile County, Escambia County, and Washington County. She has been nominated four times: 2012, 2013, 2015, and 2018. There are 14 Statewide Districts. She won the 2015 Clerk of the Year for the AAMCA; and has served as President, Vice-President, Secretary, and Treasurer for the AAMCA. She is District VIII President and has served as Vice-President. The 2018 Clerk of the Year will be announced during the AAMCA Summer Conference on June 29, 2018.

Mayor Wilson then read the following Proclamation for Municipal Clerk’s Week:

Municipal Clerks Week

May 6 - 12, 2018

Whereas, The Office of the Municipal Clerk, a time honored and vital part of local government exists throughout the world, and

Whereas, The Office of the Municipal Clerk is the oldest among public servants, and

Whereas, The Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels, and

Whereas, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all.

Whereas, The Municipal Clerk serves as the information center on functions of local government and community.

Whereas, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, provincial, county and international professional organizations.

Whereas, It is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk.

Now, Therefore, I, Karin Wilson, Mayor of Fairhope, do recognize the week of May 6 through May 12, 2018, as Municipal Clerks Week, and further extend appreciation to our Municipal Clerk, **Lisa A. Hanks** and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

23 April 2018

Lori Dubose, WABF Radio, said the Fairhope First Quality of Life Award began in 1998. Then, she announced the 2018 the Fairhope First Quality of Life Award winner is Erin Langley. Ms. Langley is the Executive Director and the Artistic Director of Eastern Shore Repertory Theatre. She is a former third grade teacher of the Baldwin County Public School System and a graduate of Spring Hill College. She has served as Artist-in-Residence at several Baldwin County schools and at Church of the Apostles. Erin loves using theatre wherever she goes and has developed Reading/Theatre Residencies for struggling elementary age readers and has even directed a show at a school in Haiti (in French!).

Councilmember Brown reminded everyone that Theatre on the Bluff will be held Friday, Saturday, and Sunday. The cast will be performing “Newsies.” He also announced that Lauren Burrell is the Fairhope High School Prom Queen; and said congratulations to her.

Councilmember Boone commented on the Bald Eagle Bash which was held on April 21, 2018.

Council President Burrell thanked Councilmember Brown for his comments regarding his daughter; and gave a “Shout Out” to Lauren.

A Public Hearing was held as advertised on a proposed ordinance to amend Zoning Ordinance No. 1253. Councilmember Robinson introduced in writing, an ordinance to amend Article III, Section D.9. Accessory Dwelling Units to allow units with kitchens to make a bona fide dwelling unit subject to locational requirements. The Planning Commission gave a favorable recommendation of this ordinance. Council President Burrell read the proposed ordinance.

Planning Director Wayne Dyess briefly explained the proposed ordinance.

Council President Burrell opened the Public Hearing at 6:29 p.m. No one present opposed the proposed ordinance, the Public Hearing closed at 6:30 p.m.

Due to lack of a motion for immediate consideration, this ordinance will layover until the May 15, 2018 City Council meeting.

A Public Hearing was held as advertised on a proposed ordinance to amend Zoning Ordinance No. 1253. Councilmember Robinson introduced in writing, an ordinance to amend Ordinance No. 1142 known as the Greeno Professional Village Planned Unit Development (PUD) to allow the building orientation, parking area orientation, and 25’-0” tall light poles reflected in the Site Plan Approval request SR 17.03. This property of Community Bank, National Association, generally located at 200 N. Greeno Road, Fairhope, Alabama. Tax PPIN: 77195.

23 April 2018

The Planning Commission gave a favorable recommendation of this ordinance. Council President Burrell read the proposed ordinance.

City Planner Buford King briefly explained the proposed ordinance.

Council President Burrell opened the Public Hearing at 6:32 p.m. No one present opposed the proposed ordinance, the Public Hearing closed at 6:33 p.m.

Due to lack of a motion for immediate consideration, this ordinance will layover until the May 15, 2018 City Council meeting.

Councilmember Robinson said he was concerned about Park Beach access with Fairhope Utility customers. Revenue Officer Jennifer Olmstead said the fees are applicable to non-residents; and right now, one decal is for beach access and the landfill and the other decal is for beach access for Utility customers. Mayor Wilson suggested Fairhope City limits and Fairhope residents with 36532 zip code. The proposed ordinance is for Fairhope City limit residents only.

Councilmember Boone moved for final adoption of Ordinance No. 1613, an ordinance to repeal and replace Ordinance No. 590 to protect the Public Health, Safety and Welfare by providing Policy and Procedure for Park Beach Entrance Fee at Fairhope's bay front within the City of Fairhope. (Introduced at the April 23, 2018 City Council Meeting) Seconded by Councilmember Brown, motion for final adoption passed by the following voice votes: AYE – Burrell, Robinson, Brown, and Boone. NAY - None.

Councilmember Boone introduced in writing, and moved for the adoption of the following resolution, a resolution that Mayor Karin Wilson is hereby authorized to execute a contract with Mott MacDonald, LLC for RFQ No. PS017-17, Professional Engineering Services for Storm Water Outfall Study, with a not to exceed \$22,500.00. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

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23 April 2018

RESOLUTION NO. 3054-18

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that Mayor Karin Wilson is hereby authorized to execute a contract with Mott MacDonald, LLC for RFQ No. PS017-17, Professional Engineering Services for Storm Water Outfall Study, with a not to exceed \$22,500.00.

DULY ADOPTED THIS 23RD DAY OF APRIL, 2018

Karin Wilson, Mayor

Attest:

Lisa A. Hanks, MMC
City Clerk

Councilmember Boone introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council approves the selection of the following Professional Engineering Services for RFQ No. PS014-18, Multiple Wastewater Collection and Transmission System Improvements; and hereby authorizes Mayor Karin Wilson to negotiate the fee schedule:

[Project 1] – Church Street Outfall Transmission System - Sawgrass Consulting, LLC

[Project 2] – Bayou Drive, Fairwood Boulevard, and Fairhope Avenue Transmission System - Dewberry Preble-Rish, LLC

[Project 3] – GIS Mapping for Asset Management & Modeling Capability – Volkert, Inc.

[Project 4] – Fels Avenue Lift Station Rehabilitation – Goodwyn Mills Cawood, Inc.

[Project 5] – Grand Hotel Lift Station Assessment and Collection System Evaluation – Hutchinson, Moore & Rauch, LLC

Seconded by Councilmember Brown, motion passed unanimously by voice vote.

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23 April 2018

RESOLUTION NO. 3055-18

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that the City Council approves the selection of the following Professional Engineering Services for RFQ No. PS014-18, Multiple Wastewater Collection and Transmission System Improvements; and hereby authorizes Mayor Karin Wilson to negotiate the fee schedule:

[Project 1] - Church Street Outfall Transmission System - Sawgrass Consulting, LLC

[Project 2] – Bayou Drive, Fairwood Boulevard, and Fairhope Avenue Transmission System - Dewberry Preble-Rish, LLC

[Project 3] – GIS Mapping for Asset Management & Modeling Capability – Volkert, Inc.

[Project 4] – Fels Avenue Lift Station Rehabilitation – Goodwyn Mills Cawood, Inc.

[Project 5] – Grand Hotel Lift Station Assessment and Collection System Evaluation - Hutchinson, Moore & Rauch, LLC

DULY ADOPTED THIS 23RD DAY OF APRIL, 2018

Karin Wilson, Mayor

Attest:

Lisa A. Hanks, MMC
City Clerk

City Attorney McDowell explained the need to amend the resolution due to project engineering and to reimburse up to the \$97,321.80 which would be placing the money in the developer hands to pay for costs. Public Works Director Richard Johnson said we are making sure we do not run afoul with the Bid Law; and puts all on the developer for purchases. He said we will pursue cost savings with value engineering. Council President Burrell questioned sink holes and other residents with problems in their yards. Mr. Johnson replied this is a win-win situation for all and this project is under a roadway.

Councilmember Robinson moved to amend the resolution to state: “That a valuable public purpose will be served by entering into a public private partnership with Portico Fairhope, LLC for the drainage improvements on Fairhope Avenue. The City will reimburse up to \$97,321.80 in material cost for certain concrete pipe and junction boxes. Certain value engineered materials may be utilized that will lower the City’s contribution. Upon completion of the project, the utility right of way easement will be dedicated to the City of Fairhope.

23 April 2018

All labor, engineering, and other installation costs are to be carried by Portico Fairhope, LLC and the amount in question is budgeted for drainage improvements in the Central Business District. The City Council authorizes the Mayor to enter into a contract for services with Portico Fairhope, LLC pursuant to this resolution.” The motion was seconded by Councilmember Boone. Councilmember Brown stated he would be recusing himself from voting on this item. Council President Burrell commented if you abstain you cannot speak to this item. After further discussion, motion passed by the following voice votes: AYE – Burrell, Robinson, and Boone. NAY – None. ABSTAIN – Brown.

Councilmember Robinson introduced in writing, and moved for the adoption of the following resolution as amended. Seconded by Councilmember Boone, motion passed by the following voice votes: AYE – Burrell, Robinson, and Boone. NAY – None. ABSTAIN – Brown.

RESOLUTION NO. 3056-18

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that a valuable public purpose will be served by entering into a public private partnership with Portico Fairhope, LLC for the drainage improvements on Fairhope Avenue. The City will reimburse up to \$97,321.80 in material cost for certain concrete pipe and junction boxes. Certain value engineered materials may be utilized that will lower the City’s contribution. Upon completion of the project, the utility right of way easement will be dedicated to the City of Fairhope. All labor, engineering, and other installation costs are to be carried by Portico Fairhope, LLC and the amount in question is budgeted for drainage improvements in the Central Business District. The City Council authorizes the Mayor to enter into a contract for services with Portico Fairhope, LLC pursuant to this resolution.

Adopted on this 23rd day of April, 2018

Karin Wilson, Mayor

Attest:

Lisa A. Hanks, MMC
City Clerk

23 April 2018

Councilmember Boone moved to amend the resolution to state: "To Reject all Bids for Fairhope Avenue Drainage Improvement Pre-Cast Junction Boxes for the Public Works Department (Bid No. 013-18). Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

Councilmember Robinson introduced in writing, and moved for the adoption of the following resolution as amended. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

RESOLUTION NO. 3057-18

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, as follows:

[1] That the City of Fairhope did request, receive, and open bids for Fairhope Avenue Drainage Improvement Pre-Cast Junction Boxes for the Public Works Department (Bid Number 013-18) at 555 South Section Street in the City of Fairhope offices, Fairhope, Alabama.

[2] After evaluating the bid proposal with the required bid specifications, it was determined that specifications different from those posted would be utilized by the City in acquiring the Pre-Cast Junction Boxes. Therefore, we request that all bids be rejected for Fairhope Avenue Drainage Improvement Pre-Cast Junction Boxes (Bid No. 013-18).

Adopted on this 23rd day of April, 2018

Karin Wilson, Mayor

Attest:

Lisa A. Hanks, MMC
City Clerk

Councilmember Robinson introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope has voted to purchase Rescue Fire Tools for the Fire Department and the tools are available for direct procurement through the Houston-Galveston Area Council (H-GAC) Purchasing Cooperative Contract; and therefore, does not have to be let out for bid. This has been nationally bid through the H-GAC's bid process. The total cost is \$41,149.00. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

23 April 2018

RESOLUTION NO. 3058-18

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, as follows:

[1] That the City of Fairhope has voted to purchase Rescue Fire Tools for the Fire Department and the tools are available for direct procurement through the Houston-Galveston Area Council (H-GAC) Purchasing Cooperative Contract; and therefore, does not have to be let out for bid. This has been nationally bid through the H-GAC's bid process. The total cost is \$41,149.00.

Adopted on this 23rd day of April, 2018

Karin Wilson, Mayor

Attest:

Lisa A. Hanks, MMC
City Clerk

Councilmember Brown introduced in writing, and moved for the adoption of the following resolution, a resolution that the City of Fairhope has voted to purchase an HVAC Retrofit at the James P. Nix Center and the equipment is available for direct procurement through the U. S. Communities Buying Group Contract; and therefore, does not have to be let out for bid. This has been nationally bid through the U. S. Communities' bid process. The total cost is \$166,002.00; and the budget to be amended for this unbudgeted Capital Purchase. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

RESOLUTION NO. 3059-18

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, as follows:

[1] That the City of Fairhope has voted to purchase an HVAC Retrofit at the James P. Nix Center and the equipment is available for direct procurement through the U. S. Communities Buying Group Contract; and therefore, does not have to be let out for bid. This has been nationally bid through the U. S. Communities' bid process. The total cost is \$166,002.00; and the budget to be amended for this unbudgeted Capital Purchase.

Adopted on this 23rd day of April, 2018

Karin Wilson, Mayor

Attest:

Lisa A. Hanks, MMC
City Clerk

23 April 2018

Councilmember Robinson introduced in writing, and moved for the adoption of the following resolution, a resolution that Mayor Karin Wilson is hereby authorized to execute Change Order No. 1 to Bid No. 007-18, Multiple Pier Repairs Project in the amount of \$56,603.00; and award of the Change Order to Asphalt Services, Inc. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

RESOLUTION NO. 3060-18

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, That Mayor Karin Wilson is hereby authorized to execute Change Order No. 1 to Bid No. 007-18, Multiple Pier Repairs Project in the amount of \$56,603.00; and award of the Change Order to Asphalt Services, Inc.

Adopted on this 23rd day of April, 2018

Karin Wilson, Mayor

Attest:

Lisa A. Hanks, MMC
City Clerk

Councilmember Robinson introduced in writing, and moved for the adoption of the following resolution, a resolution authorizing Mayor Karin Wilson to inform and submit the Municipal Water Pollution Prevention Program (MWPP) Report for 2017 to the Department of Environmental Management. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

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23 April 2018

RESOLUTION NO. 3061-18

MUNICIPAL WATER POLLUTION PREVENTION (MWPP) PROGRAM

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIRHOPE, ALABAMA, that Mayor Karin Wilson is hereby authorized to inform the Department of Environmental Management that the following actions were taken by the City Council of the City of Fairhope, Alabama.

1. Reviewed the MWPP Annual Report which is attached to the resolution.
2. Set forth the following actions and schedule necessary to maintain effluent requirement contained in the NPDES Permit, and to prevent the bypass and overflow of raw sewage within the collection system or at the treatment plant:
 - (a) Complete the current water and wastewater system assessment and develop an implementation plan for completing needed improvements necessary for regulatory compliance and to accommodate future growth.
 - (b) Continue to perform O & M requirements to the treatment and collection system and complete repairs when discovered.
 - (c) Continue to provide training opportunities for the operations staff to assist them with maintaining certification and knowledge of current methods and technologies.

Adopted this 23rd day of April, 2018

Karin Wilson, Mayor

Attest:

Lisa A. Hanks, MMC
City Clerk

Councilmember Boone moved to table Agenda Item Number 16: a resolution that the Compensation and Job Classification Plan along with the Grade Order Sheet be amended and approved to Add the Job Position of Special Projects Manager; and the Job Description and Grade of Pay for same; and amend the budget to fund this position and to defund the position of City Clerk's Assistant. The motion was seconded by Councilmember Brown. After further discussion, motion passed unanimously by voice vote.

23 April 2018

Councilmember Robinson moved to reappoint Christina Stankoski as 1st Alternate and Henry Kohler as 2nd Alternate to the Board of Adjustments and Appeals for a three-year term which will expire April 2021. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

Council President Burrell read the two recommendations for street closing for the First Friday Art Walk scheduled for May 4, 2018:

Request – Community Development Director Sherry-Lea Botop - requesting permission to block streets (Johnson Avenue from Section to Bancroft, Delamare Avenue, Church Street from Fairhope Avenue to St. James, and Section Street from Fairhope Avenue to Bellangee) on May 4, 2018 during the First Friday Art Walk and for the Parking Rodeo; or

(Johnson Avenue from Section to Bancroft, Delamare Avenue, and Church Street from Fairhope Avenue to St. James) on May 4, 2018 during the First Friday Art Walk and for the Parking Rodeo.

Council President Burrell suggested Option B with removing Church Street and adding Fairhope Avenue from Section Street to Church Street.

Councilmember Brown moved to grant the request of Community Development Director Sherry-Lea Botop for Option B with change requesting permission to block streets (Johnson Avenue from Section to Bancroft, Delamare Avenue, and Fairhope Avenue from Section Street to Church Street) on May 4, 2018 during the First Friday Art Walk and for the Parking Rodeo. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

Councilmember Boone introduced in writing, and moved for the adoption of the following resolution, a resolution that the City Council hereby authorizes limited waivers of 10-day application submission, pre-production meeting requirements, deposits and fees for two low impact video and film productions to be shot in the City of Fairhope on April 30, 2018 through May 1, 2018; and on May 8, 2018 and May 9, 2018. Said projects are produced by Mary Productions South and Citizens Pictures. All other film permit requirements remain in full force. Seconded by Councilmember Robinson, motion passed unanimously by voice vote.

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23 April 2018

RESOLUTION NO. 3062-18

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that the City Council hereby authorizes limited waivers of 10-day application submission, pre-production meeting requirements, deposits and fees for two low impact video and film productions to be shot in the City of Fairhope on April 30, 2018 through May 1, 2018; and on May 8, 2018 and May 9, 2018. Said projects are produced by Mary Productions South and Citizens Pictures. All other film permit requirements remain in full force.

ADOPTED ON THIS 23RD DAY OF APRIL, 2018

Karin Wilson, Mayor

Attest:

Lisa A. Hanks, MMC
City Clerk

Councilmember Robinson introduced in writing, and moved for the adoption of the following resolution, a resolution that Resolution No. 3048-18 is hereby amended and now approves the purchase of Ten (10) Laptop Computers for the Police Department and the equipment is available for direct procurement through “National IPA” Buying Group Contract; and therefore, does not have to be let out for bid. This has been nationally bid through the National IPA’s bid process. The total cost is \$10,109.50. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

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23 April 2018

RESOLUTION NO. 3063-18

WHEREAS, on the 9th day of April, 2018, the City of Fairhope adopted Resolution No. 3048-18; a resolution to approve the purchase of Ten (10) Laptop Computers for the Police Department from The Interlocal Purchasing System (“TIPS”) Buying Group Contract with a total cost of \$10,109.50; and

WHEREAS, the Purchasing Department has discovered that the TIPS Buying Group Contract had expired and no longer available for SHI International Corporation; and that the National Intergovernmental Purchasing Alliance (“National IPA”) Contract has the needed equipment available for direct procurement.

NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that Resolution No. 3048-18 is hereby amended and now approves the purchase of Ten (10) Laptop Computers for the Police Department and the equipment is available for direct procurement through “National IPA” Buying Group Contract; and therefore, does not have to be let out for bid. This has been nationally bid through the National IPA’s bid process. The total cost is \$10,109.50.

Adopted on this 23rd day of April, 2018

Karin Wilson, Mayor

Attest:

Lisa A. Hanks, MMC
City Clerk

The following individuals spoke during Public Participation for non-agenda items:

- 1) Gary Gover, 300 Lincoln Street, addressed the City Council regarding Earth Day Mobile Bay which is put on by the City of Fairhope, the Sierra Club, and Earth Day Mobile Bay. Mr. Gover said there were 80 exhibits; and the event was rich and rewarding. He commented there were approximately 1,000 people an hour at peak time.

23 April 2018

At the request of the City Attorney, Marcus E. McDowell, the City Council will rise from the meeting to go into Executive Session based on Section 36-25A-7(a)(3) to discuss pending litigation. The approximate time to be in Executive Session is 1 hour. Councilmember Brown moved to go into Executive Session. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

Exited the dais at 7:12 p.m. Returned at 8:23 p.m.

Councilmember Jay Robinson left the meeting at 7:12 p.m.

Councilmember Conyers moved to adjourn the meeting. Seconded by Councilmember Boone, motion passed unanimously by voice vote.

There being no further business to come before the City Council, the meeting was duly adjourned at 8:24 p.m.

Jack Burrell, Council President

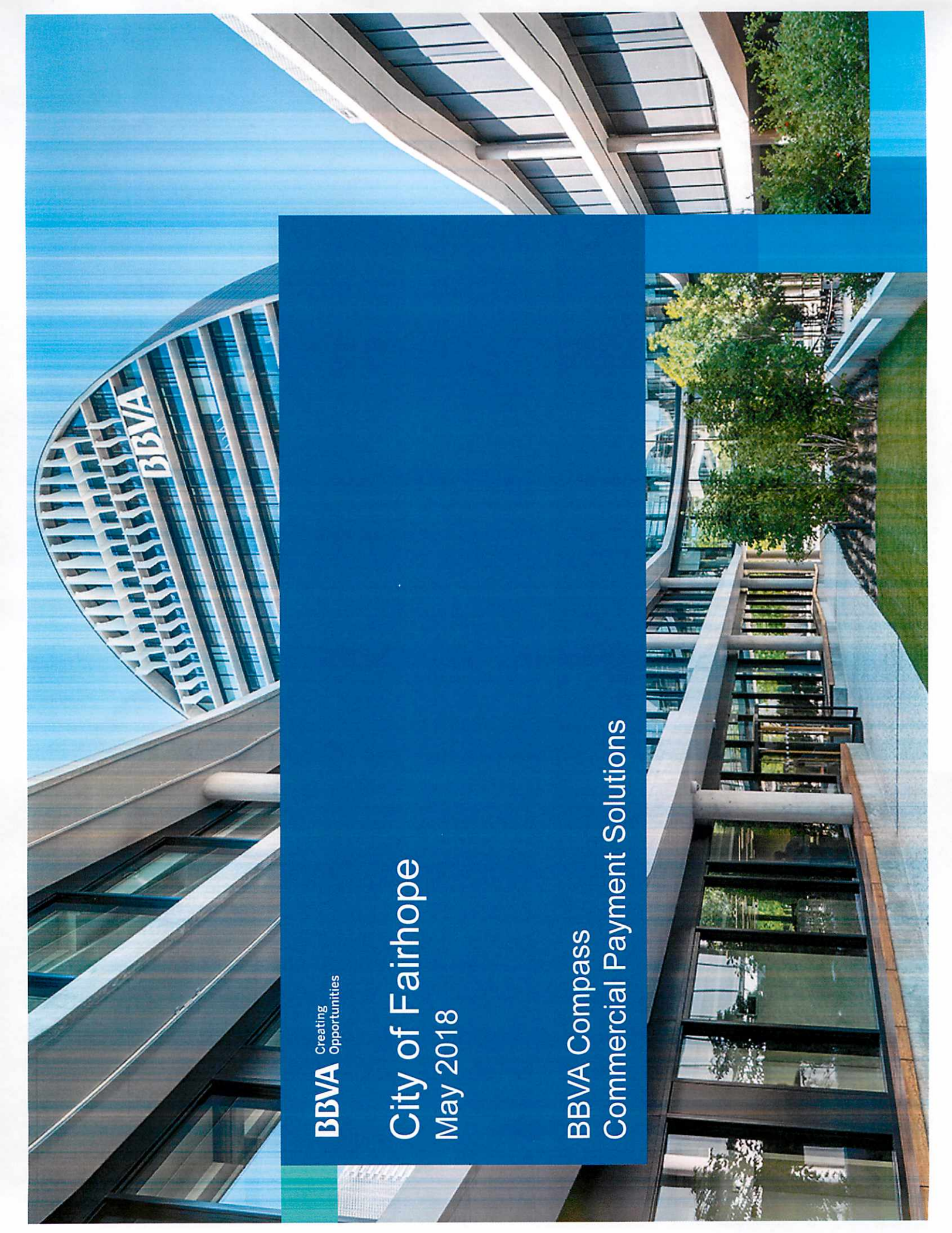
Lisa A. Hanks, MMC
City Clerk



BBVA Creating Opportunities

City of Fairhope May 2018

**BBVA Compass
Commercial Payment Solutions**



BBVA Compass' Distributed Card is similar to credit cards, with a few key differences

Standard Design



Sample Logo Design



Examples of Uses	<ul style="list-style-type: none"> • T&E • Purchasing • Fuel
Controls	<ul style="list-style-type: none"> • Merchant Category Code Limits • Spend Limits • Velocity Limits
Payment	<ul style="list-style-type: none"> • Due in full each month • Auto-draft is standard
Benefits	<ul style="list-style-type: none"> • Increased Efficiencies • Extended Working Capital • Potential Revenue Sharing

Account Maintenance

Account Maintenance

Go to Account in BBVA Compass Bank

ACCOUNT INFORMATION

Account Number	XXXX-XXXX-XX01-0655
Name 1	SHANE*BUCHERT
Name 2	BBVA COMPASS*
Internal Audit Code	
Home Phone Number	4075413428
Work Phone Number	4074618143
Address Line 1	6319 LAKE BURDEN VIEW DR
Address Line 2	
City/State(Province)	WINDERMERE FL
Postal Code	347865649
Employee ID	89316
Email Address	
Date of Birth	

[Edit](#)

STATUS

Processor	TS1
Account Type	Individual Account
Billing Type	Individual
Processor Account Status	Open Account

[Edit](#)

CREDIT LIMITS

Current Balance	2,414.31
Available Limit	7,345.66
Previous Balance	2,322.37
Disputed Amount	0.00
Current Amount Due	2,322.37
Days Past Due	11

* Credit Limit [Help](#)

Cash Advance Limit (%) [Help](#)

Temporary Credit Limit

[Save](#) [Cancel](#)

TRANSACTION LIMITS

Single Transaction Limit	0.00
Cycle Number of Transactions	0
Cycle Dollar Amount	0.00
Daily Number of Transactions	0
Daily Dollar Amount	0.00
Monthly Number of Transactions	0
Monthly Dollar Amount	0.00

[Edit](#)

MCC GROUP LIMITS

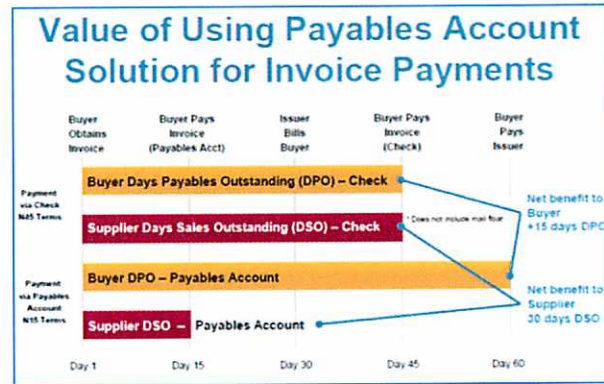
None Defined

[Add](#) [MCCG Report](#)

3

Improved Financials

Increase your Days Payable Outstanding



Lower Processing Costs

BBVA Compass Commercial Card helps reduce overall costs

Average Cost per Transaction <i>across all industries</i>	
Wire Transfer	\$9.86
Paper Check	\$7.15
ACH	\$4.72
Commercial Card	\$3.96

* Aberdeen Group Study

Increased Revenue Sharing

Multiply your revenue sharing

Monthly Spend Range		Revenue Share Rate
\$ 1	\$ 166,667	0.75%
\$ 166,668	\$ 250,000	1.05%
\$ 250,001	\$ 333,333	1.15%
\$ 333,334	\$ 416,667	1.20%
\$ 416,668	\$ 500,000	1.25%
\$ 500,001	\$ 583,333	1.30%
\$ 583,334	+	1.35%
Large Ticket Interchange		0.40%

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 1510
KNOWN AS THE PERSONNEL RULES,
POLICIES AND PROCEDURES ORDINANCE

BE IT ORDAINED BY THE CITY OF FAIRHOPE GOVERNING BODY OF THE CITY OF FAIRHOPE, FAIRHOPE, ALABAMA, as follows:

Section 1. The ordinance known as the Personnel Rules, Policies, and Procedures Ordinance (No. 1510), adopted 14 April 2014, together with the Personnel Handbook of the City of Fairhope, be and the same hereby is changed and altered in respect to the certain section below:

SECTION - VIII. Employee Responsibilities and Conduct

8.11 USE OF CITY VEHICLES.

Only employees authorized by the Department Head and insured under the City's vehicle insurance policy may drive a City vehicle. Employees authorized to drive City vehicles must comply with the following requirements:

1. "Take-home" vehicles are authorized based on the needs of the City and only for employees living inside the police jurisdiction; provided, **with the permission of the Chief of Police and the Mayor based on the needs of the police department, a police officer who lives outside the police jurisdiction may be authorized to "take home" a City police vehicle to respond to calls for police assistance within the City of Fairhope's police jurisdiction.** Except for commuting to and from work, City vehicles must be used only for City business.

Balance of Section 8.11 remains as written in the Personnel Rules, Policies and Procedures Ordinance.

Section 2. Any ordinance, resolution, or part(s) thereof, in conflict with said "Personnel Rules, Policies, and Procedures – 2014," Employee Responsibilities and Conduct, 8.11 Use of City Vehicles is hereby repealed.

Section 3. If any section or provision of this ordinance, or of "Personnel Rules, Policies, and Procedures – 2014", be declared invalid or unconstitutional by judgment or decree shall not affect any other section or provision.

Section 4. This Ordinance shall take effect immediately upon its due adoption and publication as required by law.

ADOPTED THIS 15TH DAY OF MAY, 2018

Karin Wilson, Mayor

Attest:

Lisa A. Hanks, MMC
City Clerk

employee had no intention of sharing the communication. If the communication is brought to the City's attention, and the communication warrants disciplinary or other appropriate action for a violation of City policies or rules of conduct, the City has the right to take such action even if you did not intent to share your communication.

8.09 CELLULAR TELEPHONE USE

Certain employees, primarily Department Heads and other key supervisory personnel, are assigned and authorized to use cellular telephones at work to conduct City business. These cell phones must be used *only* when a traditional "land-line" telephone is unavailable. Cell phones, shall *not* be used while driving a City vehicle or while driving a personal vehicle on City business *unless the vehicle is equipped with a hands-free device.*

Except as stated above, employees may *not* bring personal cell phones or other personal communication devices to work. Cell phones shall be left in the employee's vehicle during working hours.

For employee safety and the safety of others, employees should *never* use cell phones while driving, even for personal business while driving the employee's personal vehicle. Employees always should park vehicles to use or answer a cell phone. Using a smart phone to text while driving a personal vehicle during non-working time is a violation of City of Fairhope Ordinance No. 1446.

8.10 PERSONAL USE OF CITY EQUIPMENT AND SUPPLIES

Use of City telephones for local personal phone calls should be kept to a minimum; long distance personal calls are prohibited. City equipment and supplies should be used by employees for City business only. An employee's misuse of City telephones, vehicles, equipment or supplies will result in disciplinary action including dismissal.

8.11 USE OF CITY VEHICLES

Only employees authorized by the Department Head and insured under the City's vehicle insurance policy may drive a City vehicle. Employees authorized to drive City vehicles must comply with the following requirements:

1. "Take-home" vehicles are authorized based on the needs of the City and only for employees living inside the City's police jurisdiction. Except for commuting to and from work, City vehicles must be used only for City business.
2. Any person operating or riding in City vehicles must wear a seat belt at all times.

3. To operate a City vehicle, the employee must have a current valid Alabama driver's license in his or her possession any time the employee drives a City vehicle.
4. Employees may not loan out a City vehicle to any other person without the Department Head's authorization.
5. Employees must drive in a safe and legal manner at all times.
6. Employees must never operate a City vehicle under the influence of controlled substances or alcohol.
7. Employees must notify the Department Head of any traffic accident or traffic citation received while operating City vehicles.
8. Employees must be insurable under the City's vehicle insurance carrier.
9. Employees are not allowed to use tobacco products (including smokeless tobacco) while operating or riding as a passenger in a City vehicle.
10. Without Department Head authorization, family members are not allowed in a City vehicle.

Violation of these rules or an unsatisfactory driving record may cause the City to revoke an employee's driving authorization and may subject the employee to disciplinary action or to other appropriate employment action, including dismissal if driving a City vehicle is an essential function of the employee's job.

8.12 DRIVER'S LICENSE REQUIREMENTS

An employee is required to hold a valid State of Alabama driver's license with required endorsements if driving a vehicle or mobile equipment is a function of the employee's job. An employee is required to have valid commercial driver's license ("CDL") if operation of a vehicle requiring a CDL is a function of the employee's job. If an employee's driver's license or CDL is revoked, suspended, lost or otherwise not valid, the employee shall promptly notify his/her Department Head in writing and the employee will be immediately suspended from driving duties. The employee may not resume driving until proof of a valid, current driver's license or CDL is provided by the employee to his/her Department Head. Depending on the duration of the driver's license or CDL suspension, an employee may be subject to reassignment, demotion, unpaid suspension or dismissal if the employee's job requires driving. If, for any reason, the City's vehicle insurance carrier excludes the employee from coverage, the employee will be subject to reassignment, demotion, unpaid suspension or dismissal if the employee's job requires driving.

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 1510
KNOWN AS THE PERSONNEL RULES,
POLICIES AND PROCEDURES ORDINANCE

BE IT ORDAINED BY THE CITY OF FAIRHOPE GOVERNING BODY OF THE CITY OF FAIRHOPE, FAIRHOPE, ALABAMA, as follows:

Section 1. The ordinance known as the Personnel Rules, Policies, and Procedures Ordinance (No. 1510), adopted 14 April 2014, together with the Personnel Handbook of the City of Fairhope, be and the same hereby is changed and altered in respect to the certain sections below:

SECTION - III. Hours of Work and Attendance

3.02. Recording Time Worked

All employees must accurately record all hours worked in the manner prescribed by the City. Employees failing to accurately record time are subject to discipline. An employee may not record another employee's time or allow another employee to record his or her time. Employees shall not alter or falsify their own or another employee's time record. Violation of these rules is a ground for immediate dismissal.

Exempt, salaried employees do not have to clock in and will be paid from schedule. *Exempt* employees, however, must still advise the Payroll Administrator or City Accountant of sick days taken and vacation time scheduled.

3.04. Breaks and Meal Periods

Employees generally will receive one fifteen-minute paid break during the morning. Supervisors will arrange the time of the break to ensure City business and services are not unduly interrupted. Breaks cannot be combined with meal periods to extend the meal period, and employees may not leave work early *in lieu* of taking their break.

Meal periods are scheduled by the employee's Department Head. Scheduled meal periods may vary depending on department workloads. Employees will be completely relieved from duty during the scheduled meal period, which shall be at least 30 minutes and no longer than 60 minutes. Meal periods are unpaid. An employee may *not* work during the scheduled meal break unless the Department Head instructs or authorizes the employee to work during the meal break. If an employee is instructed or authorized to work during the meal period, *the entire meal period time must be reported as time worked to ensure non-exempt employees* are paid for the time.

All *non-exempt* employees (*that is*, employees paid overtime pay for all hours worked in excess of 40 hours in a work week as provided in *Personnel Rule 4.04*) will have an *automatic deduction* from their regularly scheduled work hours each work day for the unpaid meal period of at least 30 minutes and not longer than 60 minutes. This includes Police support staff and Police administrative personnel working regular eight-hour shifts.

The City expects employees to take their full unpaid meal period each scheduled work day at the time designated by the Department Head. However, if an employee is *instructed* or *authorized* by his or her Department Head or immediate supervisor to work during the meal period, the entire meal period will be treated as hours worked and will be recorded as such to ensure that non-exempt employees are properly paid for the time. Thus, if an employee is instructed or authorized to work *through* the meal period or is directed to return to work during the meal period and his or her meal break is thereby interrupted the employee's immediate supervisor or Department Head must promptly email the Payroll Administrator or City Accountant, who are authorized to override the automatic deduction to ensure that the meal period is treated as hours worked for payroll purposes.

To ensure the accuracy of time records, each employee's supervisor or the supervisor's designated assistant is responsible for editing each *non-exempt* employee's time card each day. Any changes on the employee's time card must be approved and initialed by the supervisor promptly. The supervisor must digitally approve and submit to the Payroll Administrator or City Accountant each employee's time card no later than 10:00 a.m. on payroll Mondays.

Exempt salaried employees are paid to perform specific jobs, not for the number of hours worked. Accordingly, *exempt* salaried employees are not paid extra for performing work during the scheduled meal breaks.

Employees working extra shifts or special events (parades for example) are required to take at least a one-half hour unpaid meal period after their regularly scheduled workday and before beginning the extra shift.

Section 2. Any ordinance, resolution, or part(s) thereof, in conflict with said "Personnel Rules, Policies, and Procedures – 2014," Section – III. Hours of Work and Attendance, 3.02 Recording Time Worked and 3.04 Breaks and Meal Periods is hereby repealed.

Section 3. If any section or provision of this ordinance, or of "Personnel Rules, Policies, and Procedures – 2014", be declared invalid or unconstitutional by judgment or decree shall not affect any other section or provision.

Section 4. This Ordinance shall take effect immediately upon its due adoption and publication as required by law.

ADOPTED THIS 15TH DAY OF MAY, 2018

Karin Wilson, Mayor

Attest:

Lisa A. Hanks, MMC
City Clerk

3.02 RECORDING TIME WORKED

All employees must accurately record all hours worked in the manner prescribed by the City. Employees failing to accurately record time are subject to discipline. An employee may not record another employee's time or allow another employee to record his or her time. Employees shall not alter or falsify their own or another employee's time record. Violation of these rules is a ground for immediate dismissal.

Exempt, salaried employees must submit a signed time sheet showing the hours worked each day and the use of any accumulated paid vacation and sick leave.

3.03 ATTENDANCE

Good attendance is an essential function of each job. While personal circumstances, beyond the employee's control, may necessitate lost work time, absenteeism and tardiness must be kept to a minimum. "Tardiness" includes reporting for work after the scheduled starting time, leaving work early, leaving work before the scheduled meal break or returning to work late from the meal break without prior approval of the Department Head.

If an employee cannot report for work (including reporting late or an absence from work), the employee must notify his or her supervisor (or the supervisor's designee) before the scheduled starting time, if practicable. If an emergency causes the employee to be late or absent for work and the employee is unable to notify his or her supervisor before the scheduled starting time, the employee should contact the supervisor within 30 minutes after the employee's regular starting time. The employee should advise the supervisor of the reason for the absence or tardiness and when the employee expects to return to work. If an employee is late or absent without notifying his or her supervisor, the employee is subject to discipline as a "no call/no show." If an absence continues beyond one scheduled workday, the employee must report to the supervisor each scheduled work day as discussed above *unless* the employee has been instructed otherwise by his or her supervisor or the employee is on approved leave of absence of specified duration. An employee who is absent from work on three consecutive workdays without notifying his or her supervisor shall be considered to have abandoned his or her job and will be classified as a "Voluntary Quit."

The employee's Department Head generally will determine whether an employee's stated reason for an absence is sufficient for an "excused" absence, subject to review by the Human Resources Department. The Department Head will maintain and provide to the Human Resources Department each work week, an attendance record for each employee in his or her department, which will include the reasons employees give for missing work. *Unexcused* absenteeism or tardiness is a ground for discipline, including dismissal. Even *excused* absenteeism or tardiness is a ground for discipline, including dismissal, if it becomes excessive. Generally, an excused absence for a single reason (a five-day illness, *for example*) will be treated

For the purpose of these guidelines, an “unexcused” absence shall also be counted as an “excused” absence in determining whether discipline will be imposed for excessive *excused absenteeism*.

During inclement weather or natural disaster, the City must continue to provide vital public services. Accordingly, employees must report to work if instructed to do so unless reporting to work as instructed would endanger the employee’s personal safety. Employees who fail to report to work as instructed during or following an emergency are subject to disciplinary action up to and including dismissal.

3.04 BREAKS AND MEAL PERIODS

Employees generally will receive one fifteen-minute paid break during the morning. Supervisors will arrange the time of the break to ensure City business and services are not unduly interrupted. Breaks cannot be combined with meal periods to extend the meal period, and employees may not leave work early *in lieu* of taking their break.

Meal periods are scheduled by the employee's Department Head. Scheduled meal periods may vary depending on department workloads. Employees will be completely relieved from duty during the scheduled meal period, which shall be at least 30 minutes and not longer than 60 minutes. Meal periods are unpaid. An employee may *not* work during the scheduled meal break unless the Department Head instructs or authorizes the employee to work during the meal period. If an employee is instructed or authorized to work during the meal break, *the entire meal break time must be recorded as time worked* to ensure non-exempt employees are paid for the time.

Employees working extra shifts or special events (parades for example) are required to take at least a one-half hour unpaid meal period after their regularly scheduled workday and before beginning the extra shift.

3.05 TOBACCO-FREE WORKPLACE


The City of Fairhope is a tobacco-free work place (including smokeless tobacco). This includes all enclosed facilities, buildings and vehicles owned, leased, or operated by the City of Fairhope. Smoking is prohibited within a reasonable distance (generally 25 feet) *outside* any enclosed area where smoking is prohibited to ensure that tobacco smoke does not enter the area through entrances, windows, ventilation systems or other means. *If* smoking is restricted to designated smoking areas outside any enclosed facility, smoking is restricted to such designated areas.

Smoking and the use of all forms of smokeless tobacco also is prohibited in the following areas without exception:

- Playgrounds. Any park or recreational area that is designed in part to be used by children and that has play or sports equipment installed or that has been designated or landscaped for play or sports activities, including



Memorandum

From: Richard D. Johnson, P.E., Public Works Director 

To: Honorable Karin Wilson, Mayor

Thru: Lynn Donnelly Maser, Special Projects

CC: City Clerk; Council President; File

Date: May 2, 2018

Subject: Public Works Request to Present at 05/15/2018 Council Work Session

Mayor Wilson:

I have two informative subjects that I need to present the City Council at the Work Session on May 15, 2018. Both subjects are for information and Q&A by the City Council. The items I would like to present are:

1. Fairhope Recycling Program
 - a. Commodity Sales to ECUA – Discussion of entering into a contract with the MRF
 - b. FY2019 Budget – Proposed Operational Restructuring and budgetary impacts
2. Highway Safety Improvement Program Grant – FHWA/ALDOT – Roundabout at North Section, City 104, Veterans Drive and Scenic 98
 - a. Grant Details
 - b. Application Details
 - c. Estimate of Probable Cost
 - d. Budgetary Impact and Cost to the City


No action is being requested of Council at this time. If Council indicates an interest in acting on any or all these items, they will be submitted for consideration at a future Council Business Meeting. I will prepare and submit a background information packet for Council by next Wednesday. If you have any questions or need further information, do not hesitate to contact me.

Yours,

RDJ



Memorandum

From: Richard D. Johnson, P.E., Public Works Director 

To: Mayor Wilson & City Council Members

CC: City Clerk; File

Date: May 8, 2018

Subject: Fairhope Recycling Program - Commodity Sales to & FY2019 Budget

This memo is to inform you of two issues concerning the City's Recycling Program: Commodity Sales and Operational Structure.

Recycle Commodity Sales:

The greatest challenge to any municipal recycling program is the availability of ready and willing buyers of the recycle product (commodities) produced by the program. The City has been operating "hybrid" program that has sorted and mixed stream recyclables. We have had moderate success in culling the aluminum, mixed scrap metals, Old Corrugated Cardboard/ Containers (OCC) and mixed paper. Mixed Stream (comingled) which has all the above plus a heavy volumetric weight of plastics 1-7 has become nearly unmarketable. Glass, which by its very nature, is a difficult recyclable has not been problematic since it is not comingled in our stream and we can stockpile until there is a sufficient volumetric weight to attract a receiver. Usually we get it removed and haul at no cost and no payment.

Like many other municipalities we have had tenuous relationship with Tarpon Paper in Loxley, Alabama. Tarpon operated as sole-source recyclables commodity buyer of mixed stream in Baldwin County. Much of the time in the last decade Tarpon was the only commodity buyer available to a municipal recycling program. Tarpon became erratic for payments for recyclables, then failed to make any payments and then made demands for municipalities to pay them for taking the recyclables. Most customers moved to other commodity buyers. Tarpon has since shuttered its Loxley operation.

Emerald Coast Utilities Authority (ECUA) opened its new \$10.6 million recycling facility in Escambia County in 2016. ECUA's clean materials recycling facility (MRF, pronounced "murf") is a specialized plant that receives, separates and prepares recyclable materials for marketing to end-user manufacturers. The City mixed stream recycling has been successfully diverted to ECUA's MRF using available solid waste trucks on lighter route days (Wednesdays mostly). We have received no payment to date since ECUA only pays for recyclables from customers under

contract with them. We did not want to discuss contract options with the Mayor and City Council until such time we had gained enough confidence in our ability to handle the transport “in house”. We have successfully moved materials for six months with available manpower and equipment and are confident that our operational model is sustainable.

In the past six months the recyclable commodity market has declined. For example:

OCC –	October 2017 - \$125.00/Ton	Today - \$80.00/Ton	36% decrease
Mixed Paper -	October 2017 - \$80.00/Ton	Today - \$0.00/Ton	100% decrease
Mixed Stream -	October 2017 - \$125.00/Ton	Today - \$85.00/Ton	32% decrease

The outlook for the recyclable commodity market is bleak and the downward trend is expected to continue. The projection is that we may stay in a zero-value commodity market for the next 18 months. The break even or zero-value of mixed stream recyclables is an Average Market Value (AMV) of \$95.00/Ton. Meaning that break-even cost of an MRF operation is approximately \$95.00 per ton. If the AMV is above \$95.00/Ton commissions can be paid, if below there is a tipping fee. In October of 2017 ECUA was paying \$15.00/ton for mixed stream if you were under contract, today contract customers are paying a \$2.00/Ton tipping fee.

ECUA has expressed to us that we must “formalize” our relationship. Currently, we are delivering recyclables at no cost while customers under contract are paying \$2.00/Ton. They have informed us that for us continue to use ECUA’s MRF we must enter into a contract. I have included a copy of the contract the City of Mobile is entering to. Our City Attorney will need to approve the City’s contract prior to authorization by Council and Execution by the Mayor.

This contract has been provided as a template for us to modify for our needs. We will need to insure non-exclusivity and no requirement that all recyclables must be directed to ECUA’s MRF. We can establish reasonable maximum tonnages now that we have six months of data. Our goal is to use them for our residential comingle stream. In addition, there needs to be an ability to opt out if the tipping fee exceeds the landfill fee of \$30.00/Ton. If the AMV drops below \$55.00/Ton we would need to come back to the Mayor and Council for guidance. Below ECUA’s MRF current Commission/Tipping matrix:

Average Market Value	\$45.00	\$55.00	\$65.00	\$75.00	\$ 85.00	\$ 95.00	\$ 105.00	\$ 115.00	\$ 125.00	\$ 135.00	\$ 145.00
	or less	or less	or less	or less	or less	or less	or less	or less	or less	or less	or less
IMRF Tipping Fee	\$ 52.00	\$ 37.00	\$ 23.00	\$ 9.00	\$ 2.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
ECUA per ton revenue share	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 5.00	\$ 10.00	\$ 15.00	\$ 20.00	\$ 25.00

I would like to send a revised draft of the contract to the City Attorney for review, revisions, corrections and adjustments followed by a request for Council authorization.

Attachments:

1. Contract (City of Mobile)
2. Exhibit
3. Historical AMV
4. Pensacola News Article

Recycling Operations – FY2019

Currently we are using the State Inmate Program as "Hoppers" and general labor throughout Public Works. We have a standing request for 15 and usually receive half the number of what was requested. This program operates out of the Loxley Work Camp, which attempts to provide an avenue for inmates to establish a "trustee" status and allows inmates work outside of their confinement in the "free world". These inmate farm squads are comprised of convicted criminals lawfully incarcerated by the State. The City does pay a daily rate per inmate and must provide meals, transport and constant supervision. All City employees overseeing inmates in this program do receive training from the State Work Camp on rules and procedures concerning inmates assigned to community work squads.

This program has been beneficial to the City but not without issues. Unfortunately, some of the convicts selected for this program choose to pursue criminal activity than seek rehabilitation. Without going in to detail, we have had too many criminal related incidents with inmates over the last few years to justify their use in Sanitation Operations and Residential Recycling. Residential Recycling visits the street frontage of every home in Fairhope on a weekly basis.

The other major issue with the use of the program is reliability and work quality. The State Corrections System has the following policy: *Squads will NOT be checked out if the heat index is above 102 degrees or the wind chill factor is below 32 degrees. Squads will not be checked out during inclement weather or pending severe weather.* This past year alone we lost 25 inmate work days due to weather restrictions. As noted above we request 15 inmates per day hoping to have half that number available. Inmates are not City employees, they just don't have the same motivations that the rest of the Sanitation Staff share. It takes twice as many inmates to accomplish the same task as full time City employees. Some work hard, some do a good job, but most don't. We don't get to select the participants, we are assigned inmates for the day and we must work with what we receive. If incidents happen, or behavioral problems arise, we can report it back to the Work Camp and they may be pulled from the program.

The table shows the current budgeted cost for the inmate program:

Costs	DESCRIPTION	Daily Costs	Days worked / year	TOTALS	Notes
Work Rate	Inmate Salary	\$21.50	285	\$6,127.50	Inmate Salary Per Year (Individual)
Meals	Inmate Meals	\$2.50	285	\$712.50	Lunch per work day / Year (Individual)
Transportation	Fuel / Maintenance	\$15.00	285	\$4,275.00	Inmate Van Costs (Averages)
City Staff Rates	One Driver / Twice per day	\$50.00	285	\$14,250.00	Work Camp Pick Up / Drop Off
Totals					
				\$121,125.00	
NOTES:	Loxley Work Camp Distance	16.00 Miles from Fairhope	32 Mile Round Trip		Note: On Days Worked/Year - Includes 26 Saturdays where inmates were used
	City Staff Rate: \$25.00 per hour (Overtime Rate)	One Hour / Trip	Twice per Day / 2.00 Hours		

We annually anticipate a cost of the program more than \$120,000.00 per year. That is not the true cost or impact to operations. Each day we don't receive sufficient numbers or have a weather suspension of services, manpower from other departments within Public Works are pulled to provide the sanitation services. This is disruptive to overall operations and the general morale of the Department. Three inmates are assigned to the Body Shop Operations. This

function of Public Works is morphing into other needed support services in Public Works and the inmates are rarely used and have become superfluous.

In consultation with the Sanitation Supervisor we are proposing a change in the Sanitation Operations that eliminates the inmate program altogether. As noted above Recycling processing and sorting has change drastically over the last few years and we don't sort like we had in the past. There is no need for inmates in that area any more. The principle need for inmates is on the collection side – as "Hoppers". Hoppers are those that ride the back of the collection truck and hop down, collect and then empty the bins into the truck. We have determined that with four full-time Hoppers we could eliminate the inmate program altogether. In addition, we get back 10-12 hours per week of employee time involved in the collection, transport and return of the inmates.

The estimated cost of this change in operation should be close to budget neutral. A Sanitation Worker – Hopper (SWH) should be classified a Grade 13 with a low of \$9.60/Hr.; a mid of \$12.48/Hr.; and a high of \$15.35/Hr. Using the mid of \$12.48/Hr., the annual salary is \$25,958.40, using an overhead factor of 1.25 for benefits, retirement, etc. – the annual unit cost is \$32,448.00. For four SW-Hoppers, the annual budgeted cost would be \$129,792.00. Roughly \$9,000.00 more than what is currently budgeted.

If the Mayor and Council are receptive to this operational proposal it can be incorporated into the forthcoming FY2019 Budget. However, it will be a transitional change. Hiring three new employees will take 30-90 day and we must have them in place prior to discontinuing the inmate program.

No action is being requested of the Mayor and Council at this time. If the Mayor and Council indicates an interest in acting on any or all these items, they will be submitted for consideration at a future Council Business Meeting. If you have any questions or need further information, do not hesitate to contact me.

Yours,

RDJ

**INTERLOCAL AGREEMENT FOR THE ACCEPTANCE AND PROCESSING
OF SOURCE SEPARATED RECYCLABLES**

This Interlocal Agreement for the Acceptance and Processing of Source Separated Recyclables (hereinafter "Agreement") is made and entered into as of this ____ day of _____, 2017, by and between the Emerald Coast Utilities Authority, a local governmental body, corporate and politic, which was formed by the Florida Legislature as an independent special district (hereinafter "ECUA"), with administrative offices located at 9255 Sturdevant Street, Pensacola, Florida 32514, and the City of Mobile, Alabama, a municipal corporation of the State of Alabama (hereinafter "City" or "City of Mobile"), with administrative offices located at 205 Government Street, Mobile, Alabama 36602 (each at times also being referred to as a "Party" or collectively as "Parties").

WITNESSETH:

WHEREAS ECUA is authorized by Section 163.01, Florida Statutes, to enter into Interlocal Agreements with cities in another State on a basis of mutual benefit and advantage, and thereby cooperatively utilize their powers and resources in the most efficient manner possible;

WHEREAS the City of Mobile is authorized by Section _____ of The Code of Alabama, to enter into Interlocal Agreements with local governmental entities in another State which it believes to be mutually beneficial to both public entities;

WHEREAS the City of Mobile operates several Recycling Drop-Off Centers which are strategically located in and around Mobile, Alabama, and at which individuals may deposit Source Separated Recyclables which have been removed from the City's solid waste stream;

WHEREAS the City of Mobile intends to implement a curbside collection program for Source Separated Recyclables which have been removed from the solid waste stream by its residential solid waste customers, and it is envisioned that this program will be implemented by September 1, 2017;

WHEREAS the Source Separated Recyclables collected by the City of Mobile, regardless of source, must be processed and sorted into separate commodities so as to

facilitate their resale so that the recyclable materials may be recycled and put to beneficial use;

WHEREAS ECUA has built a Municipal Recycling Facility (MRF) which is able to process Source Separated Recyclables;

WHEREAS the City would like to deliver all of the Source Separated Recyclables it collects during the term of this Interlocal Agreement to ECUA's MRF, so that the Source Separated Recyclables may be processed, segregated into recyclable commodities, and put to beneficial use;

WHEREAS both Parties have independently determined that entry into this Agreement will be mutually beneficial and inure to the benefit of their respective electorates; and

WHEREAS the Parties desire to clarify the terms and conditions under which the City may deliver and the ECUA MRF may accept Source Separated Recyclables collected by the City's solid waste collection franchisee.

NOW THEREFORE in consideration of the mutual promises and covenants contained in this Agreement, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties hereby agree as follows:

AGREEMENT

1. Recitals. The recitals contained in the preamble to this Agreement are declared to be true and correct and are hereby incorporated into this Agreement.

2. Definitions. As used in this Agreement the following terms shall have the following meanings:

2.1 *Applicable Law* -- shall mean all applicable federal, state and local statutes, codes, ordinances and standards and all applicable rules, regulations, licenses, permits, registrations, approvals, decisions, authorizations, judgments, orders, writs, decrees, directives or other action adopted, issued or taken by an governmental authority.

2.2 *Construction and Demolition Waste or C&D Waste* -- shall mean waste building materials, packaging and rubble resulting from construction, remodeling, repair, or demolition operations on houses, commercial buildings, and other structures,

or as otherwise defined from time to time. Such wastes include, but are not limited to, concrete and paving debris, masonry materials, sheet rock, roofing waste, insulation (not including asbestos or asbestos containing materials), scrap metal, wood products, wooden pallets, and other similar materials (not including asbestos or asbestos containing materials).

2.3 *ECUA MRF* -- shall refer to the Municipal Recycling Facility currently being designed and constructed by ECUA which is to be located at the Perdido Landfill at 13009 Beulah Road, Cantonment, Florida 32533.

2.4 *Effective Date* -- The Parties presently anticipate the Effective Date shall be February 1, 2017, but the Parties will separately designate in writing an Effective Date after execution of this Agreement.

2.5 *Garbage* -- shall mean any putrescible animal and/or vegetative waste resulting from the handling, preparation, cooking and consumption of food, including, but not limited to, waste from markets, storage facilities, handling and sale of produce and other food products and further includes the packaging materials and containers, but excepting such materials that may be serviced by garbage grinders and handled as household sewage.

2.6 *Hazardous Waste* -- shall mean (a) any waste which by reason of its quality, concentration, composition or physical, chemical or infectious characteristics which is defined or regulated as a hazardous waste, toxic substance, hazardous chemical substance or mixture, or asbestos under Applicable Law, as may be amended from time to time, including: (i) the Resource Conservation and Recovery Act of 1976 ("RCRA") and the regulations contained in 40 CFR Parts 260-281, (ii) the Toxic Substances Control Act (15 U.S.C. Sections 2601 *et seq.*) and the regulations contained in 40 CFR Parts 761-766, and (iii) future additional or substitute federal, state or local laws pertaining to the identification, treatment, storage, or disposal of toxic substances, or hazardous wastes; (b) radioactive materials, which are source, special nuclear, or by-product materials, as defined by the Atomic Energy Act of 1954 (42 U.S.C. Section 2011 *et seq.*) and the regulations contained in 10 CFR Part 40; (c) a chemical listed by the United States Environmental Protection Agency in accordance with Section 302(a)

or Section 313(c) of the Emergency Planning and Community Right-to-Know Act of 1986, 42 U.S.C.A. § § 11002(a), 110239(c) (Supp. 1993), in each case as the same may be amended, replaced, or superseded; (d) a material or substance which may endanger health or safety, including any material or substance or combination of materials or substances which are explosive, volatile, radioactive, toxic, corrosive, flammable, reactive, an irritant or a strong sensitizer, or which generate pressure through decomposition, heat or other means if such materials or substances may cause injury, illness or harm to humans, domestic animals, livestock or wildlife; (e) a material falling within the definition of Fla. Stat. § 403.703(13); or (f) a material or substance that is treated as a hazardous or toxic waste, substance, or material by any Applicable Law or is otherwise prohibited from being deposited in a municipal solid waste processing facility under Applicable Law. Household Hazardous Waste contained in SSR shall not be considered Hazardous Waste for purposes of this Agreement and shall be accepted at the Facility if such acceptance is in compliance with the requirements of RCRA and the requirements of the MRF. With regard to materials or substances which are not Hazardous Waste as of the Effective Date, if any Applicable Law is subsequently enacted or amended or any governmental authority thereafter determines that such material or substance is a hazardous or toxic waste, substance or material, then such material or substance shall be considered Hazardous Waste for the purposes of this Agreement from and after the effective date of such enactment or amendment of Applicable Law or governmental authority determination.

2.7 *Municipal Solid Waste or MSW* -- shall mean Garbage, household waste, and commercial solid waste; provided that for the purposes of this Agreement, Municipal Solid Waste shall not include Source Separated Recyclables, C&D Waste, Hazardous Waste, Special Handling Waste, Unacceptable Waste, or scrap tires.

2.8 *Perdido Landfill* -- shall mean the landfill currently operated by Escambia County, Florida which is located at 13009 Beulah Road, Cantonment, Florida 32533.

2.9 *Prohibited Materials* -- shall mean Municipal Solid Waste, C&D Waste, Hazardous Waste, Special Handling Waste, Unacceptable Waste, Yard Waste,

scrap tires and any other solid waste or material of any kind that the ECUA MRF is prohibited from accepting pursuant to agreement, Applicable Law, or operational constraints.

2.10 *Recyclables* -- shall mean various recyclable products and packaging designated by ECUA to be accepted at the MRF for processing, including various types of paper (including but not limited to newspaper, junk mail, magazines, office paper, cardboard and paperboard packaging), containers (including but not limited to glass bottles and jars, aluminum and steel cans, and #1 - #7 plastics), and mixed ferrous and non-ferrous metals. The term Recyclables shall not include Municipal Solid Waste, Construction and Demolition Waste, Hazardous Waste, Special Handling Waste, Yard Waste, Unacceptable Waste, Styrofoam, or scrap tires. The list of Recyclables may be expanded or contracted from time to time as determined by ECUA and the operator of the ECUA MRF, if any.

2.11 *Rejects* -- shall refer to materials collected along with the Recyclable Materials that are not designated by ECUA to be accepted at the ECUA MRF for processing.

2.12 *Residue* -- shall refer to Rejects and Recyclable Materials that are accepted by the operator of the ECUA MRF, processed at the ECUA MRF, and not converted to Recovered Materials due to breakage and/or transportation or processing limitations or inefficiencies.

2.13 *Shutdown* -- shall refer to those times in which the operator of the ECUA MRF is unable to receive Source Separated Recyclables for any reason except Force Majeure.

2.14 *Source Separated Recyclables or SSR* -- shall refer to Recyclables which (a) have been diverted or removed from the Municipal Solid Waste prior to collection, (b) are not C&D Waste, Hazardous Waste, Special Handling Waste, Yard Waste, Unacceptable Waste or scrap tires, (c) are not Municipal Solid Waste, and (d) the ECUA MRF is not prohibited from accepting and/or Processing under Applicable Law. The Parties acknowledge, however, that incidental amounts of Rejects may be collected and delivered with Source Separated Recyclables as a normal part of a recycling

collection program.

2.15 *Special Handling Waste* -- shall mean any waste or other material that requires the delivery and disposal to be supervised by a government authority, including confiscated drugs and records of a police department or similar governmental authority.

2.16 This paragraph is intentionally left blank.

2.17 *Unacceptable Waste* -- shall mean (a) Hazardous Waste, explosives and ordinance materials, pathological wastes, radioactive materials, lead acid batteries, sewage sludge, highly flammable substances, cesspool or other human wastes, human and animal remains, motor vehicles, farm or other large machinery, construction materials and demolition debris and hazardous refuse addressed by regulations adopted by the United States Environmental Protection Agency ("EPA") pursuant to the Resource Conservation and Recovery Act of 1976, as amended, or other federal or state statutes, such as, but not limited to, cleaning fluids, hazardous paints, acids, caustics, poisons, radioactive materials, fine powdery earth used to filter cleaning fluid; (b) unless consented to by ECUA, any item of waste exceeding six feet in any one of its dimensions or being in whole or in part a solid mass, the solid mass portion of which has dimensions such that a sphere with a diameter of eight inches could be contained within such solid mass portion; (c) all large household appliances, commonly referred to as "white goods" including refrigerators, stoves, washing machines, drying machines and water heaters; (d) any controlled substances regulated under the Controlled Substances Act, 21 USA 801 *et seq.*, or any equivalent state law; (e) small appliances containing chlorofluorocarbons (CFCs) including air conditioners, water coolers, and dehumidifiers; (f) cathode ray tubes; and (g) all other items of waste which pose a substantial threat to health or safety or the acceptance and disposal of which will cause substantial damage to, or adversely affect the continuous operation of the MRF or be in violation of any Applicable Law. Any substance or material which is determined by the EPA or any other Governmental authority subsequent to the Effective Date hereof to be hazardous, toxic, dangerous, harmful, or otherwise designated as a "waste ban," shall, at the time of such determination, be considered Unacceptable Waste.

2.18 *Yard Waste* -- shall refer to vegetative matter resulting from landscaping maintenance and land clearing operations and includes associated rocks and soils.

3. Term. The initial term of this Agreement shall begin on the Effective Date, as defined in paragraph 2.4, above, and end on September 30, 2019. Provided, however, that the Parties may extend the term of this Agreement upon mutual written agreement.

4. Delivery and Acceptance of Source Separated Recyclables.

a. *Diversion of Source Separated Recyclables to ECUA.* Beginning on the Effective Date and throughout the term of this Agreement, the City will deliver, or cause to be delivered at City's expense, to the ECUA MRF, all SSR it collects within the City of Mobile, Alabama.¹

b. *Right to Reject Loads Containing Excess Rejects.* In the event that SSR delivered to the ECUA MRF contains Rejects in excess of twenty-five percent (25%) by weight, the entire load may be rejected by the operator of the ECUA MRF. In the event that such a rejection occurs, the City shall be liable for a processing fee of \$250 per load plus the disposal costs attributable to that entire load at the Perdido Landfill, at the rates established by Escambia County which are then in effect.² Moreover, in the event that the City's SSR has excess Reject contamination on three (3) separate loads within a thirty (30) day calendar period, the ECUA Executive Director or his designee, in his sole discretion, may terminate this Agreement and disqualify the City from further deliveries.

c. *Compensation/Charges to County.* The City shall be compensated/charged quarterly for each ton of SSR processed at the ECUA MRF, in accordance with paragraph 6 of this Agreement, below.

d. *Recovered Materials Report.* The Parties recognize that

¹The ECUA MRF shall only be obligated to receive SSR at those times and on those days in which the ECUA MRF is operating, receiving SSR, and not Shutdown.

²In the event some or all of the load cannot be lawfully disposed of at the Perdido Landfill, City shall be liable for all disposal costs associated with the disposal selected by the operator of the ECUA MRF.

subsequent to acceptance at the ECUA MRF, the SSR subject to this Agreement will likely be commingled with materials from other entities. Therefore, in order to facilitate Florida Department of Environmental Protection reporting requirements, the City shall provide a composition study, conducted by a third party acceptable to ECUA, of City provided SSR, prior to the Effective Date of this Agreement. ECUA may reasonably require further composition studies from the City as ECUA deems necessary or convenient, in its sole discretion.

5. Disposal of Residue. The Parties acknowledge and understand that each load of SSR may contain Garbage, Unacceptable Waste, or other Rejects which cannot be recycled and put to beneficial use (collectively hereafter referred to as Residue). Because the SSR received from the City of Mobile will likely be commingled with SSR generated from other jurisdictions, the Parties acknowledge and understand that it is impossible to therefore segregate the Residue by each entity. Accordingly, all such Residue shall be disposed of at the Perdido Landfill at no charge to the City.

6. Compensation/Charges for Delivered Recyclables. The Parties acknowledge and understand that the market for various Recyclable Materials fluctuates greatly based upon various market conditions. In order to reflect that reality, and make this Agreement viable and mutually beneficial, the Parties agree that the City shall be either compensated or charged for the SSR processed at the ECUA MRF in accordance with the document attached hereto as Exhibit A, which is hereby incorporated by reference as if fully set forth herein, based upon weights measured at the scale house operated by Escambia County at the Perdido Landfill. However, on the first (1st) anniversary of the Effective Date of this Agreement and on each subsequent anniversary so long as this Agreement remains in effect, a new Exhibit shall be prepared in which each number in Exhibit A shall be automatically adjusted by one hundred percent (100%) of the percentage change in the most recently published Consumer Price Index for All Urban Consumers (the "CPI-U"), South Region, 1982-84 = 100, published by the United States Department of Labor, Bureau of Labor Statistics, over the twelve (12) months immediately preceding the anniversary date.

7. Billing. ECUA shall send a bill to City within thirty (30) days of the end

of each quarter of the calendar year which reflects all charges and credits due to the Parties pursuant to paragraph 6, above. All charges and/or credits shall be paid by the respective Party within forty-five (45) days of the end of each quarter of the calendar year.

8. Compliance with Law and Procedures. ECUA and the City shall perform their respective obligations under this Agreement in compliance with all Applicable Law. The City shall transport and handle SSR in its control in a safe and workmanlike manner and in full compliance with Applicable Law. ECUA shall further endeavor to maintain throughout the term of this Agreement, all permits, licenses, certificates, and approvals required by Applicable Law for the operation of the ECUA MRF.

9. Staffing at the ECUA MRF. The Parties understand that ECUA intends, at least through the initial term of this Agreement, to contract with a third party to staff and operate the ECUA MRF.

10. Title to Source Separated Recyclables. Upon acceptance of a load of SSR (as opposed to a rejection in accordance with paragraph 4.b, above), title to the SSR shall vest with the operator of the ECUA MRF.

11. City's Obligations Regarding Recyclables; Delivery of said SSR; and Tonnage Limit.

a. Recycling Drop-Off Center. The City presently operates _____ (insert number) Recycling Drop-Off Centers which are strategically located in and around Mobile, Alabama. At these Recycling Drop-Off Centers, individuals may deposit Source Separated Recyclables which they have diverted from the solid waste stream. The Recyclables which the City collects at its Recycling Drop-Off Centers include but are not necessarily limited to plastic containers, aluminum cans, metal cans, paper, cardboard, and glass. Throughout the Term of this Agreement, the City shall continue to operate and maintain its Recycling Drop-Off Centers, receiving comparable recyclables, and it shall deliver all Source Separated Recyclables collected at its Recycling Drop-Off Centers to the ECUA MRF. Presently, the City's Recycling Drop-Off Centers collect approximately 2,000 tons per year, and the Parties anticipate comparable levels throughout the Term of this Agreement.

b. *Curbside Collection and Delivery Requirements.* The City anticipates offering curbside collection of Source Separated Recyclables to its residential solid waste customers beginning September 1, 2017. Once implemented, the City agrees to keep its SSR curbside collection program in place throughout the remaining Term of this Agreement and any extensions thereof. Additionally, the City will deliver all of the Source Separated Recyclables it collects pursuant to its SSR curbside collection program to the ECUA MRF. It is thus the Parties' intent that all SSR controlled by the City and collected by its Public Services Division be delivered to the ECUA MRF.

c. *Tonnage Limit Prior to Implementing Curbside Recycling.* Presently, approximately 2,000 tons of SSR is collected at the City's Recycling Drop-Off Centers each year. Accordingly, despite the requirements in paragraphs 4.a and 11.a above that all SSR collected at such facilities be delivered to ECUA, the City is limited to delivering 2,500 tons of SSR per year to the ECUA MRF, absent subsequent written agreement between the Parties pursuant to the notice provisions set forth in paragraph 13, below.

d. *Tonnage Limit Subsequent to Implementing Curbside Collection Program.* Notwithstanding the provisions of paragraph 11.c above, upon the City's implementing a curbside collection program for SSR for all of its residential solid waste customers, the City's tonnage limit will be increased, and the City may deliver up to an additional 10,000 tons of SSR per year to the ECUA MRF (hereinafter "Excess Capacity"), making the City's overall tonnage limit 12,500 tons of SSR per year to the ECUA MRF, absent subsequent written agreement between the Parties pursuant to the notice provisions set forth in paragraph 13, below. Provided, however, that in the event the City fails to implement a curbside collection program for SSR for all of its residential solid waste customers by November 1, 2017, ECUA has no obligation to reserve any Excess Capacity for City.

12. Events of Default. A Party shall be in default of this Agreement only upon the expiration of thirty (30) days (ten (10) days in the event of failure to pay money) from receipt of written notice of default from the other Party specifying the particulars in which such Party has failed to perform its obligations under this

Agreement unless such Party, prior to the expiration of said thirty (30) days (ten (10) days in the event of failure to pay money), has rectified the particulars specified in said notice of default; provided, however, that such Party shall not be deemed to be in default if such failure (except a failure to pay money) cannot be rectified within said thirty (30) day period and such Party is using good faith and commercially reasonable and diligent efforts to rectify the particulars specified in the notice of default.

13. Notices. All notices called for under this Agreement shall be made in writing and delivered by hand, certified mail with return receipt, or overnight courier, as follows:

To City:

Kathleen Padgett
Director, Public Services Division
3rd Floor Government Plaza
205 Government Street
Mobile, Alabama 36602

To ECUA:

Randy Rudd
Deputy Executive Director of Shared Services
Emerald Coast Utilities Authority
9255 Sturdevant Street
Pensacola, Florida 32514

14. Force Majeure. In the event that performance by the Parties of any of its obligations under this Agreement shall be interrupted, delayed, or prevented by any occurrence not occasioned by the conduct of such Party, whether such occurrence be an act of God or any other occurrence whatsoever which is beyond the reasonable control of such Party, including a change in environmental law or regulation rendering performance impractical or impossible, then such Party shall be excused from such performance for such period of time as is reasonably necessary after the occurrence to remedy the effects thereof, or until such performance is no longer impractical or impossible.

15. ECUA's Right to Refuse to Accept SSR and Right to Cancel for Convenience. Notwithstanding the provisions of paragraph 4, above, in the event that

the operator of the ECUA MRF declares a Shutdown, ECUA and the ECUA MRF shall be under no obligation to accept any SSR from the City through the duration of that Shutdown. Moreover, in the absence of a Shutdown, ECUA, acting through its Executive Director, may cancel this Agreement for convenience on one week's written notice, notwithstanding the provisions of paragraph 3, above. In the event of a Shutdown, the City may dispose of SSR elsewhere for the duration of the Shutdown, and the City shall not be obligated to reimburse ECUA or the operator of the ECUA MRF for lost revenue associated therewith.

16. Records. The Parties acknowledge that this Agreement and any related financial records, audits, reports, plans, correspondence, and other documents may be subject to disclosure to members of the public pursuant to Chapter 119, Florida Statutes, as amended. In the event a Party fails to abide by the provisions of Chapter 119, Florida Statutes, the other Party shall give written notice of the alleged violation of Chapter 119 and seven (7) calendar days to cure the alleged violation. If the alleged violation has not been cured at the end of that time period, then the party giving such notice may terminate this Agreement for cause. The City of Mobile further agrees to:

a. Keep and maintain public records required to perform services under this Agreement.

b. Upon request from ECUA's custodian of public records, provide ECUA with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided in Chapter 119, Florida Statutes, or as otherwise provided by law.

c. Ensure that public records that are exempt or confidential from public records disclosure requirements are not disclosed except as authorized by law during the term of this Agreement and following completion of the Agreement if the City does not transfer the records to ECUA.

d. Upon completion of the Agreement, transfer, at no cost, to ECUA all public records in possession of the City or keep and maintain public records required by the City to perform the services under this Agreement. If the City transfers all public records to ECUA upon completion of the Agreement, the City shall destroy any duplicate

public records that are exempt or confidential and exempt from public records disclosure requirements. If the City keeps and maintains public records upon completion of the Agreement, the City shall meet all applicable requirements for retaining the public records. All records stored electronically must be provided to ECUA, upon request from ECUA's custodian of public records, in a format that is compatible with the information technology systems of ECUA.

IF THE CITY OF MOBILE HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, AS TO THE CITY'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS AGREEMENT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT 850-969-3302, LINDA.IVERSEN@ECUA.FL.GOV, AND LINDA IVERSEN, 9255 STURDEVANT STREET, PENSACOLA, FLORIDA 32514.

17. Assignment. This Agreement or any interest herein, shall not be assigned, transferred, or otherwise encumbered, under any circumstances, by any Party, without the prior written consent of all other Parties.

18. Headings. Headings and subtitles used throughout this Agreement are for the purpose of convenience only, and no heading or subtitle shall modify or be used to interpret the text of any section.

19. Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Florida, and the Parties stipulate that venue for any matter which is the subject of this Agreement shall lie in Escambia County, Florida.

20. Sovereign Immunity. Except as expressly set forth in this Agreement, nothing herein shall be deemed to be a waiver by either party of its rights to sovereign immunity, and ECUA specifically reserves all its rights as set forth in Florida Statute 768.28.

21. Dispute Resolution. The Parties agree that in the event of any dispute or claim relating to, arising out of, or interpreting this Agreement arises, all such disputes or claims shall be fully, finally, and exclusively decided by a State court of competent

jurisdiction sitting in Escambia County, Florida. Additionally, the Parties knowingly and willingly hereby waive their respective rights to have any such disputes or claims decided by a jury; instead, their sole relief shall be via a bench trial in which the judge alone sits as the finder of fact.

22. Interpretation. For the purpose of this Agreement, the singular includes the plural and the plural shall include the singular. References to statutes or regulations include all statutory or regulatory provisions consolidating, amending, or replacing the statute or regulation referred to. Words not otherwise defined that have well-known technical or industry meanings are used in accordance with such recognized meanings. References to persons include their respective permitted successors and assigns and, in the case of governmental persons, persons succeeding to their respective functions and capacities.

a. If any Party discovers any material discrepancy, deficiency, ambiguity, error, or omission in this Agreement, or is otherwise in doubt as to the meaning of any provision of the Agreement, the Party shall immediately notify all other Parties and request clarification of this Agreement.

b. The Parties agree that they are knowledgeable and sophisticated entities and that this Agreement is entered into knowingly and voluntarily after having the opportunity to fully consider it and discuss it with their attorneys. Having had the opportunity to obtain the advice of legal counsel to review, comment upon, and redraft the Agreement, the Parties agree that this Agreement shall be construed as if the Parties jointly prepared it so that any uncertainty and ambiguity shall not be interpreted against any one party or in favor of the other.

23. Severability. The invalidity or non-enforceability of any portion or provision of this Agreement shall not affect the validity or enforceability of any other portion or provision. Any invalid or unenforceable portion or provision shall be deemed severed from this Agreement and the balance hereof shall be construed and enforced as if it did not contain such invalid or unenforceable portion or provision.

24. Further Documents. The parties shall execute and deliver all documents and perform further actions that may reasonably be necessary to effectuate the

provisions of this Agreement.

25. No Waiver. The failure of a Party to insist upon the strict performance of the terms and conditions hereof shall not constitute or be construed as a waiver or relinquishment of any other provision or of either Party's right to thereafter enforce the same in accordance with this Agreement.

26. Relationship Between the Parties. The City agrees that it is an independent entity and not an officer, agent, servant, or employee of ECUA; that the City shall have exclusive control of and exclusive right to control the details of the work performed hereunder by its personnel, and shall be responsible for the acts and omissions of its officers, agents, employees, contractors, subcontractors, and consultants; that the doctrine of respondeat superior shall not apply as between ECUA and the City, their officers, agents, employees, contractors, subcontractors, and consultants; and nothing herein shall be construed as being a partnership or joint enterprise between ECUA and the City.

27. Third Party Beneficiaries. It is specifically agreed between the Parties executing this Agreement that it is not intended by any of the provisions or any part of this Agreement to create in the public or any member thereof, a third party beneficiary under this Agreement, or to authorize anyone not a party to this Agreement to maintain a suit for personal damages pursuant to the terms or provisions of this Agreement.

28. Binding Effect. This Agreement shall be binding upon the Parties, their predecessors, successors, parents, subsidiaries, affiliates, assigns, agents, directors, officers, employees, and attorneys. Each of the signatories to the Agreement represents and warrants that he or she is authorized to execute this Agreement and to bind the party on whose behalf he or she is signing.

29. All Prior Agreements Superseded. This document incorporates and includes all prior negotiations, correspondence, conversations, agreements, or understandings applicable to the matters contained herein, and the Parties agree that there are no commitments, agreements, or understandings concerning the subject matter of this Agreement that are not contained in this document. Accordingly, it is agreed that no deviation from the terms hereof shall be predicated upon any prior

representations or Agreements whether oral or written. It is further agreed that no modification, amendment, or alteration in the terms and conditions contained herein shall be effective unless contained in a written document executed with the same formality and of equal dignity herewith.

City of Mobile, Alabama, a political subdivision of the State of Alabama acting by and through its duly authorized City Council.

By: _____

Date: _____

ATTEST:

By: _____

**EMERALD COAST UTILITIES
AUTHORITY**, a local governmental body,
corporate and politic

By: _____

Stephen E. Sorrell, P.E., M.P.A.
Executive Director

Date: _____

ATTEST:

By: _____

Secretary

Exhibit A – Composition and Average Market Value of ECUA-Controlled Recyclables

Contractor acknowledges and accepts the following:

- a. The material percentages used for calculating the Average Market Value (AMV) are best estimates of the composition of the ECUA-Controlled Recyclables. The material percentages do not attempt to estimate or include Residue that consists of Recyclable Materials that are not recovered due to break and/or transportation or processing limitations or inefficiencies.
- b. The material percentages used for calculating the AMV shall be revised only upon completion of a recyclables composition study conducted that meets the requirements specified herein:
 - The study entails sampling and manual sorting of inbound ECUA-Controlled Recyclables, not materials processed through the MRF or other sorting line with mechanized equipment. Inbound ECUA-Controlled Recyclables means material as delivered to the MRF. The final methodology is subject to written approval by ECUA.
 - The study shall be conducted by a qualified entity with demonstrated experience conducting recyclables composition studies. If the study is requested and conducted by the Contractor, selection of such entity is subject to written approval by ECUA, not to be unreasonably withheld.
 - ECUA reserves the right to have a representative onsite throughout the study.
 - Study results are subject to final approval by ECUA, which shall not be unreasonably withheld. If approved by ECUA, adjustments to the composition provided in this Exhibit shall be made and shall become effective on the first day of the following month and for the remainder of this Agreement, or until further adjusted in a future composition study.
 - The study shall be paid for by the party requesting such study unless otherwise agreed upon in writing.
 - A study cannot be requested more than twice annually.
- c. The market indices (RISI/OBM and Recyclingmarkets.net) utilized are intended to reflect the average value, in the Southeast United States, of each Recyclable Material included in ECUA-Controlled Recyclables. It is not intended to equate to the commodity revenue received by the Contractor.
- d. For the purposes of calculating revenue, the value of Rejects in the AMV table shall remain fixed at \$0.
- e. If at any time during the term of this Agreement, RISI/OBM or Recyclingmarkets.net no longer posts or otherwise provides the applicable market indices, then the parties shall mutually select an appropriate replacement source for the required information from among the sources recycling industry professionals utilize to obtain reliable Recovered Material pricing information.
- f. Any and all costs associated with accepting, processing, marketing, and transporting ECUA-Controlled Recyclables shall be the responsibility of the Contractor.

Exhibit A – Composition and Average Market Value of ECUA-Controlled Recyclables

- g. The payment formula shall be used for calculating payment throughout the term of this Agreement. The Contractor shall submit the detailed AMV calculation showing how the AMV was determined, as well as the calculation for determining the payment per inbound ton of ECUA-Controlled Recyclables.

Payment per inbound Ton of Program Recyclables shall be as calculated as follows:

- a. Contractor shall calculate the AMV of ECUA-Controlled Recyclables each month. The AMV is defined as the sum of the RISI/OBM or RecyclingMarkets.net Southeast USA regional average commodity prices (U.S. Dollars per Ton) first posted in the month for which payment is being made. For illustrative purposes, Table 1 calculates the AMV based on the commodity prices first posted in February 2016.
- b. Contractor shall calculate the Revenue Share to ECUA based on that month's AMV multiplied by the total inbound tons of ECUA-Controlled Recyclables as measured by the Escambia County-controlled scales multiplied by ninety percent (90%).

Table 1: Average Market Value of ECUA-Controlled Recyclables (Sample Calculation for Feb 2016).

Material	Index Descriptions	Index value	Market Value (\$/ton)	Percent Composition (by weight)	AMV (\$/ton)
Mixed Paper, #2	RISI/OBM \$/ton, baled, F.O.B. Seller's dock	\$42.50/ton	\$42.50	28.4%	\$12.07
Newspaper, #8	RISI/OBM \$/ton, baled, F.O.B. Seller's dock	\$52.50/ton	\$52.50	10.7%	\$5.62
Corrugated Containers, #11	RISI/OBM \$/ton, baled, F.O.B. Seller's dock	\$77.50/ton	\$77.50	20.9%	\$16.20
Aluminum Cans	Recyclingmarkets.net ¢/lb, sorted, baled, picked up	58.3¢/lb	\$1166.00	1.4%	\$16.32
Steel Cans	Recyclingmarkets.net \$/ton, sorted, baled, picked up	\$45.00/ton	\$45.00	1.8%	\$0.81
PET	Recyclingmarkets.net ¢/lb, sorted, baled, picked up	8¢/lb	\$160.00	3.8%	\$6.08
HDPE, Natural	Recyclingmarkets.net ¢/lb, sorted, baled, picked up	26.5¢/lb	\$530.00	1.0%	\$5.30
HDPE, Colored	Recyclingmarkets.net ¢/lb, sorted, baled, picked up	16.75¢/lb	\$335.00	1.6%	\$5.36
Comingled Plastics #3-7	Recyclingmarkets.net ¢/lb, sorted, baled, picked up	0.5¢/lb	\$10.00	0.8%	\$0.08
Mixed Bulky Rigid Plastics	Recyclingmarkets.net ¢/lb, sorted, baled, picked up	1¢/lb	\$20.00	1.6%	\$0.32
Glass (3-Mix)	Recyclingmarkets.net ¢/lb, sorted, baled, picked up	\$17.50/ton	\$-17.50	8.0%	-\$1.40
Mixed Metals*	Recyclingmarkets.net \$/ton, sorted, baled, picked up	\$45.00/ton	\$45.00	1.1%	\$0.50
Rejects	Not applicable		-	18.9%	\$0.00
Total				100%	\$67.25

*Market value of steel cans used as a proxy for the market value of mixed metals. If a more appropriate index becomes available, it shall be substituted for the steel cans index.

Average Market Value	\$45.00	\$55.00	\$65.00	\$75.00	\$ 85.00	\$ 95.00	\$ 105.00	\$ 115.00	\$ 125.00	\$ 135.00	\$ 145.00
	or less	or less	or less	or less	or less	or less	or less	or less	or less	or less	or less
IMRF Tipping Fee	\$ 52.00	\$ 37.00	\$ 23.00	\$ 9.00	\$ 2.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
ECUA per ton revenue share	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 5.00	\$ 10.00	\$ 15.00	\$ 20.00	\$ 25.00



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source=BENBmay&utm_medium=nanobarap&utm_source=bounce-
exchange&utm_campaign=SPRING18)

Pensacola's curbside recycling has gone to landfill for at least two months

Jim Little, jwlittle@pnj.com Published 12:25 p.m. CT May 4, 2018 | Updated 3:44 p.m. CT May 4, 2018



(Photo: Pensacola News Journal File Photo)

Pensacola residents' curbside recycling has been going to the Perdido Landfill since at least March, and no notice was given to residents because city officials say they didn't want the public to get out of the habit of recycling.

The city and Emerald Coast Utilities Authority are negotiating a recycling contract, but it will not be final until June, at the earliest.

City Administrator Eric Olson sent a memo Wednesday telling City Council members that disruptions in the recycling industry caused the city's recycling processor, Tarpon Paper in Loxley, Alabama, to stop taking the city's recycling.

The city provides recycling to all city residents who get curbside garbage collection and was sending recycled materials to the Alabama facility. But Olson said a decision by the Chinese government last year on how much contaminated recycling could be imported caused Tarpon Paper to stop accepting recycled material, as prices for the material dropped by 35 percent.

STORY FROM
FORD
MOTORS

([http://eb2.3lift.com/pass?](http://eb2.3lift.com/pass?tl_clickthrough=true&redir=https%3A%2F%2Fad.doubleclick.net%2Fddm%2Ftrackclk%2FN3016.2555904XAXISUS/)
tl_clickthrough=true&redir=https%3A%2F%2Fad.doubleclick.net%2Fddm%2Ftrackclk%2FN3016.2555904XAXISUS/

Welcome
to the
entirely
new
Expedition.

See more →

"While recycling is a service that the City is committed to, given the clouded outlook for Tarpon Paper, I determined it was not in the City's best interest to seek a renewal of our contract with Tarpon Paper when it expired in March," Olson wrote in the memo. "Instead I asked Jerry Moore to negotiate with ECUA to process our recyclables at its facility."

Moore, director of Sanitation Services for Pensacola, told the News Journal that the trouble in the recycling market has affected cities across the country, and city officials didn't tell the public about the service disruption because they didn't want residents to start using their recycling containers for regular trash.

"We had what we thought was initially going to be a short-term occurrence of Tarpon not being able to process recyclables," Moore said. "It turned into a longer-term thing, and we did not want to get the public out the habit of recycling or separating their stuff."

Buy Photo



A truck offloads garbage and trash at the Perdido Landfill. (Photo: Tony Giberson/tgiberson@pnj.com)

Councilwoman Sherri Myers placed a discussion item on the agenda for the City Council's Monday meeting to get an update on the city's recycling program because she had heard rumors about the program.

"They've never really given us an update, at least that I can remember, that we were never recycling, that we did not have a vendor," Myers said. "So, I just got tired of the public asking me and me not being able to give them a clear answer."

Olson sent his memo explaining the situation to be included on Myers' agenda item.

Myers said she understood the city did not want to tell the public to avoid recycling contamination once a new vendor was found, but she said she thought the public deserved to know.

"That's dishonest," Myers said. "I didn't want to make it real public, but at the same time I think people deserve to know the truth."

Myers said she hopes the city can work out a contract soon with ECUA to use its recycling processing facility, which would allow city residents to recycle much more material than Tarpon Paper allowed.

ECUA processes recycling for at least 10 cities in counties across Northwest Florida and southern Alabama at its \$10.6 million recycling facility in Escambia County, which opened in 2016.

In 2015, while ECUA was working to build its recycling facility, [it stopped taking recycling to Tarpon Paper because of high prices \(/story/news/local/santa-rosa/2015/12/15/local-recycling-going-landfills/77360024/\)](#), but told the public about the issue.

In his memo, Olson said the ECUA board is expected to vote this month on a contract with the city of Pensacola, and the City Council could approve it at its June meeting.

However, ECUA spokeswoman Nathalie Bowers told the News Journal the contract is not scheduled to go before the ECUA board this month, meaning it could taken even longer than expected to resolve the situation.

Moore said the city is working to resolve the situation as soon as possible.

"In the meantime, we ask that people use their recyclable container as a recycling container, and don't start bad habits of throwing garbage in the recycling container," Moore said.

Jim Little can be reached at jwlittle@pnj.com or 850-208-9827.

ECUA launched its recycling facility in 2016 and has racked up a list of municipalities that use the facility. In addition to serving Escambia County, ECUA's current recycling residential and commercial contracts include:

5/8/2018


Pensacola's curbside recycling has gone to landfill for at least two months

- Santa Rosa County
- Okaloosa County
- Fort Walton Beach
- Valparaiso
- Mobile, Alabama
- Daphne, Alabama
- Fairhope, Alabama
- Foley, Alabama
- Andalusia, Alabama
- Atmore, Alabama
- Allied Waste Services

Read or Share this story: <https://www.pnj.com/story/news/politics/2018/05/04/pensacolas-curbside-recycling-has-gone-landfill-least-two-months/578209002/>



Memorandum

From: Richard D. Johnson, P.E., Public Works Director 

To: Mayor Wilson & City Council Members

CC: City Clerk; File

Date: May 8, 2018

Subject: Highway Safety Improvement Program (HSIP) Grant – Roundabout at N. Section Street, City 104, Veterans Dr & Scenic 98

The intersection of N. Section St., City 104, Veterans Dr. & Scenic 98 has been identified by the Alabama Department of Transportation (ALDOT) as a good candidate for a Highway Safety Improvement Program (HSIP) Grant. HSIP dollars are appropriated to mitigate safety issues, especially at intersections. The crash data since 2012 indicates this intersection is one of the top candidates in the County for funding. The safety mitigation would involve replacing the four-way intersection with a modern roundabout with appropriate street lighting.

ALDOT is requesting the City of Fairhope sponsor this project and submit the required application with supporting documents. As sponsor we are obligated to a 10% match of all cost with the HSIP Grant providing the remaining 90%. In 2008 this same intersection was proposed for the installation of the first modern roundabout in Baldwin County. State funding was potentially available and the engineering firm of Volkert, Inc. worked on design documents to a relatively high level of completion. For a variety of reasons, the project never was initiated. ALDOT has stated that funding would be contingent on keeping Volkert, Inc. as the Engineer of Record (EOR) to avoid duplication and provide cost savings.

Volkert, Inc. has updated cost estimates based on the original geometric design of the 2008 roundabout. The estimate of probable cost is:

Mitigation/Improvement	Survey, Design Engineering & Environmental	Construction	CE&I & Geo - Tech	Total	City Match	HSIP Match
Roundabout	\$75,950	\$827,247	\$118,270	\$1,021,467	\$102,147	\$919,320
Lighting	\$25,00	\$250,000	\$0	\$275,000	\$27,500	\$247,500
Totals	\$100,950	\$1,077,247	\$118,270	\$1,296,467	\$129,647	\$1,166,820

If the Mayor and Council wish to seek the HSIP Grant, it will require a resolution committing to the 10% match, authorizing the Mayor to sign all related application documents/agreements and designating Volkert, Inc. as the EOR with consultant fees to be determined by ALDOT/FHWA.

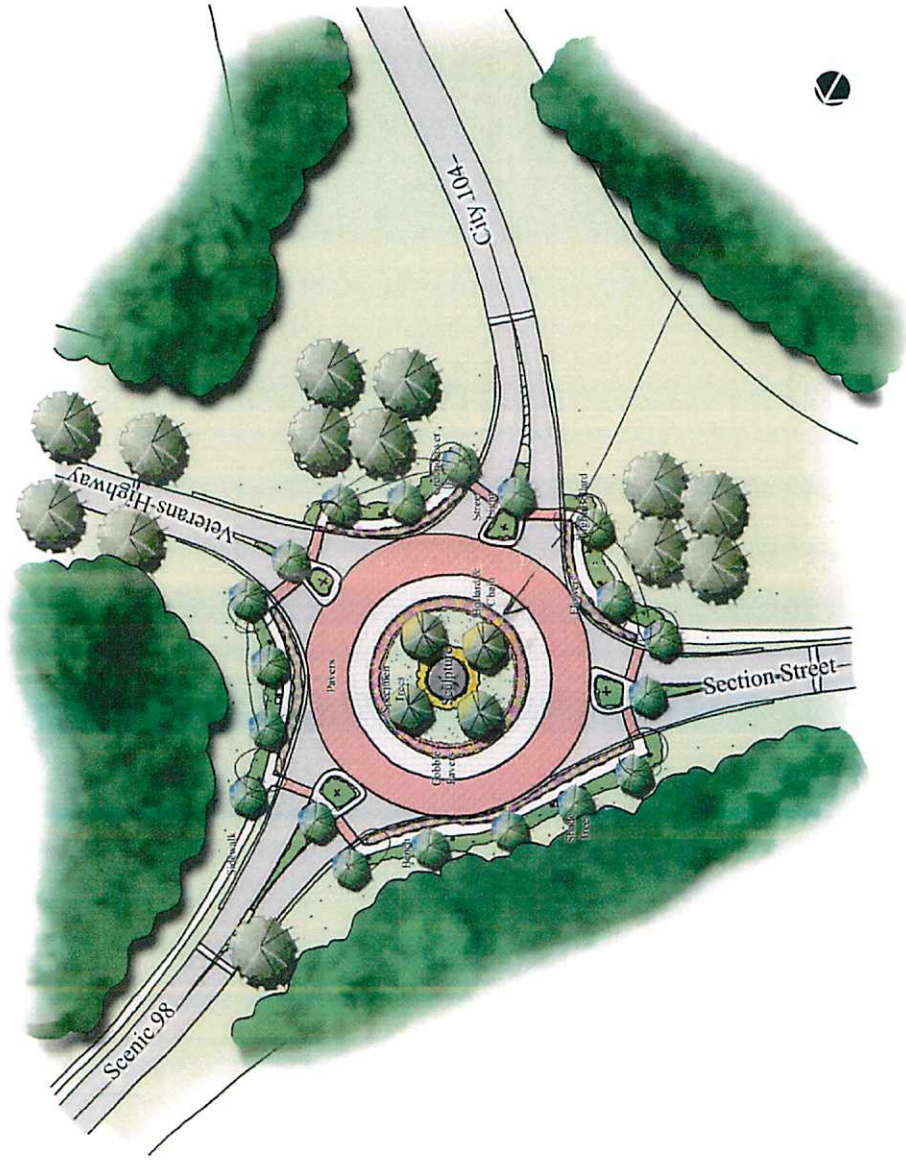
If you have any questions or need further information, do not hesitate to contact me.

Yours,

RDJ

Attachments:

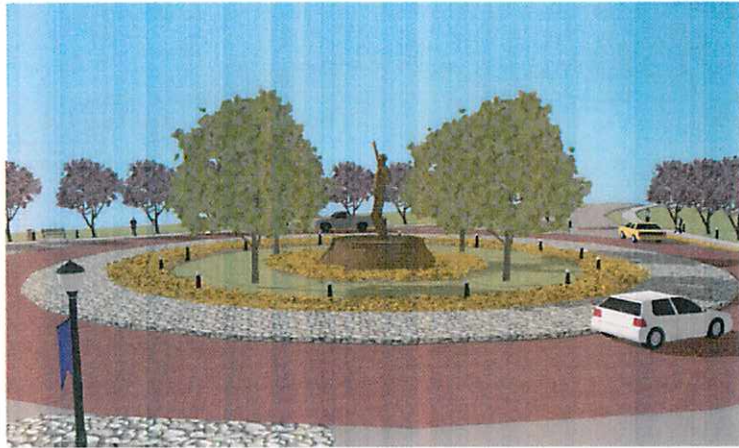
1. Conceptual Drawings
2. Update Estimate of Probable Cost (Roundabout)
3. HSIP Draft Application (Partial)



Scheme B
Fairhope Roundabout
Fairhope, Alabama



Conceptual - Circa 2008



Fairhope Roundabout

Fairhope, Alabama



PRELIMINARY COST ESTIMATE

Scenic 98 and 104 Roundabout
City of Fairhope, AL

By: TW
Checked By: AJ

Date: 3/13/2018

SUMMARY OF COSTS

Linear Feet Costs

<u>Item</u>	<u>Cost</u>
Pavement & Striping	\$ 251,538.05
Earthwork (Input EW cost if calculations are available)	\$ 74,450.00
Sidewalk, Curb & Gutter, and Closed Drainage	\$ 115,400.00
Subtotal Pavement, Concrete, and Earthwork =	\$ 441,388.05
Drainage	\$ 134,240.00
Bridges	\$ -
Erosion Control	\$ 50,860.00
Traffic Control	\$ 26,685.00
Utility Relocation Cost (Included in Contingency)	\$ -
Misc. Items	\$ 85,440.00
Subtotal Other Costs =	\$ 297,225.00
Subtotal Costs =	\$ 738,613.05

Mobilization (5%)	\$ 36,930.65
Geometric Controls (2%)	\$ 14,772.26
Wetland Mitigation	\$ -
RR Cost	\$ -
Contingencies (5%)	\$ 36,930.65

TOTAL ESTIMATED CONSTRUCTION COSTS = \$ 827,246.62

ROW Cost	\$ -
Survey/ROW Mapping (1.5%)	\$ 12,500.00
Environmental Documentation (2.3%)	\$ 19,034.94
Engineering (5.37%)	\$ 44,414.87
<i>Less 2008 Design Development</i>	\$ (9,414.87)
Inspection (NTE 12%)	\$ 99,269.59
Geotechnical Design	\$ 19,000.00
ROW Acquisition	

TOTAL ESTIMATED PROJECT COSTS = \$ 1,012,051.15

NOTES

1. This is a preliminary cost estimate based 2008 Design plans and pricing derived from Roundabout improvements at the intersections of Gayfer Avenue and CR-13 as well as Fairhope Avenue and CR-13.
2. Design fee estimates assume Federal funds will be used and a programmatic or checklist categorical exclusion will be required.
3. It is assumed based upon the 2008 plans that additional Right of Way will not be

**SCENIC 98 AND SR 104 ROUNDABOUT
PRELIMINARY ENGINEERING COST ESTIMATE**

ITEM	DESCRIPTION	UNIT	QTY	UNIT COST	TOTAL
1	201A-000 Clearing and Grubbing (Approximately .1 Acre)	LS	1	\$ 4,000.00	\$ 4,000.00
2	206E_000 Removing Headwalls	EA	2	\$ 600.00	\$ 1,200.00
3	210A-000 Unclassified Excavation	CY	1250	\$ 15.00	\$ 18,750.00
4	210D-012 Borrow Excavation, A2 or Better	CY, TBM	5000	\$ 11.00	\$ 55,000.00
5	214B-001 Foundation Backfill, Commercial	CY	10	\$ 70.00	\$ 700.00
6	230A-000 Roadbed Processing	STA	6	\$ 750.00	\$ 4,500.00
7	301A-012 Crushed Aggregate Base Course, Type B, Plant Mixed, 6" Compacted Thickness	SY	4100	\$ 20.00	\$ 82,000.00
8	401A-000 Bituminous Treatment A	SQYD	4100	\$ 1.20	\$ 4,920.00
9	405A-000 Tack Coat	GAL	328	\$ 5.00	\$ 1,640.00
10	424A-360 Superpave Bituminous Concrete Wearing Surface Layer, 1/2" MAX Aggregate Size Mix, Esal Range C/D	TON	410	\$ 90.00	\$ 36,900.00
11	424A-360 Superpave Bituminous Concrete Upper Binder Layer, 1" MAX Aggregate Size Mix, Esal Range C/D	TON	525	\$ 90.00	\$ 47,250.00
11	424B-681 Superpave Bituminous Concrete Lower Binder Layer, 1" MAX Aggregate Size Mix, Esal Range C/D	TON	525	\$ 90.00	\$ 47,250.00
12	530B-003 36" Span 23" Rise RCP, Class 3	LF	747	\$ 70.00	\$ 52,290.00
13	600A-000 Mobilization	LS	1	\$ 36,930.65	\$ 36,930.65
14	610A-006 Loose Riprap, Class III, 24" Thick	SY	98	\$ 75.00	\$ 7,350.00
15	614B-000 Reinforced Slope Paving	CY	61	\$ 650.00	\$ 39,650.00
16	618A-000 Concrete Sidewalk, 4" Thick	SY	335	\$ 44.00	\$ 14,740.00
17	619B-068 36" Span, 23" Rise Roadway Pipe End Treatment, Class 2 (Pre-Fabricated)	EA	2	\$ 1,500.00	\$ 3,000.00
18	621C-008 Inlets, Type E	EA	10	\$ 6,500.00	\$ 65,000.00
19	623B-000 Concrete Curb, Type N	LF	382	\$ 22.00	\$ 8,404.00
20	623B-002 Concrete Curb, Type A	LF	630	\$ 24.00	\$ 15,120.00
21	623B-007 Concrete Curb, Type G	LF	359	\$ 22.00	\$ 7,898.00
22	623C-000 Concrete Curb and Gutter, Type C	LF	1138	\$ 26.00	\$ 29,588.00
23	649A-520 6 Inch Steel Encasement Pipe, Type 1 Installation	LF	40	\$ 165.00	\$ 6,600.00
24	650A-000 Topsoil (4" Thick)	CY	500	\$ 24.00	\$ 12,000.00
25	652A-100 Seeding	AC	1.0	\$ 1,300.00	\$ 1,300.00
26	654A-000 Solid Sodding	SY	2500	\$ 6.00	\$ 15,000.00
27	656A-010 Mulching	AC	1.0	\$ 1,200.00	\$ 1,200.00
28	665F-000 Hay Bales	EA	100	\$ 10.00	\$ 1,000.00
29	665J-002 Silt Fence, Type A	LF	2000	\$ 4.00	\$ 8,000.00
30	665N-001 Temporary Coarse Aggregate, ALDOT Number 4	Ton	20	\$ 68.00	\$ 1,360.00
31	665O-001 Silt Fence Removal	LF	2000	\$ 2.00	\$ 4,000.00
32	665Q-002 Wattle	LF	400	\$ 8.00	\$ 3,200.00
33	665P-005 Inlet Protection, Stage 3 Or 4	EA	10	\$ 350.00	\$ 3,500.00
34	666A-001 Pest Control Treatment	ACRE	2	\$ 150.00	\$ 300.00
35	674A-000 Construction Safety Fence	LF	800	\$ 3.00	\$ 2,400.00

ITEM	DESCRIPTION	UNIT	QTY	UNIT COST	TOTAL
36	680A-001 Geometric Controls	LS	1	\$ 14,772.26	\$ 14,772.26
37	701B065 Dotted Class 2, Type A Traffic Stripe (Roundabout 10" Wide)	LF	112	\$ 6.00	\$ 672.00
38	701C-001 Solid Temporary Traffic Stripe	Mile	1	\$ 1,850.00	\$ 1,850.00
39	701G-253 Solid White, Class 2, Type A Traffic Stripe (5" Wide)	LF	2389	\$ 1.50	\$ 3,583.50
40	701G-265 Solid Yellow, Class 2, Type A Traffic Stripe (5" Wide)	LF	2599	\$ 1.50	\$ 3,898.50
41	703A-002 Traffic Control Markings, Class 2, Type A	SQFT	1892	\$ 6.00	\$ 11,352.00
42	703D-001 Temporary Traffic Control Markings	SQFT	207	\$ 3.15	\$ 652.05
43	705A-030 Pavement Markers, Class A-H, Type 2-C	EA	142	\$ 6.00	\$ 852.00
44	705A-031 Pavement Markers, Class A-H, Type 1-A	EA	348	\$ 6.00	\$ 2,088.00
45	705A-037 Pavement Markers, Class A-H, Type 2-D	EA	18	\$ 6.00	\$ 108.00
46	705A-038 Pavement Markers, Class A-H, Type 2-E	EA	287	\$ 6.00	\$ 1,722.00
47	707B-003 Type A Hazard Marker Installation	EA	4	\$ 75.00	\$ 300.00
48	710A-115 Class 4 Aluminum Flat Sign Panels 0.08" Thick Or Steel Flat Sign Panels 14 Guage (Type III Or Type IV Background)	SQFT	132	\$ 23.00	\$ 3,036.00
49	710A-126 Class 8 Aluminum Flat Sign Panels 0.08" Thick Or Steel Flat Sign Panels 14 Guage (Type IX Background)	SQFT	33	\$ 22.00	\$ 726.00
50	710A-140 Class 6 Aluminum Flat Sign Panels 0.125" Thick Or Steel Flat Sign Panels 12 Guage (Type III Background)	SQFT	90	\$ 38.00	\$ 3,420.00
51	710B-010 Roadway Sign Post (W6 x 9 Steel Beam)	LF	122	\$ 125.00	\$ 15,250.00
52	710B-021 Roadway Sign Post (#3 U Channel, Galvanized Steel, or 2", 14 Ga Square Tubular Steel	LF	434	\$ 12.00	\$ 5,208.00
53	740B-000 Construction Signs	SQFT	810	\$ 7.50	\$ 6,075.00
54	740E-000 Cones (36 Inches High)	EA	50	\$ 10.00	\$ 500.00
55	740F-002 Barricades, Type III	EA	20	\$ 250.00	\$ 5,000.00
56	740I-002 Warning Lights, Type B	EA	9	\$ 265.00	\$ 2,385.00
57	740M-001 Ballast for Cone	EA	50	\$ 6.50	\$ 325.00
58	742A-001 Portable Changeable Message Sign, Type 2	EA	4	\$ 2,500.00	\$ 10,000.00
59	750D-200 Electrical Junction Box, Type I	EA	16	\$ 625.00	\$ 10,000.00
60	750E-111 Conduit, 3/4 Inch, Rigid Nonmetallic	LF	750	\$ 6.00	\$ 4,500.00
61	750E-115 Conduit, 2 Inch, Rigid Nonmetallic	LF	350	\$ 6.00	\$ 2,100.00
62	750E-205 Conduit, 5 Inch, Rigid Nonmetallic, Double Line	LF	1800	\$ 20.00	\$ 36,000.00
Contingency 5%					\$ 36,930.65
Total Estimated Construction Cost					\$ 827,246.62

Alabama Department of Transportation
Highway Safety Improvement Program (HSIP) Project Application Form (10/2/2015)
 Page 1 of 2



FOR ALDOT USE ONLY

Logged in: _____
 Project Mgr. _____
 HSIP Ref. #: _____

1. Project Type:	Intersection	Yes	Road Segment	No	2. Sponsoring Agency:	City of Fairhope		Review Date:	_____	(for ALDOT use only)
3. Project to be Administered By:	City of Fairhope, Public Works Department			4. Contact Person:	Richard D. Johnson, PE	5. Phone Number:	251-990-0360	6. E-Mail Address:	richard.johnson@fairhopeal.gov	
7. Street Address:	555 South Section Street			8. Fax: (optional)	251-990-0156	9. ALDOT Region:	Southwest	10. MPO/RPO Area:	Eastern Shore MPO	
11. City, State, Zip :				12. Priority # (if submitting 2 or more forms):		13. Application submitted before?				

Note to Applicants: Each project must have a separate application form. Up to three (3) safety improvement actions may be included per application.	14. County	15. Route (including local name)	16. On State Hwy System?	17. Traffic Control	18. From (Cross Street, Milepost, Etc.):	19. To (Cross Street, Milepost, Etc.):
	Baldwin	North Section St; Veterans Pkwy; City 104; Scenic Hwy 98	No	Two Way Stop	0.25 mile west of intersection of SR104 and Us Hwy 98	
20. Functional Class Name (Federal):	H - Urban Minor Arterial		21. Omitted	Omitted	22. Omitted	Omitted

23. Risk Narrative - describe the safety problem(s) and the proposed project to address it.
 The intersection of State Route 104, Scenic Highway 98 (North Section Street), and Veterans Parkway has had 30 reported traffic accidents since January, 2012. Of these accidents the predominant crash types were right angle (16) and rear end collisions (12). The severity of the crashes ranged from property damage only (24) to severity "A" or a Disabling Injury (1). The proposed project consists of constructing a modern roundabout at the intersection to reduce the severity and frequency of accidents.

Crash Data (Items 24 - 34) - collision diagram is required for each application form	Crash Type		24.	25.	26.	27.	28.	29.	30.	31.	32. Total Related Crashes	33. Total Unrelated Crashes	34. Total Crashes
	Severity		Rear End	Sideswipe - Same Dir	Left Turn Mainline	Right Angle	Run off the Road	Head On	Pedestrian	Other			
Personal Injury (PI)	Fatal	K									0	0	0
		A				1					1	0	1
		B				1					1	0	1
		C			1	3					4	0	4
		PDO		12	1		11				24	0	24
	Total		12	1	1	16				30		30	

Traffic Data (Intersection Project)	36. Total ADT Entering Intersection	37. NB Entering ADT	38. SB Entering ADT	39. EB Entering ADT	40. WB Entering ADT	41. Other Leg Enter ADT	42. # of Approaches	43. ALDOT Node No.	44. Traffic Annual Growth Rate	35. Number of Years of Crash Data Used:	5
		0	0	0	0	0	4	398	2.0%		

Traffic Data (Road Segment Project)		Segment 1	Segment 2	Segment 3	Segment 4	Segment 5	Total/Average	Worksheet Color Legend:	
	45. Seg. Length (mi)		0.189	0.189	0.189	0.189		0.756	Blue
46. Speed Limit		35	35	30	35		33.75	Green	Data Automatically Generated
47. Average AADT		12320	6190	2270	3860		6160.00	Yellow	Drop-Down List (Choose Item)
48. No. of Lanes		2	2	2	2		2.00	Orange	For ALDOT's Use
49. Lane Width		12	12	12	12		12.00	Gray or White	No Information Required

Alabama Department of Transportation
 Highway Safety Improvement Program (HSIP) Project Application Form (10/2/2015)
 Page 2 of 2



50. No. of Countermeasures or Improvement Actions	2	51. Discount Rate (X.X%)	3.0%
---	---	--------------------------	------

Items 52 - 58: Potential Reduction of Crashes (by type) and Total

Proposed Countermeasures or Improvement Actions	Action No.	52. Proposed Countermeasure or Improvement Action	53. Service Life (in yrs)	54. Crash Reduction Factors (CRF)			55. K Crashes Reduced	56. A Crashes Reduced	57. B Crashes Reduced	58. C Crashes Reduced	59. PDO Crashes Reduced	60. Total Potentially Reduced Crashes	61. Annual Reduced Crashes by Countermeasure
				K	A, B, & C	PDO							
	1	Channelization Improvements - Install roundabout	20	0.72	0.72	0.72	0.00	0.72	0.72	2.88	17.28	21.60	4.32
	2	Illumination - Lighting-intersection and interchange	20	0.25	0.25	0.25	0.00	0.25	0.25	1.00	6.00	7.50	1.50
	3	No Improvement	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
			20	0.79	0.79	0.79	0.00	0.79	0.79	3.16	18.96	23.70	4.74
			Max Service Life	Combined CRF			Potentially Reduced Crashes						

Project Schedule (After STIP Approval)	62. Begin PE Date (MM/YYYY)	63. Target Ad Date (MM/YYYY)	64. Begin Construction Date (MM/YYYY)	65. Estimated Project Complete Date (MM/YYYY)
--	-----------------------------	------------------------------	---------------------------------------	---

Estimated Project Costs

Improvements	66. Design & Engineering Cost	67. RW & Utility Cost	68. Construction and CE&I Cost	69. Maint. cost for service life of project	70. Total Project Cost	71. Annual Project Cost
Action No. 1	\$ 105,000.00	\$ 100,000.00	\$ 900,000.00		\$ 1,105,000	\$ 74,273
2	\$ 25,000.00	\$ -	\$ 250,000.00	\$ -	\$ 275,000	\$ 18,484
3	\$ -	\$ -	\$ -	\$ -	\$ -	
TOTAL	\$ 130,000	\$ 100,000	\$ 1,150,000	\$ -	\$ 1,380,000	\$ 92,758

Estimated Project Benefits

Type of Crash	72. Annual Reduced Crashes by Type	73.* Cost per Crash (2015 \$)	74. Annual Benefit
K	0.00	\$ 190,200	\$ -
A	0.16	\$ 190,200	\$ 30,052
B	0.16	\$ 190,200	\$ 30,052
C	0.63	\$ 54,000	\$ 34,128
PDO	3.79	\$ 8,900	\$ 33,749
75. Total Annual Reduction in Crashes	4.74	76. Total Annualized Benefit	\$ 127,980

Calculation of Benefit/Cost (B/C) Ratio	Benefit	76. Total Annualized Benefit	\$127,980	77. Traffic Growth Factor	1.24	78. Total Annual Benefit	\$158,588
	Cost	79. Annual Project Cost					
		\$	92,758				
80. Benefit/Cost Ratio:		1.71					

* Cost data from the North Carolina Department of Transportation (NCDOT) adjusted by the Consumer Price Index (CPI)

Signature of Sponsor with Authority to Expend 10% Non-Federal Matching Funds

Name (Print): _____ Signature: _____ Date: _____

ORDINANCE NO. 1613

**AN ORDINANCE REPEALING AND REPLACING ORDINANCE NO. 590
TO PROTECT THE PUBLIC HEALTH, SAFETY AND WELFARE BY
PROVIDING POLICY AND PROCEDURE FOR PARK BEACH ENTRANCE FEE
AT FAIRHOPE'S BAY FRONT WITHIN THE CITY OF FAIRHOPE**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAIRHOPE,
ALABAMA, as follows:**

It is expressly declared that the purpose of these regulations, policies and procedures is to provide a guideline for those people wishing to use the Park Beach at Fairhope's bay front and establish an entrance fee for such use to partially defray the cost of administering these services and the additional costs and expenses to maintain the Park Beach.

This policy is applicable to City of Fairhope Park Beach.

SECTION I. PARK BEACH POLICY

It shall be unlawful for any person to drive any type of motor vehicle, walk or ride a bicycle into the City of Fairhope Park Beach, Fairhope, Alabama without paying the Park Beach entrance fee.

SECTION II. PARK BEACH ENTRANCE FEES

The following are the City of Fairhope Park Beach entrance fees:

Motor Vehicles	\$20.00 per vehicle
Pedestrians and Bicycles	\$5.00 for each

A City of Fairhope resident is allowed free access; however, must present the Park Beach Access Decal on vehicle; and must show proof of residency if walking or riding a bicycle.

SECTION III. PENALTY FOR VIOLATION.

Any person who violates any provision herein shall be subject to a penalty not to exceed that provided in Section 1-8 of the Fairhope Code of Ordinances.

SECTION IV. SEVERABILITY

The sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by a court of competent jurisdiction, then such ruling shall not affect any other paragraphs and sections, since the same would have been enacted by the municipality council without the incorporation of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION V. EFFECTIVE DATE

This ordinance shall take effect immediately upon its due adoption and publication as required by law.

ADOPTED THIS THE 23RD DAY OF APRIL, 2018

Karin Wilson, Mayor

Attest:

Lisa A. Hanks, MMC
City Clerk

ORDINANCE NO. _____

**AN ORDINANCE AMENDING ORDINANCE NO. 1613
TO PROTECT THE PUBLIC HEALTH, SAFETY AND WELFARE BY
PROVIDING POLICY AND PROCEDURE FOR PARK BEACH ENTRANCE FEE
AT FAIRHOPE'S BAY FRONT WITHIN THE CITY OF FAIRHOPE**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAIRHOPE,
ALABAMA, as follows:**

It is expressly declared that the purpose of these regulations, policies and procedures is to provide a guideline for those people wishing to use the Park Beach at Fairhope's bay front and establish an entrance fee for such use to partially defray the cost of administering these services and the additional costs and expenses to maintain the Park Beach.

This policy is applicable to City of Fairhope Park Beach.

SECTION II. PARK BEACH ENTRANCE FEES

The following are the City of Fairhope Park Beach entrance fees:

Motor Vehicles	\$20.00 per vehicle
Pedestrians and Bicycles	\$5.00 for each

A City of Fairhope resident (resides in the City limits) or a resident with a 36532 Zip Code plus a Fairhope Utility customer is allowed free access; however, must present the Park Beach Access Decal on vehicle; and must show proof of residency if walking or riding a bicycle.

A City of Fairhope employee presenting a current employee badge may also be granted entry free of charge.

SECTION III. PENALTY FOR VIOLATION.

Any person who violates any provision herein shall be subject to a penalty not to exceed that provided in Section 1-8 of the Fairhope Code of Ordinances.

SECTION IV. SEVERABILITY

The sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by a court of competent jurisdiction, then such ruling shall not affect any other paragraphs and sections, since the same would have been enacted by the municipality council without the incorporation of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION V. EFFECTIVE DATE

This ordinance shall take effect immediately upon its due adoption and publication as required by law.

ADOPTED THIS THE 15TH DAY OF MAY, 2018

Karin Wilson, Mayor

Attest:

Lisa A. Hanks, MMC
City Clerk

REQUEST FOR CITY OF FAIRHOPE CITIZEN SURVEY
MAY 8, 2018

PURPOSE:

The City of Fairhope is interested in collecting statistically significant data from its residents within the City limits that will help the City understand citizen priorities and especially help to inform the work of the Mayor and Council as they begin the development of and deliberations on a budget for the upcoming fiscal year. The City of Fairhope is the fastest growing city in the fastest growing county (Baldwin) in Alabama. Consequently, the needs are great and growing. While the City has been successful in requests and has been awarded millions of dollars in one-time grants to assist with the repair, improvement and development of needed infrastructure and other services, the City must still prioritize additional work for the upcoming fiscal year based on limited funding. As such, the survey results will not guarantee the address of each issue identified by citizens, but will help guide overall planning for the coming year, as well as the longer term.

CONCEPT:

Based on a review of best practices by the City's Finance Director, a preferred model can be found in an annual survey conducted for the City of Auburn, Alabama of its residents in the spring of 2017 (and annually since 1985). Though the City of Fairhope requires a substantially scaled back version of the exercise than was in Auburn's "DirectionFinder" citizen survey, the model is a proven and successful methodology that could be conducted on a continuing annual basis at a reduced level of effort for the City of Fairhope, should it prove helpful and successful in its inaugural year.

METHODOLOGY:

Specifically, the methodology involves:

A hard copy survey mailed to a random sample of 6,500 households within the city limits of the City of Fairhope. The vendor would be requested to return the number of completed surveys necessary for a 95% level of confidence, with a precision of at least +/-3.5%. While the City of Auburn's survey was extensive (7 pages at length), we

anticipate the City of Fairhope's survey would be ½ or less the size, requiring a lower level of effort from citizens and, consequently, we may expect an even more efficient rate of return.

REPORTING:

Upon the survey's conclusion, the City of Fairhope would expect from our survey vendor the following elements in a report:

- A summary of the methodology for administering the survey and major findings
- Charts showing the overall results for all questions on the survey
- Tables that show the results for each question on the survey
- A copy of the survey instrument.

TIMING:

To best inform the budget process, the City of Fairhope would like the survey instrument, process and investment approved and in the field in early June with reporting back from the vendor before the end of June.

COMMUNICATION:

Communication with citizens via various modes will be a companion service, before, during and after the survey. City of Fairhope residents will understand that the City is seeking feedback, not providing guarantees, and the objectives of the survey communications will be to 1) build improving relationships with the City's residents and 2) improve the efficiency of return of the surveys. Upon conclusion of the survey, the survey instrument, methodology, and executive summary of results will be available on the City website.

Three potential survey research vendors that could conduct a possible City of Fairhope Citizen Survey are listed below. Cost would likely range between \$5-\$15 K depending on methodology (from recorded phone calls only to the mailed hard copy survey with followups by phone and options to complete by phone, in writing or online).

ETC Institute (conductor of the Auburn, AL DirectionFinder survey)

Jason Morado

Senior Project Manager

725 W. Frontier Circle

Olathe, KS 66061

913/829-1215

Info@etcinstitute.com

Process generally takes three months, but could possibly complete in the month of June if a subset of questions are used directly from the Auburn survey and the survey instrument is ½ or less as lengthy as the Auburn survey instrument and is confirmed before end of May.

USA Polling Group / Survey Research Center

Thomas Shaw, Ph.D.

Director

Associate Professor

University of South Alabama

221 D Humanities Building

Mobile, AL 36688

Ph: (251) 414-8025 Fax: (251) 460-7161 Cell: (251) 455-8117

tshaw@southalabama.edu

Dr. Shaw is out of the country May 10 –June 3

A phone ONLY survey and early reporting may be possible month of June.

Cygnal—market research consultants

Paolo Fuentes

Director, Research

200 Interstate Park

Suite 238

Montgomery, AL 36109

202/505-5314

ORDINANCE NO. ____

AN ORDINANCE AMENDING ORDINANCE NO. 1253
KNOWN AS THE ZONING ORDINANCE

The ordinance known as the Zoning Ordinance (No. 1253), adopted 27 June 2005, is changed and altered as described below;

WHEREAS, the City of Fairhope Planning Commission directed the Planning Department to prepare amendments to our Zoning Ordinance; and,

WHEREAS, the proposed amendments relate to accessory dwelling units; and,

WHEREAS, after the appropriate public notice and hearing of ZC 17.14, the Planning Commission of the City of Fairhope, Alabama has forwarded a favorable recommendation;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAIRHOPE, ALABAMA;

1. **THAT**, Article III, Section D.9. Accessory Dwelling Units be hereby amended to read as follows:
 - a. *Intent: The intent of the special conditions for accessory dwelling units is to allow flexibility in living arrangements and home occupations while maintaining the residential character of existing neighborhoods. These standards apply to all districts except for the Village Districts in Article VI.*
 - b. *Location Restrictions: Accessory dwelling units shall be located on the same lot as the principal structure and are subject to the dimension standards in Section C.2. of this Article.*
 - c. *Site Requirements:*
 - (1) *Any accessory structure proposed for office or extra living areas shall not be larger than 50% of the gross square footage of the principal structure.*
 - (2) *Any utilities for an accessory structure shall run through the principal structure.*
 - (3) *The principal dwelling unit located on a parcel or land containing an accessory dwelling shall be occupied by the owner.*
 - (4) *Occupants of the accessory dwelling must be a single family as defined by the term "family" in Article IX. of the Zoning Ordinance and are only permitted in allowable zoning districts.*
 - (5) *An accessory dwelling shall meet the same parking requirements of a principal dwelling.*
 - (6) *Any residential accessory dwelling must comply with Article III. Section C. Dimension Standards.*
 - (7) *Only one accessory dwelling unit per parcel is permitted.*
 - (8) *The accessory dwelling unit height shall not exceed the height of the principal structure.*

Severability Clause - if any part, section or subdivision of this ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this ordinance, which shall continue in full force and effect notwithstanding such holding.

Effective Date – This ordinance shall take effect immediately upon its due adoption and publication as required by law.

ADOPTED THIS 15TH DAY OF MAY, 2018

Karin Wilson, Mayor

ATTEST:

Lisa A. Hanks, MMC
City Clerk

MEMO

Date: April 9, 2018

To: Fairhope City Council

From: Wayne Dyess, AICP
Planning Director

Re: ZC 17.14 Accessory Dwelling Units

The City of Fairhope Zoning Ordinance defines an accessory dwelling unit as:

Article IX. Section B(k). Accessory Dwelling Unit – a dwelling unit that is associated with and incidental to a principal use, and is on the same lot as the principle use.

However, the Zoning Ordinance prohibits accessory dwelling units by not allowing kitchens¹ and are only permitted under special conditions. By not allowing a kitchen, per the Zoning Ordinance, there is no dwelling as a dwelling requires “separate cooking and housekeeping facilities”²

The purpose of this amendment is to allow accessory dwelling units (with kitchens to make a bona fide dwelling unit), subject to locational requirements contained in the Zoning Ordinance.

The benefits of accessory dwelling units are many including having the ability age in place, affordable housing, and the ability to have family stay close such as young adult relatives starting careers or elderly parents. These serve not only economic benefits to a family but also social benefits.

Planning Commission Recommendation:

The Planning Commission voted unanimously to approve the proposed amendments and forward a **favorable** recommendation to the City Council.

¹ Fairhope Zoning Ordinance, Article III. Section D.9(c)(2)

² “ “Article IX. Section A. Definitions and Interpretation 1. Dwelling Use Category

1 City of Fairhope Zoning Ordinance

2

3 Article III. D.9. Accessory Dwelling Units

4

5 a. Intent: The intent of the special conditions for accessory dwelling units is to allow flexibility in
6 living arrangements and home occupations while maintaining the residential character of
7 existing neighborhoods. These standards apply to all districts except for the Village Districts in
8 Article VI.

9

10 b. Location Restrictions: Accessory dwelling units shall be located on the same lot as the principal
11 structure and are subject to the dimension standards in Section C.2. of this Article.

12

13 c. Site Requirements:

14 ~~(1) Any accessory structures shall only have a half bath.~~

15 ~~(2) Kitchens and electrical wiring or gas supporting kitchens are prohibited.~~

16 (1) Any accessory structure proposed for office or extra living areas shall not be larger than 50%
17 of the gross square footage of the principal structure.

18 (2) Any utilities for an accessory structure shall run through the principal structure.

19 (3) The principal dwelling unit located on a parcel or land containing an accessory dwelling shall
20 be occupied by the owner.

21 (4) Occupants of the accessory dwelling must be a single family as defined by the term "family"
22 in Article IX. of the Zoning Ordinance and are only permitted in allowable zoning districts.

23 (5) An accessory dwelling shall meet the same parking requirements of a principal dwelling.

24 (6) Any residential accessory dwelling must comply with Article III. Section C. Dimension
25 Standards.

26 (7) Only one accessory dwelling unit per parcel is permitted.

27 (8) The accessory dwelling unit height shall not exceed the height of the principal structure.

28

29 d. ~~Exception: Notwithstanding anything contained in this subsection 9 to the contrary any "bona-~~
30 ~~fade" mother-in-law suite with a kitchen, attached to the principle structure, under common~~
31 ~~roof, shall not be deemed to be an accessory dwelling unit for purpose of this zoning ordinance~~
32 ~~but, instead, shall be deemed to be a part of the principle dwelling unit.~~

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 1253 KNOWN AS THE ZONING ORDINANCE TO AMEND ORDINANCE NO. 1142: A PLANNED UNIT DEVELOPMENT KNOWN AS GREENO PROFESSIONAL VILLAGE; TO APPROVE A SITE PLAN; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAIRHOPE, ALABAMA as follows:

The City of Fairhope has approved a request to zone property to a PUD (Planned Unit Development) to be known as Greeno Professional Village on the 8th day of April 2002.

Community Bank, National Association made the application to amend said ordinance, specifically Lot 1, and

After the appropriate public notice and hearing of the Planning Commission of the City of Fairhope, Alabama has forwarded a **favorable** recommendation,

The property of Community Bank, National Association generally located at 200 N. Greeno Road, Fairhope, Alabama.

LOT 1, GREENO PROFESSIONAL VILLAGE PUD

PPIN: 77195

Legal Description: (Case number ZC 17.17)

LOT 1 OF GREENO PROFESSIONAL VILLAGE, ACCORDING TO THE PLAT THEREOF RECORDED AT SLIDE 2086-E OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA.

1. **That**, in Case Number ZC 17.17 the property described above shall develop in substantial conformity with the attached site plat as attached as "Exhibit A" and shall remain in compliance with the previously approved PUD site plan. Any substantial deviation from the attached site plan or the previously approved PUD site plan, as determined by the Planning Director will be required re-approval by the Planning Commission and the City Council of the City of Fairhope, Alabama as a PUD amendment;
2. **That**, the following amendments have been made to Lot 1 of the PUD:

Building Orientation: As shown on the approved site plan attached as Exhibit A.

Parking Area Orientation: As shown on the approved site plan attached as Exhibit A.

Ordinance No. _____

Page -2-

The Planned Unit Development (PUD), for Greeno Professional Village, is hereby amended (Ordinance No. 1142). This property shall hereafter be lawful to construct on such property any structures permitted by Ordinance No. 1253 and to use said premises for any use permitted or building sought to be erected on said property shall be in compliance with the building laws of the City of Fairhope and that any structure shall be approved by the Building Official of the City of Fairhope and that any structure be erected only in compliance with such laws, including the requirements of Ordinance No. 1253.

Severability Clause - if any part, section or subdivision of this ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this ordinance, which shall continue in full force and effect notwithstanding such holding.

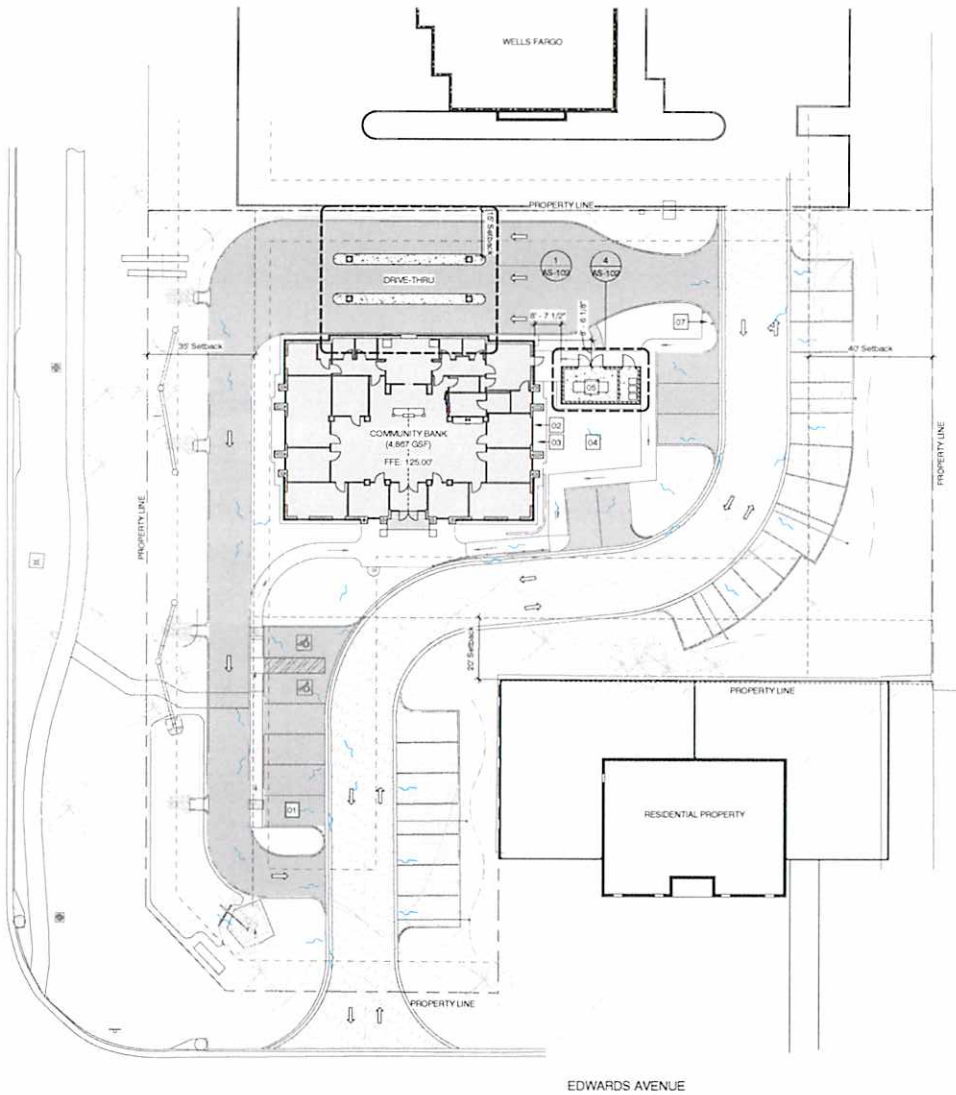
Effective Date – This ordinance shall take effect immediately upon its due adoption and publication as required by law.

ADOPTED THIS 15TH DAY OF MAY, 2018

Karin Wilson, Mayor

ATTEST:

Lisa A. Hanks, MMC
City Clerk



1 Site Plan
 1/16" = 1'-0"

General Site Notes

- See Civil Drawing for finish grades at exterior paving. All paving and grades at perimeter of building to have positive slope away from structures and towards drainage basins.
- All graded areas shall be graded to drain to the appropriate inlet or slope to ensure positive drainage away from the building.
- All downspouts and boots to be connected to subsurface drainage. See Civil drawings.

Sheet Notes

- Parking count
 - Allowed Maximum: 32
 - Spaces Shown: 32
- Gravel mowstrip, typical. See Civil/Landscape
- Landscape buffer, typical. See Landscape
- Grass, typical. See Landscape
- Generator & trash enclosure, see detail
- Not used
- Designated area for trash can pickup. See Civil for exact bollard locations

— Pedestrian Path
 Requested Additional Parking Space
 Permeable Paving. See Civil/Landscape

DALE PARTNERS
 Architecture
 Interior
 Planning
 One Jackson Place
 Suite 251
 185 East Central Street
 Jackson, MS 39201
 p 601-352-5411
 151 Lakeside Street
 Suite 204
 Slidell, MS 39335
 p 228-374-1430
 dalepartners.com

Not For
 Construction

Community Bank Fairhope
 Fairhope, AL

PUD
 Amendment
 Submittal

Project No.	17045
Date	25 Sept. 2017
Drawn	MP
Checked	JG
Revisions	Rev Date

AS-101
 Site Plan

EXHIBIT A





City Council

Case: ZC 17.17 Lot 1, Greeno Professional Village

PUD Amendment

Prepared By:

J. Buford King, LEED AP, QCI
City Planner

Project Name:

Lot 1, Greeno Professional Village

Project Type:

Zoning Change
Planned Unit Development
(PUD) Amendment

Zoning District:

PUD – Planned Unit Development

Owner:

Community Bank National Association

Site Data

Number of lots: 1
Total Acreage: 1.16 +/-

PPIN Number

77195

General Location:

Edwards Ave and Greeno Rd

School District:

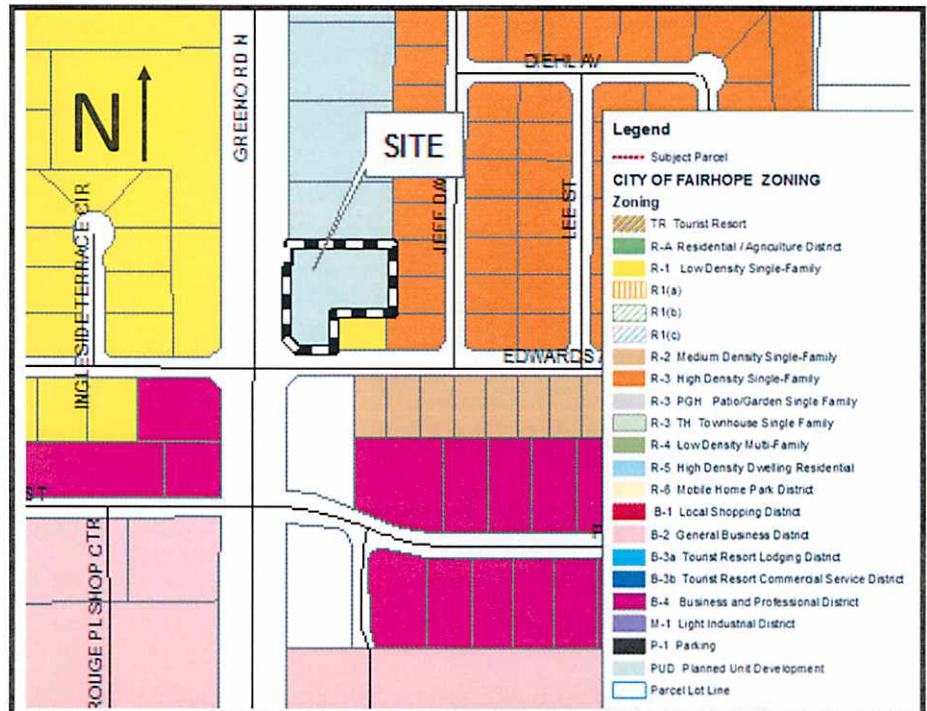
Fairhope Elementary, Middle,
and Fairhope High Schools

Staff Recommendation:

Conditional Approval

Planning Commission Recommendation:

Conditional Approval



Summary of Request:

The applicant is seeking amendment of the Greeno Professional Village Planned Unit Development (PUD). The purpose of the amendment is to allow the building orientation and parking area orientation reflected in Site Plan Approval request SR 17.03 to be included in lot 1 of the Greeno Professional Village as well as to allow 25'-0" tall light poles also reflected in SR 17.03 to be allowed in Lot 1 of the Greeno Professional Village.

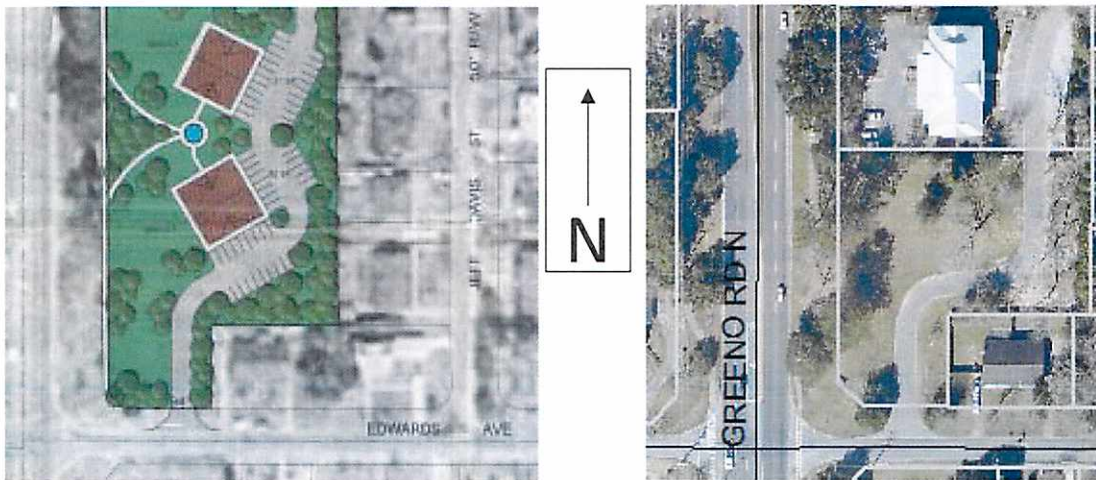
Additional Background Information:

The Greeno Professional Village PUD was approved April 8, 2002 via ordinance number 1142. The development requirements of ordinance number 1142 require a site plan review and approval by the Fairhope Planning Commission and the Fairhope City Council before building permits may be issued within the various lots comprising the PUD.

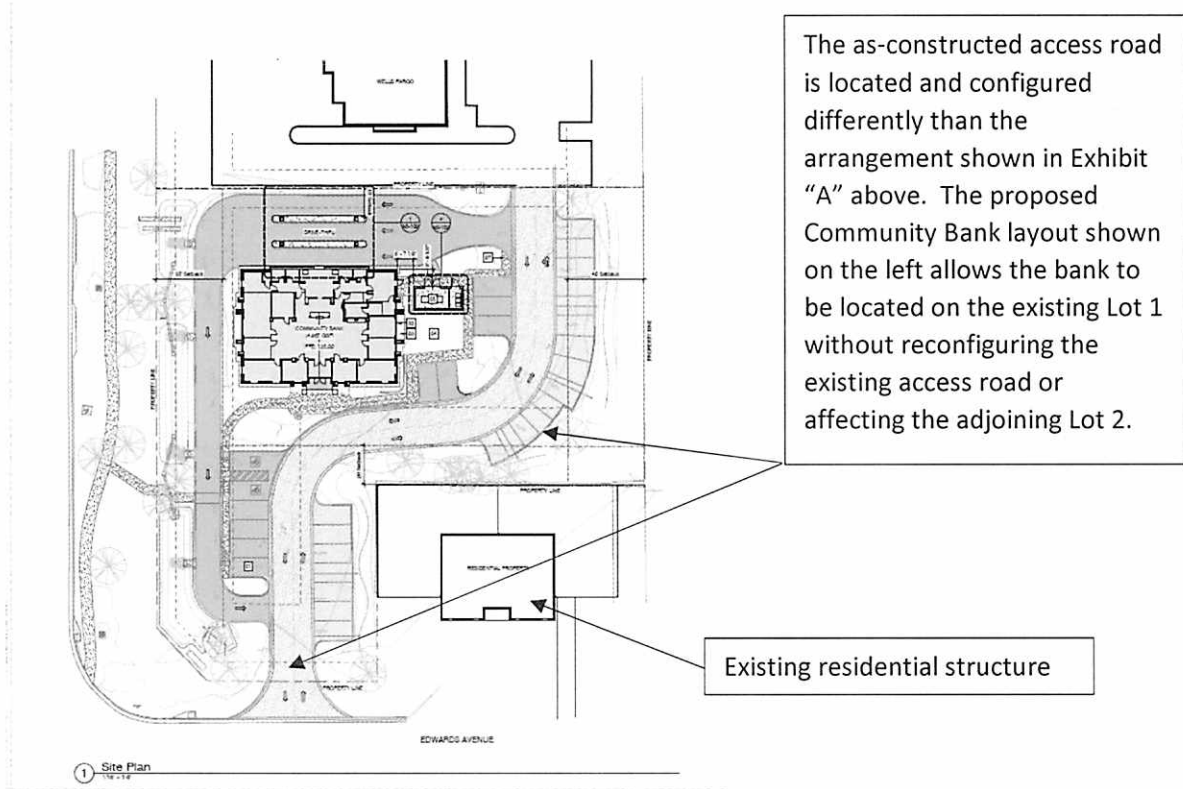
Ordinance number 1142 states the following regarding the Site Plan:

Site Plan: Attached as 'Exhibit A' is a site plan. The site plan and the development regulations above govern the development of the property. The property must be constructed in substantial conformance with the requirements of this Ordinance. Any substantial deviation as determined by the Planning and Building Department shall constitute a change to the zoning and must be approved by the Planning Commission and Council and shall be processed as a zoning amendment.

The applicant has submitted a site plan for review as required by ordinance 1142, case number SR 17.03. An excerpt of Exhibit "A" from ordinance 1142 depicting lots 1 and 2 is depicted below left, and the existing configuration of Lots 1 and 2 is shown below right:



The as-built configuration of the access road in the existing PUD as well as the building layout of the structure located in Lot 2 of the existing PUD do not match Exhibit "A" of ordinance 1142. As a result, the orientation of the Community Bank facility to be constructed on Lot 1 as well as the layout of the parking areas of Lot 1 differ from Exhibit "A" and are adjustments required to fit onto Lot 1. The proposed building and parking layout of the Community Bank facility included in case SR 17.03 is depicted below:

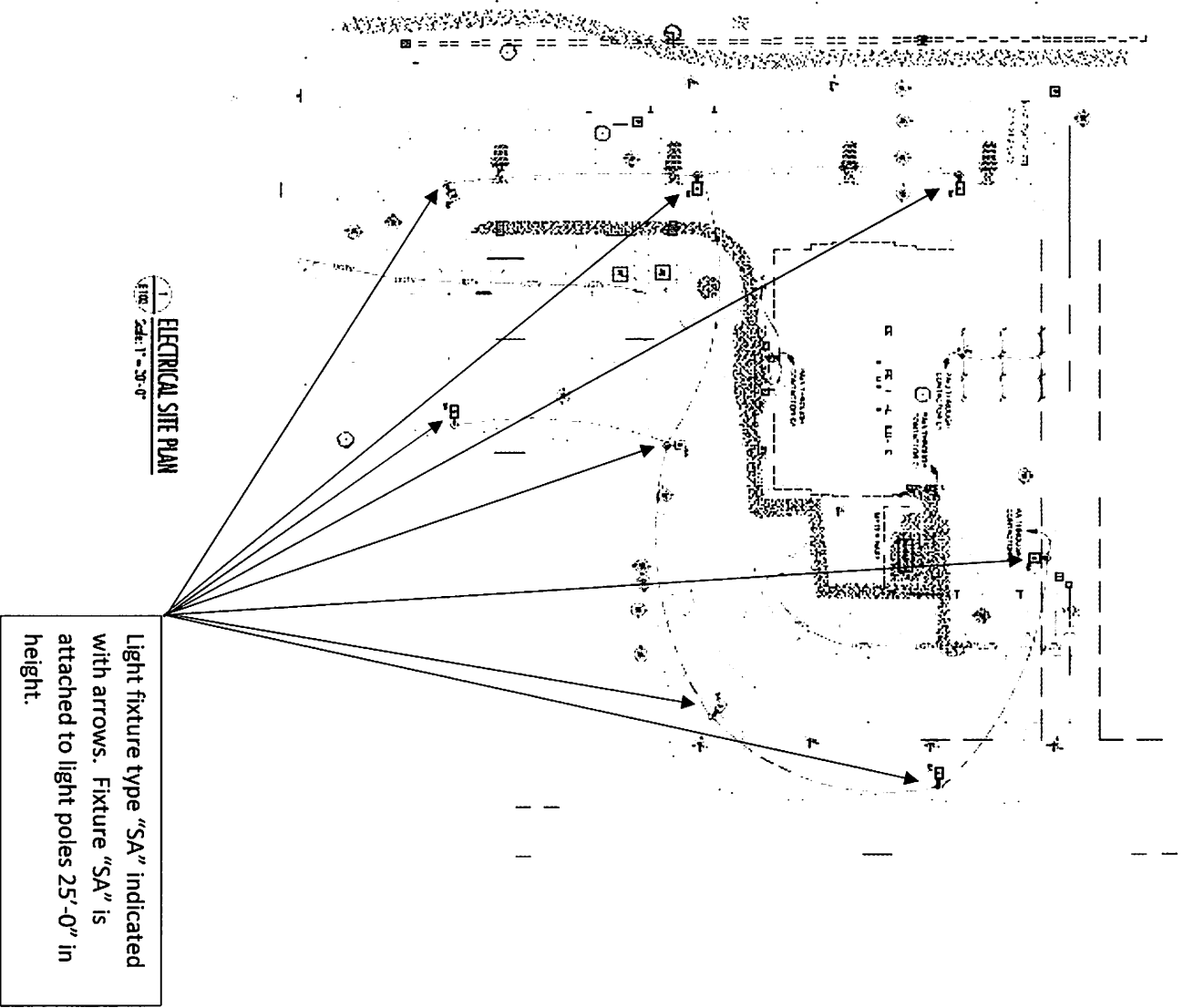


Ordinance number 1142 further states the following regarding landscaping and lighting:

Landscaping: Shall at a minimum meet City standards there shall also be an 8' tall shadowbox fence at the rear property line of the entire parcel of property.

Lighting: The light standards shall be no taller than the fence to be constructed at the rear property line.

As stated previously, case number SR 17.03 has been submitted for site plan review of Lot 1 of the Greeno Professional Village. Included in that site plan review submittal is the electrical site plan for the Community Bank. An excerpt of the electrical site plan is shown below:



The light fixtures marked as "SA" in the electrical site plan above include light poles 25'-0" tall. An excerpt of the lighting schedule indicating fixture type "SA" and its pole height is indicated below:

Light fixture type "SA" indicated with arrows. Fixture "SA" is attached to light poles 25'-0" in height.

LIGHTING FIXTURE SCHEDULE

TYPE	MANUFACTURER	PART NUMBER	LAMPS	MOUNTING	REMARKS
A	BY OWNER		LED	PENDANT	
B	LITHONIA	2VTL4-48L-ADP-EZ1-LP835	LED, 39 1W 5,090 LUMENS	RECESSED	
BE	LITHONIA	2VTL4-48L-ADP-EZ1-LP835-EL14L	LED, 39 1W 5,090 LUMENS	RECESSED	WITH EMERGENCY BATTERY PACK.
C	LITHONIA	2VTL4-30L-ADP-EZ1-LP835	LED, 26 4W 3,470 LUMENS	RECESSED	
CE	LITHONIA	2VTL4-30L-ADP-EZ1-LP835-EL14L	LED, 26 4W 3,470 LUMENS	RECESSED	WITH EMERGENCY BATTERY PACK.
D	LITHONIA	2VTL2-33L-ADP-EZ1-LP835	LED, 29 5W 3,300 LUMENS	RECESSED	
DE	LITHONIA	2VTL2-33L-ADP-EZ1-LP835-EL14L	LED, 29 5W 3,300 LUMENS	RECESSED	WITH EMERGENCY BATTERY PACK.
F	LITHONIA	2VTL2-20L-ADP-EZ1-LP835	LED, 17 4W 2,000 LUMENS	RECESSED	
FE	LITHONIA	2VTL2-20L-ADP-EZ1-LP835-EL14L	LED, 17 4W 2,000 LUMENS	RECESSED	WITH EMERGENCY BATTERY PACK.
G	LITHONIA	LDN6-40K-15-LOGAR-LSS-MVOLT-EZ10	LED, 20 5W 1,606 LUMENS	RECESSED	
GE	LITHONIA	LDN6-40K-15-LOGAR-LSS-MVOLT-EZ10-EL	LED, 20 5W 1,606 LUMENS	RECESSED	WITH EMERGENCY BATTERY PACK.
H	SIGNAL-TECH	PRODUCT ID: 5863 MODEL: TCL71BG-125	LED	SURFACE	"ATM" SIGNAGE
J	SIGNAL-TECH	PRODUCT ID: 5887 MODEL: TCL71BGR-100	LED	SURFACE	"OPEN/CLOSED" SIGNAGE
K	LITHONIA	ZL1N-L46-3000LM-FST-MVOLT-35K-BOCRI-WH	LED, 25W 3,443 LUMENS	IN COVE	
K2	LITHONIA	ZL1N-L24-2500LM-FST-MVOLT-35K-BOCRI-WH	LED, 19W 2,315 LUMENS	IN COVE	
SA	LITHONIA	DSXD LED-P3-40K-BLC-MVOLT-SPA-HS-DBLXD	LED, 71W 6,926 LUMENS	POLE	POLE#: RSS-25-4B 25' POLE SET BACK 36" FROM CURB
SBE	LITHONIA	WST LED-P2-40K-VW-MVOLT-DBLXD-EZ0WC	LED, 75W 3,512 LUMENS	WALL	WITH EMERGENCY BATTERY PACK.
SC	LITHONIA	DSXF1 LED-P1-40K-HMF-MVOLT-THK-DBLXD	LED, 21W 2,575 LUMENS	STANCHION	
X	LITHONIA	LRP-1-RC-120/277-EL N	LED	UNIVERSAL	

Case ZC 17.17 seeks to modify the PUD created by ordinance 1142 to allow the 25'-0" tall light poles for fixture "SA" as indicated in the Lighting Fixture Schedule shown above.

Comments:

The subject property is an "L" shaped lot with its narrowest dimension fronting upon Edwards Avenue. The existing access road crosses the western leg of the "L" shape, sharply curves to the east and then sharply curves to the north and continues north to Gayfer Avenue. No existing structures are in place on the subject property. Lot 2 of the Greeno Professional Village PUD is located immediately north of subject property and includes the Jade Professional Office Building. The existing access road within the Greeno Professional Village does not include a public right-of-way and the access road is not maintained by the City of Fairhope. The site photos below were taken from the approximate mid-point of the access road in the direction indicate in each photo caption.

It is unknown to staff how the Greeno Professional Village's as-built configuration has deviated both in building layout and in the configuration of the access road since the approval of Ordinance 1142 in 2002. Staff researched Case number SR 06-06 (Lot 7, Trustmark Bank), Case number SR 17-01 (Lot 6, Eastern Shore Healthcare Advocacy), Case number SR 03-02 (Lot 4, Centennial Bank), and Case number SR 07-09 (Lot 2, Jade Professional Office Building) and found no corresponding request for zoning change to modify the building, parking, and access road layout created by Ordinance 1142. Nevertheless, changes of configuration of building layout, parking layout, and access road path have occurred throughout the PUD and affect the layout of Lot 1 as the access road was not constructed in a fashion to allow the angled building layout included in Exhibit "A" of Ordinance 1142. The submitted building and parking layout included in SR 17.03 as well as subject application allow Lot 1 to be utilized without re-configuring the existing access road.

The subject request for PUD amendment further requests the use of area lighting utilizing 25'-0" light poles, as shown on the electrical site plan above. It is likely the original intent of Ordinance 1142 was to prevent light pollution onto adjoining residential properties to the greatest extent practicable by creating a requirement more stringent than that of the *City Fairhope Zoning Ordinance*. As a result, Ordinance 1142 requires light poles be no

taller than the 8' shadowbox fence described above. In addition, The *City of Fairhope Zoning Ordinance*, Article IV, Section B.3. states:

Parking lots with 50 or fewer spaces and open area requiring lighting for general purposes shall have light poles that do not exceed 10 feet overall height. Parking lots having more than 50 spaces shall have light poles that do not exceed 20 feet overall height. Luminaries of a sharp cut off design to shield light source above 72 degrees from vertical and providing 1.0 average maintained foot-candles with the following uniformity ratios: 3:1 average/minimum * (.33 FC minimum), 12:1 maximum/minimum * (4.0 FC maximum) are required in all cases. Public facilities such as lighted ball fields are excluded. A photometric grid shall be furnished by developer at time of building permit application.

* maximum or minimum foot-candle level at any point lighted area

The parking layout in SR17.03 as well as subject application includes thirty-two (32) parking spaces. The requested 25' tall light poles included in subject application are not only in excess of Ordinance 1142 but also in excess of the City of Fairhope Zoning Ordinance because the parking area of subject application is less than fifty (50) spaces. Further, if the subject property contained 50 spaces or more, the 25' tall light poles would continue to be in excess of the City of Fairhope Zoning Ordinance by five feet. During the December 4, 2017 Planning Commission meeting the Architect of Record for the project reiterated they applicant would like to have the 25' tall light poles for safety reasons but will agree to the 8' requirement.

Site Photos:



Subject property looking north to existing lot 2



Subject property looking southwest to Greeno Rd.

Site Photos (continued):



Subject property looking south to Edwards Ave.

Subject property looking east to existing fence line

School Student Analysis:

Site Plan review SR 17.03 does not include any residential facilities on the subject property nor are any residential facilities in place in the existing occupied lots of the Greeno Professional Village PUD. Therefore, School Student Analysis is not applicable to the subject PUD Amendment request.

Ordinance 1142 Allowable Uses

Uses Permitted: Uses permitted shall be business and professional offices such as lawyers, doctors, banks, insurance, architects, and similar uses. No retail is permitted.

Zoning History of Nearby Properties:

Case no ZC 06.18 was a request of BES, Inc. on behalf of Bones & Babies, LLC to rezone Tax parcels 05-46-04-17-1-000-001.000, 05-46-04-17-1-000-001.001, 05-46-04-17-1-000-001.002, 05-46-04-17-1-000-001.003, 05-46-04-17-1-000-001.004, 05-46-04-17-1-000-001.005, and 05-46-04-17-1-000-001.006, generally located on the southwest corner of the intersection of Greeno Road and Gayfer Avenue from R-1 Low Density Single Family Residential District to Planned Unit Development (PUD). The Fairhope City Council adopted the zoning change

Case no ZC 17.07 was a request of Robert and Debra Green to rezone parcels 05-46-03-39-0-002-152.000, 05-46-03-39-0-002-152.010, 05-46-03-39-0-002-152.017, and 05-46-03-39-0-002-152.018, commonly known as Green Nursery from R-1 Low Density Single-Family Residential District to B-2 General Business District. The Green Nursery properties are located at 415 North Greeno Road consisting of approximately 2.6 acres. The City of Fairhope Planning Commission approved the request for zoning change on August 7, 2017.

Case no ZC 17.05 was a request of S.E. Civil Engineering, LLC to rezone parcel number 05-46-04-17-1-000-042.000, located at the northwest corner of the intersection of Edwards Avenue and Greeno Road, from R-1 Low Density Single Family Residential District to B-1 Local Shopping District. The property consists of approximately 0.9 acres and is located at 861 Edwards Avenue. The City of Fairhope Planning Commission denied the request for zoning change on July 3, 2017.

Fairhope Comprehensive Plan Guidance

The subject property is located approximately 1.2 miles southwest of the HWY 181/Fairhope Avenue Village Node, and 1.3 miles southeast of the Greeno Road/Fairhope Avenue Village Node.

The subject property does not abut the Village Nodes described above and given the distance from the Village Nodes to the subject property, there is no Comprehensive Plan-related conflict of compatibility between the uses.

Staff Recommendation:

Staff recommends that the rezoning be **APPROVED** subject to the following conditions:

- 1) The light standards shall be no taller than the fence to be constructed at the rear property line, i.e. the original lighting requirements of ordinance 1142 shall remain in effect.

Planning Commission Recommendation:

The City of Fairhope Planning Commission, at its December 4, 2017 regular meeting, unanimously recommended the rezoning be **APPROVED** subject to the following conditions:

- 1) The light standards shall be no taller than the fence to be constructed at the rear property line, i.e. the original lighting requirements of ordinance 1142 shall remain in effect.



City Council

Site Plan

Case: SR 17.03 Community Bank

Prepared By:

J. Buford King, LEED AP, QCI
City Planner

Project Name:

Community Bank

Site Data:

Total Area – 1.16 acres+/-

Project Type:

Site Plan Review

Jurisdiction:

Fairhope Corporate Limits

Zoning District:

PUD – Planned Unit
Development

PPIN Number:

77195

General Location:

Edwards Ave and Greeno Rd

Engineer:

Gulf States Engineering and
Dale Partners (Architecture)

Owner:

Community Bank National
Association

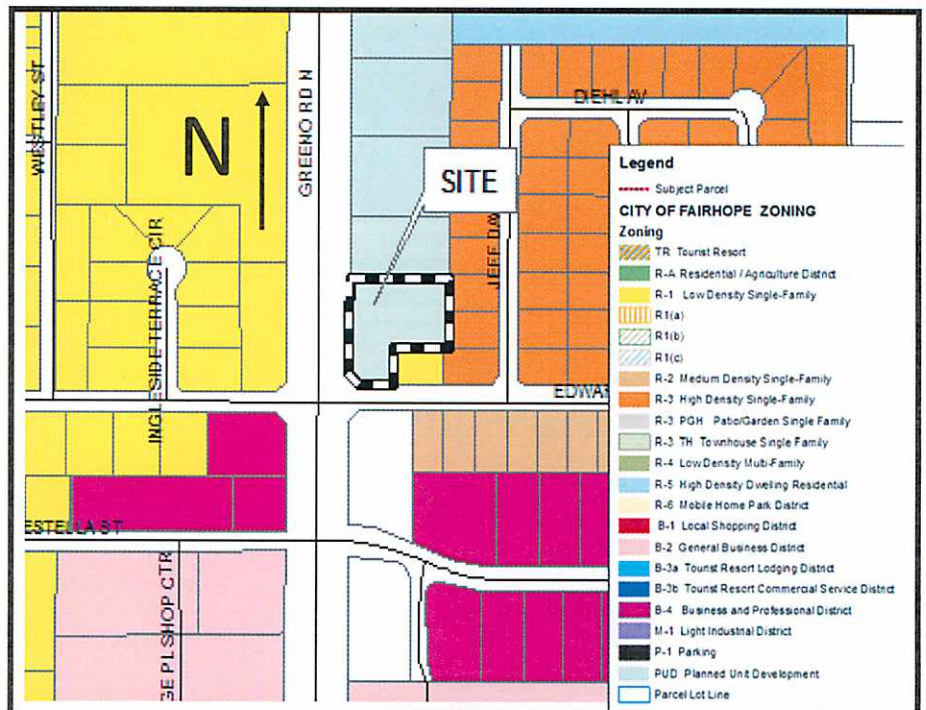
Staff Recommendation:

Conditional Approval

Planning Commission

Recommendation:

Conditional Approval



Summary of Request:

Public hearing to consider the request of Gulf States Engineering and Dale Partners, LLC for site plan approval for Community Bank, located in Lot 1 of the Greeno Professional Village PUD. The Greeno Professional Village PUD was approved April 8, 2002 via Ordinance number 1142, case number ZC 02.01. The development requirements of case number ZC 02.01 / ordinance 1142 requires a site plan review by the City of Fairhope Planning Commission as well as the Fairhope City Council before building permits may be issued within the PUD. Comments below reflect general review comments by staff as well as comments specific to provisions of concurrently-submitted PUD Amendment ZC 17.17.

Comments:

- 1) **Building Square Footage:** The Greeno Professional Village PUD permits a maximum of 46,000sf to be constructed. The subject application requests a building area of 4,935 sf and when combined with the existing structures within the PUD totals 29,522sf and is therefore in compliance with the PUD.
- 2) **Lot standards:** The subject property is currently zoned PUD. The recorded plat for lot 1 of Greeno Professional Village dated July 11, 2002 reflects a 40' utility and drainage easement as well as a 10' utility and drainage easement in addition to a 10' private landscape, sign, fence, construction and maintenance easement. The submitted site plan reflects the various easements included on the recorded plat. 15' driveway side setbacks are reflected on drawing C-201 and when scaled off the drawing the curb to north property line dimension appears to be in compliance with the 3' driveway side requirement.
- 3) **Waste Handling:** Waste handling shall be accomplished via 96-gallon roll-out waste carts. An outdoor enclosure for waste carts is depicted on drawing AS-102.
- 4) **Traffic Study:** A supporting letter from the Engineer of Record (EOR) is included with the application indicating a traffic study is not warranted for the proposed development.
- 5) **Lot Access:** Site is accessed via an existing, PUD-maintained roadway within the PUD connecting Edwards Avenue and Gayfer Avenue with an existing connector to Greeno Road in existence at the North-South center of the Greeno Road Professional Village PUD.
- 6) **Structures:** No existing structures are in place on the subject property (Lot 1).
- 7) **Landscaping / Tree Protection:** The City of Fairhope horticulturalist reviewed the landscaping drawings included in the site plan review package and had no comments. Further, the Greeno Professional Village PUD requires an 8' shadowbox fence at the rear property line, and this fencing is depicted on drawing C-201.
- 8) **Storm water Standards:** A third-party engineer has reviewed the drainage system and has indicated the submitted storm water system design is satisfactory.
- 9) **BMP Plan:** A best management practices (BMP) plan illustrating BMP's to be used on the project is included with the Site Plan approval package. A post-construction BMP Operation and Maintenance (O&M) Plan is also included.
- 10) **Fire Flow:** A fire flow model is included with the application. The EOR indicates adequate fire flow for the development.
- 11) **Utilities:** Utility availability letters are included with the application. The site is served by Fairhope Public Utilities for electrical, gas, water and sewer service as well as AT&T

for telephone service. The EOR has coordinated various utility relocations with Fairhope Public Utilities necessary to accommodate subject development.

- 12) **Use:** Subject application is for a Community Bank location, and a bank is an allowable use in the Greeno Road Professional Village PUD.
- 13) **Building Height:** The Greeno Professional Village PUD restricts building height to 35'-0". The submitted building height is 16'-4" to top of roof deck with parapet wall heights varying but all below 35'-0".
- 14) **Low Impact Development (LID):** Applicant provided a supporting document describing six (6) LID techniques to be used on the project and has requested a waiver of the remaining LID techniques. The waiver of the remaining LID techniques is acknowledged in staff's recommendation for the site plan review. A listing of all requested waivers, variances, and PUD amendments are summarized in the "additional background information" below.
- 15) **Signage:** no ground signage is included in the subject application. Building signage will be separately-submitted to the COF Code Enforcement Officer for approval.
- 16) **ALDOT Correspondence:** No ALDOT permit requests are anticipated for the subject property.

Site Photos:



Subject Property Looking North to Lot 2



Subject Property Looking West to Greeno Rd.



Subject Property Looking Southwest to Greeno Rd.



Subject Property Looking South to Edwards Ave.

Additional Background Information:

The applicant illuminated in their application cover letter requests for “relaxation” of various City of Fairhope regulations related to the subject property. Summarized below are various requests generated by the subject site plan review:

- *City of Fairhope Subdivision Regulations Article V, Section F.11 Required Use of Low Impact Development (LID) Techniques*
 1. Subject application is a component of the *City of Fairhope Zoning Ordinance*, however *Article IV, Section F.2. General Requirements* indicates that all sites shall be designed with surface drainage provisions in accordance with the *Fairhope Subdivision Regulations*.
 - Subject application states six (6) LID techniques are included in the application and is requesting a waiver of the four (4) remaining techniques.
- *City of Fairhope Zoning Ordinance Article III, Section C.3.*
 1. Applicant’s drive-through canopy extends beyond the 2’-0” allowance for ordinary projection of sills, cornices, buttresses, ornamental features, chimneys, flues, and eaves.
 - Though not a component of this site plan review, staff suggested the applicant submit a variance request to the City of Fairhope Board of Zoning Adjustments (BOA) if the dimension of the drive-through canopy as depicted on drawing AS-102 is desired. The applicant submitted a variance request to the BOA in response to staff’s suggestion. A motion to approve the variance request at the BOA’s December 18, 2017 meeting failed.
- An amendment to the Greeno Professional Village PUD, case number ZC 17.17 has been submitted requesting allowance of the following:
 1. Type “SA” 25’-0” tall light poles for site lighting as shown on electrical drawings E-000 and E-100.
 2. Site layout as depicted on drawing C-201 related to building position and parking space orientation.

Staff Recommendation:

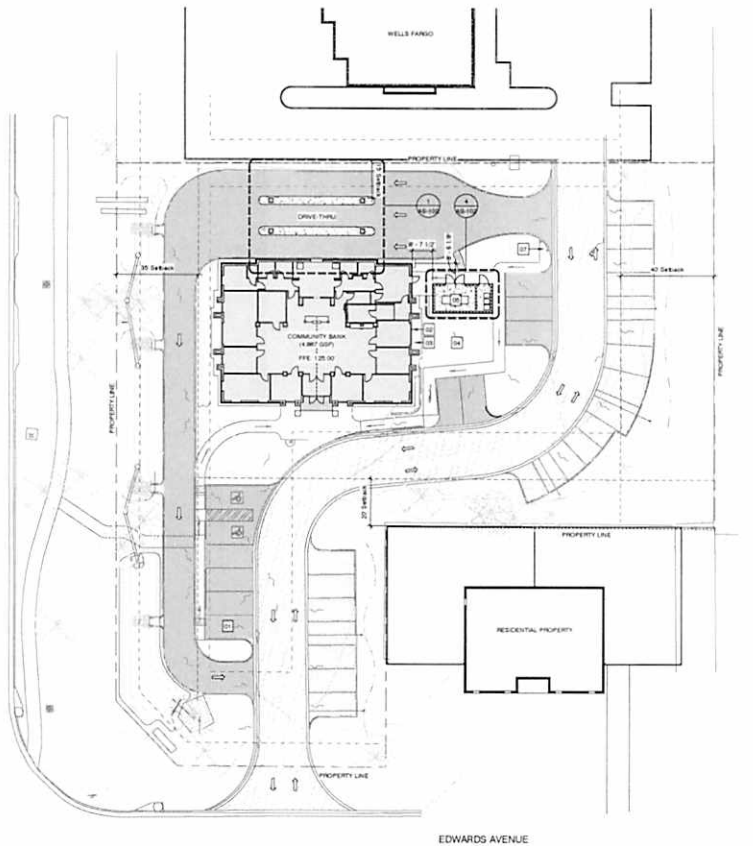
Staff recommends **APPROVAL** of the site plan with the following conditions:

1. Acceptance of the applicant’s request for a waiver of ten (10) LID techniques for surface drainage processing. The third-party engineer has verified that he submitted drainage system comprised of six (6) LID techniques removes 80% of the total suspended solids (TSS) from the site’s drainage, and by submitting six LID techniques the applicant has complied with the spirit and desired outcome of the LID requirements. Further, staff is preparing an amendment to the City of Fairhope Subdivision Regulations, Article V, Section F.11., removing the required using of ten (10) LID techniques though retaining the use of LID techniques to attain 80% TSS removal.
2. Approval of Case number ZC 17-17, a Re-Zoning Request of subject property to amend Ordinance 1142 allowing the building layout and parking layout in subject application.

Planning Commission Recommendation:

The Planning Commission of the City of Fairhope, at its December 4, 2017 regular meeting unanimously recommended **APPROVAL** of the site plan with the following conditions:

1. Acceptance of the applicant's request for a waiver of ten (10) LID techniques for surface drainage processing. The third-party engineer has verified that the submitted drainage system comprised of six (6) LID techniques removes 80% of the total suspended solids (TSS) from the site's drainage, and by submitting six LID techniques the applicant has complied with the spirit and desired outcome of the LID requirements. Further, staff is preparing an amendment to the City of Fairhope Subdivision Regulations, Article V, Section F.11., removing the required use of ten (10) LID techniques though retaining the use of LID techniques to attain 80% TSS removal.
2. Approval of Case ZC 17-17, a rezoning request of subject property to amend Ordinance 1142 allowing the changes to the building layout and parking layout in the subject application.
3. A sidewalk shall be installed on along the south property line of the subject site on the north side of Edwards Avenue.



General Site Notes

1. See Civil Drawing for finish grades of exterior paving. All paving and grades of pavement shall comply with the minimum slope away from structures and towards drainage basins.
2. All paved areas shall be graded to drain to the appropriate curb or slope to ensure positive drainage away from the building.
3. All downspouts and leads to be connected to subsurface drainage. See Civil drawings.

Sheet Notes

1. Paving:
 - a. Asphalt Medium 32
 - b. Bituminous Gravel 32
2. Drain: Minimum Slope: See Civil Landscaping
3. Landscaping: See Civil Landscaping
4. Drain: Minimum Slope: See Civil Landscaping
5. Generator: As shown on drawings. See Civil
6. Not used
7. Designated area for each can pickup. See Civil for exact located locations.

- Pedestrian Path
- ▨ Restricted Additional Paving Space
- ▨ Permitted Paving. See Civil Landscaping

DALE PARTNERS

Architects
Interior
Planning
Civil/Structural/Plumbing
Site Work
100 East Centre Street
Jacksonville, FL 32201
904.352.5411
121 Limestone Street
Suite 200
Birmingham, AL 35203
205.974.1430
dalepartners.com

Not For Construction

Community Bank Fairhope
Fairhope, AL

PLD
Amendment
Submittal

Project No. 1363
Date: 20 Sept. 2017
Drawn: JG
Checked: JG
Reviewed: PML/CJM

AS-101
Site Plan

© 2017 Dale Partners, Inc. All rights reserved. This drawing is the property of Dale Partners, Inc. and is not to be reproduced without written permission.

1 Site Plan
1/8" = 1'-0"

RESOLUTION NO. _____

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that the City Council hereby approves and adopts the recommended \$5.00 per pumpout fee associated with Pumpout station located at the Fairhope Docks.

ADOPTED THIS 15TH DAY OF MAY, 2018

Karin Wilson, Mayor

ATTEST:

Lisa A. Hanks, MMC
City Clerk

RESOLUTION NO. _____

WHEREAS, The Utilities Board of the City of Daphne initiated civil litigation against the City of Fairhope, Alabama over the payment of net profits over jointly owned gas transmission lines based on the proper interpretation of a 1950 agreement in the Circuit Court of Baldwin County, Alabama, CV-2017-900915; and

WHEREAS, the City of Fairhope has negotiated with The Utilities Board of the City of Daphne through its Counsel regarding a settlement of the Litigation;

WHEREAS, the City desires to enter in to a settlement with The Utilities Board of the City of Daphne, and The Utilities Board of the City of Daphne desires to enter in to a settlement with the City, all according to the terms and conditions of the Settlement Agreement, and

WHEREAS, The Utilities Board of the City of Daphne has already approved settlement of the Litigation on the terms set forth in the Settlement Agreement.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that by the City Council of the City the Settlement Agreement is hereby approved and that the Mayor and the City Clerk of the City are hereby authorized and directed to execute and attest, respectively, for and on behalf of the City, the Settlement Agreement.

DULY ADOPTED THIS 15TH DAY OF MAY, 2018

Karin Wilson, Mayor

Attest:

Lisa A. Hanks, MMC
City Clerk

RESOLUTION NO. _____

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, as follows:

[1] That the City Council approved and adopted Resolution No. 3043-18 to allow the contract between the City of Fairhope and Mowrey Elevator Company of Florida, Inc. to terminate without extensions and approves the Mayor to seek these services through a Buying Group contract. The applicable Clause is 7.2 Termination for Convenience as written conditioned being in compliance with existing contract.

[2] Due to the City being unable to reach an agreement with the Buying Group; the Public Works Director is requesting that the City extend the contract for Bid No. 012-17, Citywide Elevator Maintenance 2017 for one additional year; as per terms and conditions of the original awarded bid; and approves the Mayor to execute Extension No. 1.

[3] That the City Council hereby rescinds Resolution No. 3043-18; and authorizes Mayor Karin Wilson to execute Extension No. 1 for the Contract with Mowrey Elevator Company of Florida, Bid No. 012-17, Citywide Elevator Maintenance 2017 for one additional year; as per terms and conditions of the original awarded bid Inc.

Adopted on this 15th day of May, 2018

Karin Wilson, Mayor

Attest:

Lisa A. Hanks, MMC
City Clerk

ZMS



MEMO

To: Lisa A. Hanks, City Clerk

From: Jillian Saffle
Jillian Saffle, Purchasing Manager

Date: May 2, 2018

Re: Rescind Resolution No. 3043-18 and approve first extension of Bid No. 012-17, Citywide Elevator Maintenance 2017

Resolution No. 3048-18 was issued to terminate the current contract with **Mowrey Elevator Company of Florida, Inc.** for **Bid No. 012-17, Citywide Elevator Maintenance 2017**, per the terms and conditions of the contract. The Resolution also authorized the Mayor to seek these services through a buying group.

The City was unable to reach an agreement on terms and conditions with the Buying Group; therefore, the Public Works Director, Richard Johnson, is requesting that the City extend the contract for **Bid No. 012-17, Citywide Elevator Maintenance 2017** for an additional year. This memo is being issued to authorize the Mayor to execute the extension. The price of the products will remain the same as the original bid. The Contractor, Mowrey Elevator Company, is in agreement (see attached).

Please place on the next City Council agenda this request to approve the first extension of the contract for Bid No. 012-17, Citywide Elevator Maintenance 2017 for one additional year, as per terms and conditions of the original awarded bid; and approval for the Mayor to execute Contract Extension #1.

Cc: file; R. Johnson; L. Cabaniss

Karin Wilson
Mayor

Council Members

Kevin G. Boone

Robert A. Brown

Jack Burrell, ACMO

Jimmy Conyers

Jay Robinson

Lisa A. Hanks, MMC
City Clerk

Michael V. Hinson, CPA
City Treasurer

161 North Section Street

P O. Drawer 429

Fairhope, Alabama 36533

251-928-2136

251-928-6776 Fax

www.fairhopeal.gov

Printed on recycled paper

Jillian Saffle

From: Dan Redmond <dan@mowreyelevators.com>
Sent: Tuesday, May 01, 2018 1:56 PM
To: Jillian Saffle
Cc: Miranda; Terri Stewart
Subject: Re: Contract Extension | City of Fairhope | Bid No. 012-17 Citywide Elevator Maintenance 2017

Jillian,

We are willing to provide interim maintenance and renew as requested.

Thank you,

Dan

Sent from my iPad

On May 1, 2018, at 1:43 PM, Jillian Saffle <jillian.saffle@fairhopeal.gov> wrote:

Dan,

As you may know, the contract for the subject Bid is scheduled to expire today. The City of Fairhope would like to renew the contract for another year, assuming that all other terms and conditions and pricing of the original contract remain unchanged. If you would like to renew, we will present this renewal to the Council, which is set to meet again on May 15. Once we have council approval, we can proceed with executing the extension. In the interim, I am asking if you will honor the terms and conditions and pricing set forth in the contract while we wait for Council approval.

Please advise at your earliest convenience and do not hesitate to call with any questions.

Thanks,

Jillian Saffle
Purchasing Manager
City of Fairhope
251-990-0199
jillian.saffle@fairhopeal.gov

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RESOLUTION NO. ____

WHEREAS, on the 26th day of March, 2018, the City of Fairhope adopted Resolution No. 3027-18; a resolution to approve the purchase of purchase Ten (10) Motorola Portable Radios; APX6000 7/800 mhz1.5 for the IT Department and the type of equipment needed is on the Alabama State Department of Purchasing bid list and therefore does not have to be let out for bid; with a total cost of \$24,935.50;

WHEREAS, the IT Department has discovered that the Radios had not been quoted with accessories and software;

WHEREAS, the IT Department now desires that the City Council rescinds Resolution No. 3027-18; and authorizes the purchase of Six (6) Motorola Portable Radios APX6000 7/800 mhz1.5 with Accessories and Software; for the IT Department and the type of equipment needed is on the Alabama State Department of Purchasing bid list and therefore does not have to be let out for bid; with a total cost of \$24,996.00.

NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that the City Council Resolution No. 3027-18; and authorizes the purchase of Six (6) Motorola Portable Radios APX6000 7/800 mhz1.5 with Accessories and Software; for the IT Department and the type of equipment needed is on the Alabama State Department of Purchasing bid list and therefore does not have to be let out for bid; with a total cost of \$24,996.00.

Adopted on this 15th day of May, 2018

Karin Wilson, Mayor

Attest:

Lisa A. Hanks, MMC
City Clerk

**City of Fairhope
Project Funding Request**

COF Project No.

1338

MAY 7 '18 PM 12:02

LMK

Issuing Date: 4/24/2018

Please return this Routing Sheet to Treasurer by: ASAP

Project Name: Motorola Portable Radios with Accessories & Software (6) - (Recinds Resolution 3027-18 of 3/26/18)

Project Location: IT

Presented to City Council: 5/15/2018 **Approved - Resolution #** _____

Funding Request Sponsor: Jeff Montgomery, IT Director

Project Cash Requirement Requested: _____
Cost: \$24,996.00 (from Alabama State Contract) **Changed** _____
Rejected _____

Vendor: Motorola Solutions Inc.

Project Engineer: n/a

Order Date: n/a **Lead Time:** n/a

Department Funding This Project

General XXX	Gas	Electric	Water	Sewer	Gas Tax	Cap Proj	Impact
<u>Department of General Fund Providing the Funding</u>							
Admin-10 XXX	Police-15	Fire-20	Rec-25	Adult Rec-30	Marina-34	Street-35	Sanitation-40
	Golf-50	Golf Grounds-55		Debt Service-85			

Project will be:

Expensed _____	Funding Source:
Capitalized <u>XXX</u>	Operating Expenses _____
Inventoried _____	Budgeted Capital <u>XXX</u>
	Unfunded _____

Expense Code: Various-16030
G/L Acct Name: Vehicles & Equipment

Project Budgeted: \$25,998.00

(Over) Under budget amount: \$1,002.00

Comments: Rescinds Green Sheet 1318

Grant: _____ **Federal - not to exceed amount**
 _____ **State**
 _____ **City**

Bond: _____ **Title** _____ **Year** _____
Loan: _____ **Title** _____ **Year** _____

Capital Lease: _____ **Payment** _____ **Term** _____

City Council Prior Approval/Date? Yes - 3/26/18

<u>City Treasurer</u>	<u>Finance Director</u>	<u>Mayor</u>
Purchasing Memo Date: <u>4/20/18</u>	Delivered To Date: <u>4/25/18</u>	Delivered To Date: <u>5/2/18</u>
Request Approved Date: <u>4/24/18</u>	Approved Date: <u>5/2/18</u>	Approved Date: <u>5/1/18</u>
Signatures: <u>Michael V. Hinson CPA</u>	<u>Jill Cabiniss, MBA</u>	<u>Mayor Karin Wilson</u>



MEMO

Karin Wilson
Mayor

To: Michael Hinson, Treasurer

From: 
Jillian Saffle, Purchasing Manager

Council Members

Kevin G. Boone

Robert A. Brown

Jack Burrell, ACMO

Jimmy Conyers

Jay Robinson

Date: April 20, 2018

Re: Rescind Resolution No. 3027-18 for the purchase of Ten (10) Motorola Portable Radios
Placing on City Council agenda approval to procure Six (6) Motorola Portable Radios to include accessories and software

Lisa A. Hanks, MMC
City Clerk

Michael V. Hinson, CPA
City Treasurer

Resolution No. 3027-18 was issued on March 26, 2018 for the purchase of Ten (10) Motorola Portable Radios to be used by all departments during emergency / disaster periods. A purchase order was issued to Motorola Solutions, Inc. (from the Alabama State Contract) in the amount of \$24,935.50. Upon issuance of this PO, Motorola Solutions informed the IT department that the quote for Ten (10) radios had expired and did not include software costs.

The IT department received an updated quote from Motorola Solutions, Inc. (from the Alabama State Contract) for Six (6) Motorola APX6000 7/800 MHZ1.5 portable radios, accessories, and applicable software in the amount of **TWENTY-FOUR THOUSAND NINE HUNDRED NINETY-SIX DOLLARS (\$24,996.00)**.

A copy of this quote can be found attached to this memo.

The cost of this procurement is over the \$10,000 operational budgeted item threshold and will therefore need City Council approval.

Please place on the next City Council Agenda this request to rescind Resolution No. 3027-18 and approve the procurement of six emergency radios from Motorola Solutions, Inc in the amount of \$24,996.00 from the Alabama State Contract.

Cc: file, J. Montgomery

161 North Section Street

P O. Drawer 429

Fairhope, Alabama 36533

251-928-2136

251-928-6776 Fax

www.fairhopeal.gov

Printed on recycled paper



MOTOROLA SOLUTIONS

Quote Number: QU0000438089

Effective: 18 APR 2018

Effective To: 17 JUL 2018

Bill-To:

FAIRHOPE, CITY OF
PO BOX 626
FAIRHOPE, AL 36533
United States

Ultimate Destination:

FAIRHOPE, CITY OF
555 S SECTION ST
FAIRHOPE, AL 36532
United States

Attention:

Name: JEFF MONTGOMERY
Phone: 251-XXX-XXXX

Sales Contact:

Name: Stephenie Shirley
Email: StephenieShirley@CESTeamone.com
Phone: 251-421-7271

Contract Number: ALABAMA STATE CONTRACT

Freight terms: FOB Destination

Payment terms: Net 30 Due

Item	Quantity	Nomenclature	Description	List price	Your price	Extended Price
1	6	H98UCD9PW5BN	APX6000 7/800 MHZ MODEL 1.5 PORTABLE	\$2,705.00	\$2,003.59	\$12,021.54
1a	6	QA02756AA	ADD: 9600 TRUNKING OR 3600 DIGITAL TRUNKING	\$1,570.00	\$1,162.90	\$6,977.40
1b	6	QA05100AA	ENH:STD WARRANTY APPLIES-NO SFS	-	-	-
1c	6	QA00779AB	ALT: BASIC CARRY HOLDER (PMLN5709)	\$29.00	\$21.48	\$128.88
1d	6	H869BZ	ENH: MULTIKEY	\$330.00	\$244.43	\$1,466.58
1e	6	H842AU	ADD: SINGLE UNIT PACKING	-	-	-
1f	6	G996AU	ADD: PROGRAMMING OVER P25 (OTAP)	\$100.00	\$74.07	\$444.42
1g	6	QA00580AC	ADD: TDMA OPERATION	\$450.00	\$333.32	\$1,999.92
2	6	PMMN4060B	AUDIO ACCESSORY-HEADSET,PSM IP55 WITH 3.5MM JACK RX 24IN	\$180.40	\$133.62	\$801.72
3	360	SVC03SVC0105D	INFRASTRUCTURE PROGRAMMING	\$1.00	\$1.00	\$360.00
4	6	NNTN8860A	CHARGER, SINGLE-UNIT, IMPRES 2, 3A, 115VAC, US/NA	\$150.00	\$111.11	\$666.66
5	6	NAR6595A	ANT 1/4 WAVE 7/800 STUBBY	\$29.00	\$21.48	\$128.88

Total Quote in USD

\$24,996.00

- * This quote contains items with approved price exceptions applied against it
- * This quote contains items that reflect discounts from approved total Price Exception of (25.93%)

PO Issued to Motorola Solutions Inc. must:

- >Be a valid Purchase Order (PO)/Contract/Notice to Proceed on Company Letterhead. Note: Purchase Requisitions cannot be accepted
- >Have a PO Number/Contract Number & Date
- >Identify "Motorola Solutions Inc." as the Vendor
- >Have Payment Terms or Contract Number
- >Be issued in the Legal Entity's Name
- >Include a Bill-To Address with a Contact Name and Phone Number
- >Include a Ship-To Address with a Contact Name and Phone Number
- >Include an Ultimate Address (only if different than the Ship-To)
- >Be Greater than or Equal to the Value of the Order

City of Fairhope Project Funding Request

Issuing Date: 3/8/2018

Please return this Routing Sheet to Treasurer by: ASAP

Project Name: Motorola Portable Radios (10); APX6000 7/800 mhz1.5

Project Location: IT - City-Wide

Presented to City Council: 3/26/2018 Approved _____ Changed _____ Rejected _____

Project Cash Requirement Submitted for Approval:

Cost: \$24,935.50 (from Alabama State Contract)

Providers: Motorola Solutions, Inc.

Project Engineer: n/a

Order Date: n/a Lead Time: n/a

Department Funding This Project							
General XXX	Gas	Electric	Water	Sewer	Gas Tax	Cap Proj	Impact

Division of General Fund Funding This Project							
Admin-10 XXX	Police-15 Golf-50	Fire-20 XXX Golf Grounds-55	Rec-25	Adult Rec-30 Debt Service-85	Marina-34	Street-35	Sanitation-40

Expense Code: Various-16030 Revenue Code: _____
 Acct Name: Vehicles & Equipment

Project will be: Expensed _____
 Inventoried _____
 Capitalized XXX

Project Financed By:
 Grant: _____ Federal - not to exceed amount
 _____ State
 _____ City

Project Budgeted: \$25,998.00

(Over) Under budget amount: \$1,062.50

Bond: _____ Title _____ Year _____
 Loan: _____ Title _____ Year _____
 Capital Lease: _____ Payment _____ Term _____

Funding: Operating funds

City Council Prior Approval? Date? Approved in FY 2018 Budget

City Treasurer
 Request Received Date: 3/8/18
 Request Approved Date: 3/8/18
 Signatures: [Signature]
 Michael V. Hinson CPA

Finance Director
 Received Date: 3/14/18
 Approved Date: 3/14/18
 Signatures: [Signature]
 Jill Cabiniss, MBA

Mayor
 Received Date: 3/13/18
 Approved Date: 3/13/18
 Signatures: [Signature]
 Mayor Karin Wilson

Contact Person: Jeff Montgomery, IT Director

RESOLUTION NO. 3027-18

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, as follows:

[1] That the City of Fairhope has voted to purchase Ten (10) Motorola Portable Radios; APX6000 7/800 mhz1.5 for the IT Department and the type of equipment needed is on the Alabama State Department of Purchasing bid list and therefore does not have to be let out for bid; and

[2] The following is the Alabama State Department of Purchasing contract information:

Bid Number:

Contract Number:

Mounted Radios

Cost is \$24,935.50

Adopted on this 26th day of March, 2018



Karin Wilson, Mayor

Attest:




Lisa A. Hanks, MMC
City Clerk



MEMO

To: Michael Hinson, Treasurer

From: Delores A Brandt
Delores A Brandt, Purchasing Clerk

Date: March 8, 2018

Re: Council Approval -- Greensheet FY2018 budgeted request of over \$10,000 for Motorola Portable Emergency Radios and accessories for use by all departments

- Karin Wilson
Mayor
- Council Members*
- Kevin G. Boone
- Robert A. Brown
- Robert A. Brown
- Jack Burrell, ACMO
- Jack Burrell, ACMO
- Jimmy Conyers
- Jimmy Conyers
- Jay Robinson
- Jay Robinson
- Lisa A. Hanks, MMC
- Lisa A. Hanks, MMC
- City Clerk
- Michael V. Hinson, CPA
- Michael V. Hinson, CPA
- City Treasurer

The I.T. Department requests approval to procure **TEN (10) of the Motorola APX6000 7/800 MHZ1.5 Portable radios** to be used by all departments during emergency/ disaster periods. This procurement is with MOTOROLA SOLUTIONS, INC. from the Alabama State Contract.

The delivered cost of the emergency radios and accessories will be **TWENTY-FOUR THOUSAND NINE HUNDRED THIRTY-FIVE DOLLARS AND FIFTY CENTS (\$24,935.50)**. This product is available for procurement from MOTOROLA SOLUTIONS, INC. of Schaumburg, IL.

Alabama State Contract	\$24,935.50
------------------------	-------------

NOTE:
See Attached Vendor Support Services Quote for details.

Please compose a greensheet and forward to City Council to approve this procurement of the TEN Emergency radios from Motorola Solutions, Inc. in the amount of \$24,935.50, from the Alabama State Contract.

Cc: file



Quote Number: QU0000405905
 Effective: 12 JUN 2017
 Effective To: 11 AUG 2017

Bill-To:
 FAIRHOPE, CITY OF
 107 N SECTION ST
 FAIRHOPE, AL 36532
 United States

Ultimate Destination:
 FAIRHOPE, CITY OF
 555 S SECTION ST
 FAIRHOPE, AL 36532
 United States

Attention:
 Name: MR. JEFF MONTGOMERY
 Phone: 251-XXX-XXXX

Sales Contact:
 Name: Stephenie Shirley
 Email: StephenieShirley@CESTeamone.com
 Phone: 251-421-7271

Contract Number: ALABAMA STATE CONTRACT
Freight terms: FOB Destination
Payment terms: Net 30 Due

Item	Quantity	Nomenclature	Description	List price	Your price	Extended Price
1	10	H98UCD9PW5BN	APX6000 7/800 MHZ MODEL 1.5 PORTABLE	\$2,705.00	\$2,164.00	\$21,640.00
2	10	NAR6595A	ANT 1/4 WAVE 7/800 STUBBY	\$29.00	\$21.75	\$217.50
3	10	PMMN4060B	PSM IP55 WITH 3.5MM JACK RX 24IN	\$180.40	\$135.30	\$1,353.00
4	600	SVC03SVC0105D	INFRASTRUCTURE PROGRAMMING	\$1.00	\$1.00	\$600.00
5	10	NNTN8860A	CHARGER, SINGLE-UNIT, IMPRES 2, 3A, 115VAC, US/NA	\$150.00	\$112.50	\$1,125.00

Total Quote in USD \$24,935.50

QUOTE FOR THE POLICE DEPT.

- PO Issued to Motorola Solutions Inc. must:
- >Be a valid Purchase Order (PO)/Contract/Notice to Proceed on Company Letterhead. Note: Purchase Requisitions cannot be accepted
 - >Have a PO Number/Contract Number & Date
 - >Identify "Motorola Solutions Inc." as the Vendor
 - >Have Payment Terms or Contract Number
 - >Be issued in the Legal Entity's Name
 - >Include a Bill-To Address with a Contact Name and Phone Number
 - >Include a Ship-To Address with a Contact Name and Phone Number
 - >Include an Ultimate Address (only if different than the Ship-To)
 - >Be Greater than or Equal to the Value of the Order
 - >Be in a Non-Editable Format
 - >Identify Tax Exemption Status (where applicable)
 - >Include a Signature (as Required)

Jillian Saffle

From: Jeff Montgomery
Sent: Wednesday, April 18, 2018 11:05 AM
To: Dee Dee Brandt
Cc: Jillian Saffle
Subject: Motorola Radio Order
Attachments: FAIRHOPE PD_APX6000Li_041818.pdf

Dee Dee,

I got this response from Motorola when I sent them the PO for the 10 radios that Council approved.

"Hi Jeff, after looking over your PO, the quote from last year was never updated and did not have any system software added as we were only showing the hardware on that quote."

So, we need to do a redo on this. We had to reduce the number radios due to the software cost.

I am assuming that this needs to go back to council nice the quantity has changed.

Thank you,

Jeff Montgomery
City of Fairhope
Director of Information Technology

RESOLUTION NO. _____

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that the City Council approves the selection of Magnolia River for Professional Consultant Services for RFQ No. PS015-18, Cast Iron Replacement Program with System Mapping and System Modeling; and hereby authorizes Mayor Karin Wilson to negotiate the fee schedule.

DULY ADOPTED THIS 15TH DAY OF MAY, 2018

Karin Wilson, Mayor

Attest:

Lisa A. Hanks, MMC
City Clerk



MEMO

MAY 8 '18 PM4:19

Karin Wilson
Mayor

To: Lisa A. Hanks, City Clerk

From: 
Jillian Saffle, Purchasing Manager

Council Members

Kevin G. Boone

Robert A. Brown

Jack Burrell, ACOMO

Jimmy Conyers

Jay Robinson

Lisa A. Hanks, MMC
City Clerk

Michael V. Hinson, CPA
City Treasurer

Date: May 8, 2018

Re: **RFQ No. PS015-18 Cast Iron Replacement Program with System Mapping and System Modeling**

The Operations Department needs to hire a professional consulting firm for **RFQ PS015-18, Cast Iron Replacement Program with System Mapping and System Modeling**. The RFQ was issued and responses were received and evaluated by three department heads. A recommendation was routed to the Mayor. The Mayor has chosen to negotiate with **Magnolia River** of Decatur, AL. A copy of the Mayor's choice can be found attached to this memo.

Please place this request to authorize the Mayor to negotiate a fee schedule with Magnolia River on the next available City Council agenda.

Cc: file; R. Peterson

161 North Section Street

P O. Drawer 429

Fairhope, Alabama 36533

251-928-2136

251-928-6776 Fax

www.fairhopeal.gov

Printed on recycled paper



MEMO

To: Mike Hinson, Treasurer
From: Jillian Saffle
Jillian Saffle, Purchasing Manager

Date: April 30, 2018

Re: **RFQ PS015-18, Cast Iron Replacement Program with System Mapping and System Modeling**

Karin Wilson
Mayor

Council Members
Kevin G. Boone
Robert A. Brown
Jack Burrell, ACO
Jimmy Conyers
Jay Robinson

Lisa A. Hanks, MMC
City Clerk

Michael V. Hinson, CPA
City Treasurer

The Operations Department needs to hire a professional consulting firm for RFQ PS015-18, Cast Iron Replacement Program with System Mapping and System Modeling. The RFQ was issued and responses were received and evaluated by three department heads. Based on the summary evaluation, Richard Peterson, Director of Operations, and myself are recommending that the subject RFQ be awarded to Magnolia River of Decatur, AL. Per our Procedure for Procuring Professional Services for Projects over \$100K, City Staff is required to move the evaluation, with a recommendation, through the City Treasurer to the Mayor.

Please move this forward to the Mayor for approval, and if approved, to place this item on the next available City Council agenda – to approve the firm below to accomplish requirements set forth in RFQ PS015-18, Cast Iron Replacement Program with System Mapping and System Modeling.

[Mayor, please initial and date your selection]

 5/4/18 Magnolia River
Decatur, AL
Contact: Nathan Sills
205-337-9825
 None (send another list)

Cc: file, R. Peterson

161 North Section Street
PO Drawer 429
Fairhope, Alabama 36533

251-928-2136

251-928-6776 Fax
www.fairhopeal.gov

RFQ PS015-18 Cast Iron Replacement Program with System Mapping and System Modeling	EVALUATOR NO. 1	EVALUATOR NO. 2	EVALUATOR NO. 3	AVERAGE SCORES
	Richard Peterson	Terry Holman	Wes Boyett	
EVALUATION SUMMARY				
CDG Engineers & Associates	249	210	249	236
Magnolia River	256	269	292	272
Volkert, Inc.	256	212	239	236

45-89 = poor
 90-134 = fair
 135-179 = good
 180-224 = excellent
 225 = superior

RESOLUTION NO. _____

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that the City Council approves the selection of Safe Span, LLC for Professional Bridge Inspection Services for RFQ No. PS017-18, for the Public Works Department for Bridge Inspections; and hereby authorizes Mayor Karin Wilson to negotiate the fee schedule.

DULY ADOPTED THIS 15TH DAY OF MAY, 2018

Karin Wilson, Mayor

Attest:

Lisa A. Hanks, MMC
City Clerk



MEMO

MAY 8 '18 PM 4:19

To: Lisa A. Hanks, City Clerk

From:

Jillian Saffle
Jillian Saffle, Purchasing Manager

Karin Wilson
Mayor

Council Members

Kevin G. Boone

Robert A. Brown

Jack Burrell, ACMO

Jimmy Conyers

Jay Robinson

Lisa A. Hanks, MMC
City Clerk

Michael V. Hinson, CPA
City Treasurer

Date: May 8, 2018

Re: **RFQ No. PS017-18 Professional Bridge Inspection Services**

The Public Works Department needs to hire a professional bridge inspection firm for RFQ No. PS017-18 Professional Bridge Inspection Services. Per our 'Procedure for Procuring Professional Services for Projects Under \$100K', Richard Johnson, Public Works Director, and I routed a short list of bridge inspection firms for the Mayor to choose to solicit. The Mayor has chosen to negotiate directly with Safe Span, LLC. A copy of the Mayor's choice can be found attached to this memo.

Please place this request to authorize the Mayor to negotiate a fee schedule with Safe Span, LLC on the next available City Council agenda.

Cc: file; R. Johnson

161 North Section Street

P O. Drawer 429

Fairhope, Alabama 36533

251-928-2136

251-928-6776 Fax

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MEMO

To: Michael Smith, Treasurer
From: *Jillian Saffle*
Jillian Saffle, Purchasing Manager

Karin Wilson
Mayor

Date: April 25, 2018

Council Members

Kevin G. Boone

Robert A. Brown

Jack Burrell, ACMO

Jimmy Conyers

Jay Robinson

Lisa A. Hanks, MMC
City Clerk

Michael V. Hinson, CPA
City Treasurer

Re: RFQ No. PS017-18, Professional Bridge Inspection Services

The Public Works Department needs to hire a professional inspection firm for RFQ No. PS017-18, Professional Bridge Inspection Services.

Per our Procedure for Procuring Professional Services, Richard Johnson, Public Works Director, and I are routing this short list through you, to the Mayor, to choose an inspection firm to for the above referenced RFQ. Please move this procurement of professional services forward to the Mayor for selection of a professional service provider for this project.

The short list is:

[Mayor, please initial and date your selection(s)]

_____ / / Volkert, Inc.
Contact: Richard Emile
Phone: 251-342-1070

_____ / / Mott MacDonald
Contact: Shane Parker
Phone: 251-626-5144

RS 5/7/18 Safe Span, LLC
Contact: Walter Mackey
Phone: 251-943-6228

_____ / / None. Submit another list

Cc: file; R. Johnson

161 North Section Street

P.O. Drawer 429

Fairhope, Alabama 36535

251-928-2136

251-928-6776 Fax

www.fairhopeal.gov

Printed on recycled paper

RESOLUTION NO. _____

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, that the City Council approves the selection of Mott MacDonald, LLC to perform Professional Engineering Services for Outfall Assessments for 2018 (RFQ No. PS019-18); approves and accepts the not to exceed amount of \$9,526.00; and hereby authorizes Mayor Karin Wilson to execute a contract with Mott MacDonald, LLC for same.

DULY ADOPTED THIS 15TH DAY OF MAY, 2018

Karin Wilson, Mayor

Attest:

Lisa A. Hanks, MMC
City Clerk

City of Fairhope

Project Funding Request

COF Project No. _____

1341

MAY 8 '18 AM 8:14



Issuing Date: 5/4/2018

Please return this Routing Sheet to Treasurer by: ASAP

Project Name: Authorize to Negotiate Fee & Execute Contract for RFQ PS019-18 Prof Engineering Services for Outfall Assessments

Project Location: City Wide

Presented to City Council: 5/15/2018 Resolution # : _____

Funding Request Sponsor: Richard Johnson, Director of Public Works Approved _____
Sherry-Lea Botop, Director of Econ & Comm Dev Changed _____

Project Cash Requirement Requested: Rejected _____

Cost: \$9,526.00

Vendor: Mott MacDonald of Mobile

Project Engineer: Mott MacDonald

Order Date: n/a Lead Time: n/a

Department Funding This Project:

General XXX	Gas	Electric	Water	Sewer	Gas Tax	Cap Proj	Impact
<u>Department of General Fund Providing the Funding</u>							
Admin-10	Police-15 Golf-50	Fire-20 Golf Grounds-55	Rec-25	Adult Rec-30 Debt Service-85	Marina-34	Street-35	Sanitation-40 XXX

Project will be:

Expensed _____ Capitalized <u>XXX</u> Inventoried _____	Funding Source: _____ Operating Expenses _____ Budgeted Capital <u>XXX</u> Unfunded _____
---	--

Expense Code: 103-55853 Grant: _____ Federal - not to exceed amount
 G/L Acct Name: Drainage Improvements _____ State _____
 _____ City _____

Project Budgeted: \$282,675.00 (Available budget amount in GL Acct) Bond: _____ Title _____ Year _____

(Over) Under budget amount: \$273,149.00 (Remaining budget dollars) Title _____ Year _____

Comments: Funds are used from the above G/L account specifically budgeted for drainage improvements

Capital Lease: _____ Payment _____ Term _____

City Council Prior Approval/Date? No

_____ City Treasurer	_____ Finance Director	_____ Mayor
-------------------------	---------------------------	----------------

Purchasing Memo Date: 5/3/18 Delivered To Date: 5/4/18 Delivered To Date: 5/4/18

Request Approved Date: 5/4/18 Approved Date: 5/4/18 Approved Date: 5/2/18

Signatures: Michael V. Hinson CPA Jill Cabiness, MBA Mayor Karin Wilson



MEMO

To: Mike Hinson, Treasurer

From: 
Julian Saffle, Purchasing Manager

Date: May 3, 2018

Re: Council to authorize Mayor to sign contract for **RFQ PS019-18 Professional Engineering Services for Outfall Assessments for 2018**

The City needs to hire a professional engineering firm for **RFQ PS019-18 Professional Engineering Services for Outfall Assessments for 2018**. The work for this part of the RFQ will include outfall assessments, inspection reporting and data modeling for outfalls: **Stack Gully, Bid Mouth Gully and Cowpen Creek as (per pages 91-181 of the storm/sewer outfall inventory) funded by the ADCNR Storm Drain Pollution Control Education Outreach.**

City Council selected Mott MacDonald, of Mobile, AL, to perform the referenced services, and authorized the Mayor to negotiate a fee schedule and not-to-exceed amount. The Not-to-Exceed amount for the RFQ is **NINE THOUSAND FIVE HUNDRED TWENTY-SIX DOLLARS (\$9,526.00).**

Please move this procurement of professional services forward to the City Council for approval of the Mayor to execute the contract for the professional services.

Please place on the next available City Council Agenda this request for City Council to accept the not to exceed amount of \$9,526.00 and authorize the Mayor to execute the associated contract for RFQ PS019-18 Professional Engineering Services for Outfall Assessments for 2018

Cc: file; S. Bloodworth Botop; R. Johnson

Karin Wilson
Mayor

Council Members

Kevin G. Boone

Robert A. Brown

Jack Burrell, ACOMO

Jimmy Conyers

Jay Robinson

Lisa A. Hanks, MMC
City Clerk

Michael V. Hinson, CPA
City Treasurer

161 North Section Street

P.O. Drawer 429

Fairhope, Alabama 36533

251-928-2136

251-928-6776 Fax

www.fairhopeal.gov

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Honorable Mayor Karin Wilson
City of Fairhope
Section Street
Fairhope, AL 36532

Proposal for Professional Engineering Services for Outfall Assessment for 2017

September 6, 2017

805 Daphne Avenue
PO Box 1290
Daphne AL 36526
United States of America

T +1 (251) 626 5514
F +1 (251) 626 7321
mottmac.com/americas

Mayor Wilson,

Mott MacDonald's (MM) is pleased to submit the Scope of Services and Fees for the City of Fairhope 2017 Outfall Assessments. The following is our understanding of the required scope of services for this project. We are offering a "Not to Exceed" estimated fee proposal based on a time and materials agreement plus normal and customary reimbursable expenses. Mott MacDonald will provide the services in the scope of work and work with the city staff to coordinate those items requiring their input.

Project Description

The City of Fairhope (City) desires to procure Engineering services for The City of Fairhope 2017 Outfall Assessments. This work requires the location and assessment of 196 outfall locations within the City's authority and in accordance with EPA standards for outfall assessments. The following outfalls will be assessed for the 2017 year, listed by watershed:

Big Mouth Gulley: 69 Locations (Entire Watershed Book)

Cowpen Creek* : 90 locations as depicted on pages 91-181 in the Watershed Book.

Stack Gulley: 23 locations (Entire Watershed Book)

Watershed Books are those books of pages provided through 2012 outfall inventory and mapping project.
~~Estimated Fees.~~

Project Engineer: 36 hours @ \$125.00 =	\$4,500.00
Staff Engineer: 52 hours @ \$80.00 =	\$4,160.00
Expenses: Mileage and printing @10% =	\$ 866.00

Estimated Total Costs: \$9,526.00



The above services will be provided on a Time and Materials basis and in accordance with MM's Standard Agreement and Hourly Rate Schedule attached. **The estimated costs for this effort is Nine Thousand Five Hundred and Twenty-Six Dollars (\$9,526.00)**

We look forward to providing professional consulting services to you on this project and will strive to provide timely and quality service.

Sincerely,

John W. Peterson, PE
Principal Engineer

Kendall L. Kilpatrick
Executive Vice President

ACCEPTED:

MOTT MACDONALD ALABAMA, LLC

CITY OF FAIRHOPE

By _____
Kendall Kilpatrick, P.E.,
Vice President
Mott MacDonald

By _____
Karin Wilson, Mayor

Dated: _____

Dated: _____

RESOLUTION NO. _____

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, as follows:

[1] That the City of Fairhope did request, receive, and open bids for Metal Building Maintenance Barn for Soccer Complex for the Recreation Department (Bid Number 003-18) at 555 South Section Street in the City of Fairhope offices, Fairhope, Alabama.

[2] At the appointed time and place, the following bids were opened and tabulated as follows:

Please see attached Bid Tabulation for
Metal Building Maintenance Barn for Soccer Complex

[3] After evaluating the bid proposals with the required bid specifications, Kemko, Inc. with a total bid proposal of \$25,347.00, is now awarded the bid for Metal Building Maintenance Barn for Soccer Complex for the Recreation Department.

Adopted on this 15th day of May, 2018

Karin Wilson, Mayor

Attest:

Lisa A. Hanks, MMC
City Clerk

City of Fairhope Project Funding Request

Issuing Date: 4/25/2018

Please return this Routing Sheet to Treasurer by: ASAP

Project Name: Award Re-Bid RFQ 003-18 Metal Building Maintenance Barn for Soccer Complex

Project Location: Soccer Complex

Presented to City Council: 5/15/2018

Resolution # :
Approved _____

Funding Request Sponsor: Tom Kuhl, Director of Parks & Rec

Changed _____

Project Cash Requirement Requested:
Cost: \$25,347.00

Rejected _____

Vendor: KEMKO Inc.

Project Engineer: n/a

Order Date: n/a

Lead Time: n/a

Department Funding This Project

General XXX	Gas	Electric	Water	Sewer	Gas Tax	Cap Proj	Impact
<u>Department of General Fund Providing the Funding</u>							
Admin-10	Police-15 Golf-50	Fire-20 Golf Grounds-55	Rec-25 XXX	Adult Rec-30 Debt Service-85	Marina-34	Street-35	Sanitation-40

Project will be:

Expensed _____
Capitalized XXX
Inventoried _____

Funding Source:

Operating Expenses _____
Budgeted Capital XXX (IMPACT FEES)
Unfunded _____

Expense Code: 001250-50475
G/L Acct Name: Capital Improvements

Grant: _____ Federal - not to exceed amount
State
City

Project Budgeted: \$30,000.00

(Over) Under budget amount: \$4,653.00

Bond: _____ Title _____ Year _____
Loan: _____ Title _____ Year _____

Comments:

Capital Lease: _____ Payment _____ Term _____

City Council Prior Approval/Date? No

City Treasurer

Finance Director

Mayor

Purchasing Memo Date: 4/25/18

Delivered To Date: 5/4/18

Delivered To Date: 5/4/18

Request Approved Date: 5/4/18

Approved Date: 5/4/18

Approved Date: 5/8/18

Signature: Michael V. Hinson CPA

Signature: Jill Cabiniss, MBA

Signature: Mayor Karin Wilson



MEMO

Karin Wilson
Mayor

To: Mike Hinson, Treasurer

From: Delores A. Brandt
Delores A. Brandt, Purchasing Clerk

Date: April 25, 2018

Council Members
Kevin G. Boone
Robert A. Brown
Jack Burrell, ACOMO
Jimmy Conyers
Jay Robinson

Re: City Council approval of RFQ No. 003-18 Metal Building Maintenance Barn for Soccer Complex RE-BID

Lisa A. Hanks, MMC
City Clerk

On April 17, 2018, **RFQ No 003-18 Metal Building Maintenance Barn for Soccer Complex RE-BID** was issued, and then was opened on April 25, 2018.

The Recreation Department needs to procure a metal building as a maintenance barn at the Soccer Complex. Tom Kuhl, Director of Parks and Recreation, recommends awarding to the lowest responsive and responsible bidder, KEMKO INC. at a total cost of **TWENTY-FIVE THOUSAND, THREE HUNDRED FORTY-SEVEN DOLLARS (\$25,347.00)**. See attached tabulation.

Michael V. Hinson, CPA
City Treasurer

Please place on the next available City Council agenda this recommendation to award , RFQ No 003-18 Metal Building Maintenance Barn for Soccer Complex RE-BID to the lowest responsive and responsible quote to KEMKO INC. in the amount of \$25,347.00.

Cc: file

161 North Section Street
PO Drawer 429
Fairhope, Alabama 36533

251-928-2136

251-928-6776 Fax
www.fairhopeal.gov

**CITY OF FAIRHOPE
QUOTATION TABULATION**

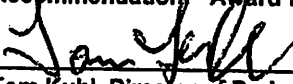
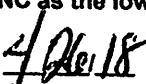
Request for Quote 003-18

Name: Metal Bldg. Maintenance Barn for Soccer Complex RE-BID

RFQ OPENED: April 25, 2018 9:00

VENDOR	Non Collusion Bid Proposal Executed / Signed / Notarized	One 30'x50'x10' pre-engineered metal building
KEMKO, INC.		\$25,347.00
VALOR STEEL BUILDINGS		\$26,506.00
MOSLEY BUILDING SYSTEMS		\$28,950.00
EJ BUILDERS		\$28,978.00
MW Rogers Construction, Inc		\$32,731.00

Recommendation: Award to KEMKO INC as the lowest quote received.

Tom Kuhl, Director of Parks and Recreation

RESOLUTION NO. _____

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, as follows:

[1] That the City of Fairhope has voted to purchase 21,000 linear feet of Gas Pipe for the Gas Department to replenish inventory; and authorizes procurement, from Consolidated Pipe & Supply Company, Inc. based on the option allowed by the Code of Alabama 1975, Section 41-16-51(b)(7) to obtain quotes. The total cost will be \$18,690.00.

Adopted on this 15th day of May, 2018

Karin Wilson, Mayor

Attest:

Lisa A. Hanks, MMC
City Clerk

City of Fairhope Project Funding Request

MAY 7 '18 PM 12:01

Issuing Date: 4/24/2018

Please return this Routing Sheet to Treasurer by: ASAP

Project Name: Gas Pipe Inventory

Project Location: Warehouse

Presented to City Council: 5/15/2018 Approved - Resolution # _____

Funding Request Sponsor: Richard Peterson, Operations Director
Terry Holman, Asst Gas Superintendent Changed Rejected _____

Project Cash Requirement Requested:
Cost: \$18,690.00

Vendor: Consolidated Pipe & Supply Co Inc

Project Engineer: n/a

Order Date: n/a Lead Time: n/a

Department Funding This Project							
General	Gas XXX	Electric	Water	Sewer	Gas Tax	Cap Proj	Impact
Department of General Fund Providing the Funding							
Admin-10	Police-15 Golf-50	Fire-20 Golf Grounds-55	Rec-25	Adult Rec-30 Debt Service-85	Marina-34	Street-35	Sanitation-40

Project will be:

Expensed _____	Funding Source: _____
Capitalized _____	Operating Expenses <u>XXX</u>
Inventoried <u>XXX</u>	Budgeted Capital _____
	Unfunded _____

Expense Code: 002-14015 Grant: _____ Federal - not to exceed amount State _____

G/L Acct Name: Inventory - Gas City _____

Project Budgeted: \$18,690.00

(Over) Under budget amount: \$0.00

Bond: _____ Title _____ Year _____

Loan: _____ Title _____ Year _____

Comments: Provided for in FY 2018 Operating Budget

Capital Lease: _____ Payment _____ Term _____

City Council Prior Approval/Date? No

<u>City Treasurer</u>	<u>Finance Director</u>	<u>Mayor</u>
Purchasing Memo Date: <u>4/27/18</u>	Delivered To Date: <u>4/25/18</u>	Delivered To Date: <u>5/2/18</u>
Request Approved Date: <u>4/24/18</u>	Approved Date: <u>5/2/18</u>	Approved Date: <u>5/4/18</u>
Signatures: <u>Michael V. Hinson CPA</u>	<u>Jill Cabiniss MBA</u>	<u>Mayor Karif Wilson</u>



MEMO

To: Michael Hinson, Treasurer

From: Jillian Saffle
Jillian Saffle, Purchasing Manager

Karin Wilson
Mayor

Date: April 19, 2018

Council Members

Kevin G. Boone

Robert A. Brown

Jack Burrell, ACOMO

Jimmy Conyers

Jay Robinson

Lisa A. Hanks, MMC
City Clerk

Michael V. Hinson, CPA
City Treasurer

Re: Placing on City Council agenda approval to replenish inventory of gas pipe for the Gas Department

City Council approved the budget for FY2018. The Gas Dept has a need to replenish inventory of gas pipe, in the amount of EIGHTEEN THOUSAND SIX HUNDRED NINETY DOLLARS (\$18,690.00) for 21,000 linear feet of pipe. These units are exempt from formal bidding per Code of Alabama 1975, Section 41-16-51(b)(7), which states:

The purchase of equipment, supplies, or materials needed, used, and consumed in the normal and routine operation of any waterworks system, sanitary sewer system, gas system, or electric system, or any two or more thereof, that are owned by municipalities, counties, or public corporations, boards, or authorities that are agencies, departments, or instrumentalities of municipalities or counties and no part of the operating expenses of which system or systems have, during the then current fiscal year, been paid from revenues derived from taxes or from appropriations of the state, a county, or a municipality.

The cost of this procurement is **\$18,690.00**. This is over the \$10,000 operational budgeted item threshold and will therefore need City Council approval.

Please compose a greensheet and move forward to the next available City Council agenda, this procurement approval request for 21,000 LF of pipe at a total cost of \$18,690.00.

Cc: file; R. Peterson; T. Hollman

161 North Section Street

P O. Drawer 429

Fairhope, Alabama 36533

251-928-2136

251-928-6776 Fax

www.fairhopeal.gov

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Bill To
City of Fairhope
P.O. Drawer 429

Fairhope, AL
36533

Requisition 00003593-00 FY 2018

Acct No:
002 -000-000-14015 -
Review:
Buyer: clint
Status: Allocated

Vendor
CONSOLIDATED PIPE & SUPPLY CO INC
1205 HILLTOP PARKWAY

BIRMINGHAM, AL 35204

Tel#666-6691
Fax 666-5311

Ship To
MAIN WAREHOUSE
555 SOUTH SECTION STREET

FAIRHOPE, AL 36532

Date Ordered	Vendor Number	Date Required	Ship Via	Terms	Department
04/18/18	000019				Purchasing Department
LN Description / Account	Qty	Unit Price	Net Price		
001 G-38130 2 DRISPLX SDR11 PE2708 6500 GAS PIPE 500	21000.00 EACH	0.89000	18690.00		
1 002 -000-000-14015 -			18690.00		
<u>Requisition Link</u>			Requisition Total	18690.00	
***** General Ledger Summary Section *****					
Account		Amount	Remaining Budget		
002 -000-000-14015 -		18690.00			
Gas Fund	Inventory				

CONSOLIDATED PIPE AND SUPPLY CO., INC.
CUSTOMER QUOTE

4180 Hall Mill Road
PO Box 191057
Mobile AL 36619
0029 - MICHA LAMBERT
Office 251-666-6691
WATS 800-699-6691
Fax 251-666-5311

Quote Nbr: 194193 000
Quote Date: 4/12/2018
Job: 2" SDR11 GAS TUBING
Engineer: FAIRHOPE
Bid Date: 4/12/2018

Page 1

Req # 3593

Good Until: 5/12/2018
To: MICHA
Email: MLAMBERT@CONSOLIDATEDPIPE.COM

Qty	Size/Wall/Description	Price	Extended Price
21000.0	2 DRISPLX SDR11 PE2708 6500 GAS PIPE 500 **** IN STOCK IN MOBILE ****	0.89 FT	18,690.00

Total: 18,690.00

PORT CITY PIPE, INC.
P.O. BOX 850356 36685
921 DYKES ROAD SOUTH 36608
MOBILE, AL
US

Voice: 251-633-6921
Fax: 251-607-0358

QUOTATION

Quote Number: 04122018-RS-325
Quote Date: Apr 12, 2018
Page: 1

Quoted To:
FAIRHOPE GAS DEPT, CITY OF P.O. BOX 429 FAIRHOPE, AL 36532

Customer ID	Good Thru	Payment Terms	Sales Rep
FAIRHOPE GAS DEPT	5/12/18	Net 30 Days	RS

Quantity	Item	Description	Unit Price	Amount
21,000.00	GP-2-2406-500	2 IPS GAS TUBE PE 2406 X 500 FT ROLL *****7000 FT. STOCK BALANCE EARLY JUNE*****	1.09	22,890.00
			Subtotal	22,890.00
			Sales Tax	
			Freight	
			TOTAL	22,890.00

Clint Steadham

From: Ripp Mitchell <ripp.mitchell@southernpipe.com>
Sent: Monday, April 16, 2018 10:47 AM
To: Clint Steadham
Subject: RE: please quote price & delivery GAS TUBING

CLINT WE WILL HAVE TO PASS ON THIS ONE AT THIS TIME WE RESPECTFULLY NO BID ON THE GAS TUBING.

RIPP M

From: Clint Steadham [mailto:clint.steadham@cofairhope.com]
Sent: Monday, April 16, 2018 10:44 AM
To: Ripp Mitchell <ripp.mitchell@southernpipe.com>
Subject: FW: please quote price & delivery GAS TUBING

From: Clint Steadham
Sent: Thursday, April 12, 2018 10:34 AM
To: bruce.reed@southernpipe.com; Micha Lambert <mlambert@consolidatedpipe.com>; Reggie Smith <pcpreggie@bellsouth.net>; Ripp Mitchell <ripp.mitchell@southernpipe.com>
Cc: Maurice Morrisette <Maurice.Morrisette@fairhopeal.gov>; Terry Holman <terry.holman@cofairhope.com>
Subject: please quote price & delivery

RESOLUTION NO. _____

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, as follows:

[1] That the City of Fairhope has voted to purchase a 2018 Ford F150 SuperCab 4x2 Pickup for the Fire Department and the type of vehicle needed is on the Alabama State Department of Purchasing bid list and therefore does not have to be let out for bid; and

[2] The following is the Alabama State Department of Purchasing contract information:

Bid Number: T191A

2018 Ford F150 SuperCab **Cost is \$26,295.00**

Adopted on this 15th day of May, 2018

Karin Wilson, Mayor

Attest:

Lisa A. Hanks, MMC
City Clerk

City of Fairhope Project Funding Request

Issuing Date: 4/25/2018

Please return this Routing Sheet to Treasurer by: ASAP

JMW

Project Name: 2018 Ford F-150 Crew Cab 4x2 Pickup Truck - Fire Dept

Project Location: Fire Dept

Presented to City Council: 5/15/2018 **Approved - Resolution #** _____

Funding Request Sponsor: Tim Bung, Mechanic Maint Supervisor
John Saraceno, Fire Station Maint Supervisor

Project Cash Requirement Requested:
Cost: \$26,295.00 (Alabama State Contract T191A)

Vendor: Stivers Ford Lincoln of Montgomery

Project Engineer: n/a

Order Date: n/a **Lead Time:** ARO

Department Funding This Project							
General XXX	Gas	Electric	Water	Sewer	Gas Tax	Cap Proj	Impact
Department of General Fund Providing the Funding							
Admin-10	Police-15 Golf-50	Fire-20 XXX Golf Grounds-55	Rec-25	Adult Rec-30 Debt Service-85	Marina-34	Street-35	Sanitation-40

Project will be:

Expensed _____ Capitalized <u>XXX</u> Inventoried _____	Funding Source: Operating Expenses _____ Budgeted Capital <u>XXX</u> Unfunded _____
---	---

Expense Code: 001200-50470 **Grant:** _____ **Federal - not to exceed amount**
G/L Acct Name: Purchases Vehicles & Equipment **State** _____
 _____ **City** _____

Project Budgeted: \$25,000.00

(Over) Under budget amount: (\$1,295.00)

Bond: _____ **Title** _____ **Year** _____
Loan: _____ **Title** _____ **Year** _____

Comments: From Res 3002-18 dated 2/26/18, the Building Dept had a budget excess of \$4,738 from their truck purchase. Recommend using a portion of that budget excess to cover budget shortfall for this purchase - MH

Capital Lease: _____ **Payment** _____ **Term** _____

City Council Prior Approval/Date? No

City Treasurer	Finance Director	Mayor
Purchasing Memo Date: <u>4/23/18</u>	Delivered To Date: <u>4/25/18</u>	Delivered To Date: <u>5/2/18</u>
Request Approved Date: <u>4/25/18</u>	Approved Date: <u>5/2/18</u>	Approved Date: <u>5/4/18</u>
Signatures: <u>Michael V. Hinson, CPA</u>	<u>Jill Cabiniss, MBA</u>	<u>Mayor Karin Wilson</u>



MEMO

Karin Wilson
Mayor

Council Members

Kevin G. Boone

Robert A. Brown

Jack Burrell, ACMO

Jimmy Conyers

Jay Robinson

Lisa A. Hanks, MMC
City Clerk

Michael V. Hinson, CPA
City Treasurer

To: Michael Hinson, Treasurer

From:

Delores A. Brandt

Delores Brandt, Purchasing Clerk

Date: April 23, 2018

Re: Greensheet and City Council approval for procuring one F-150 pickup truck for the Fire Department

The **Fire Department** requests approval to procure one (1) 2018 F150 Pickup Truck, off the State of Alabama T191A Contract list. The amount budgeted for this procurement was TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00) and is replacing a small pickup with this full-sized truck. Fleet Manager, Tim Bung, has requested this truck and the actual cost of the truck will be a not-to-exceed total of **TWENTY-SIX THOUSAND TWO HUNDRED NINETY-FIVE DOLLARS (\$26,295.00)**.

1/4 ton Pickup crew cab 4x2, with 157" Wheelbase

Lead time:

See attached state invoice sent to Tim Bung of the Mechanics Shop

Please compose a greensheet and place on the next available City Council Agenda this request to approve this procurement of one (1) each, 2018 Ford F150 crew cab 4x2 Pickup truck, for a total cost not-to-exceed \$26,295.00.

CC: T Bung, File, J Saraceno

161 North Section Street

P O. Drawer 429

Fairhope, Alabama 36533

251-928-2136

251-928-6776 Fax

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inv -
Duff

STIVERS FORD LINCOLN
4000 EASTERN BLVD
MONTGOMERY, AL 36116

2018 FORD F150 CREW CAB 4x2 PICKUP -- STATE CONTRACT T191A - FAIRHOPE w/ Power Group

CONTRACT NUMBER: MA999 16000000008 **LINE NUMBER:** 6 (T191A) **CONTRACT AMOUNT:** \$21,851

MODEL SERIES **W1C** **ORDER CODE** **100A**
INCLUDES: 3.3L V6 290 Horsepower FFV Engine, 6 Spd Auto, 4x2, 145" Wheelbase, 5.5' Box, Rear View Camera,
4 Wheel Disc Brakes w/ ABS, Tilt Wheel, Air Conditioning, Vinyl Flooring, 245/70R17 AS
AM/FM Radio, Cloth 40/20/40 Seat, Air Bags-Front & Safety Canopy Side Curtain Airbags
Auto Start Technology; **NOTE** -- 3.3L Engine n/a with 157" wheelbase

RECOMMENDED OPTIONS

STATE CONTRACT PRICE (T191A)		\$ 21,851
145	Wheelbase - 145"	Std
995	5.0L V8 -- 385 horsepower - w/ 10 speed Automatic	\$ 1,995
XL3	3.31 Electronic-Locking Axle	\$ 420
LED	4 Corner LED Strobe Lights (White / White)	\$ 589
YZ	Oxford White	NC
AG	Vinyl 40/ 20 /40 Front & Rear Seat - Dark Earth Gray	NC
85A	Power Equipment Group (incl. Power Windows, Door Locks, Mirrors & Tailgate)	\$ 1,170
YZ	Oxford White	NC
AG	Vinyl 40/ 20 /40 Front & Rear Seat - Dark Earth Gray	NC

DELIVERY: State Contract Provisions for \$1.50 / mile one-way \$ 270

TOTAL VEHICLE (Required) **\$ 26,295**

STATE CONTRACT TERMS: **PAYMENT DUE AT TIME OF DELIVERY**

SIGNATURE: (Required) _____

DATE (Required): _____

PURCHASE ORDER NUMBER: (Required) **Quantity:**

RESOLUTION NO. _____

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, as follows:

[1] That the City of Fairhope has voted to purchase a 2018 Ford F150 SuperCab 4x2 Pickup for the Meter Department and the type of vehicle needed is on the Alabama State Department of Purchasing bid list and therefore does not have to be let out for bid; and

[2] The following is the Alabama State Department of Purchasing contract information:

Bid Number: T191A

2018 Ford F150 SuperCab **Cost is \$22,956.00**

Adopted on this 15th day of May, 2018

Karin Wilson, Mayor

Attest:

Lisa A. Hanks, MMC
City Clerk

City of Fairhope Project Funding Request

ZAW

Issuing Date: 4/24/2018

Please return this Routing Sheet to Treasurer by: ASAP

Project Name: 2018 F150 Supercab 4X2 Pickup

Project Location: Meter

Presented to City Council: 5/15/2018

Approved - Resolution # _____

Funding Request Sponsor: Jason Jarvis, Utility Billing Supervisor
Tim Bung, Fleet Superintendent

Changed _____
Rejected _____

Project Cash Requirement Requested:

Cost: \$22,956.00 (Alabama State Contract T191A)

Vendor: Stivers Ford Lincoln of Montgomery

Project Engineer: n/a

Order Date: n/a

Lead Time: ARO

Department Funding This Project

General	Gas XXX	Electric XXX	Water XXX	Sewer XXX	Gas Tax	Cap Proj	Impact
<u>Department of General Fund Providing the Funding</u>							
Admin-10	Police-15 Golf-50	Fire-20 Golf Grounds-55	Rec-25	Adult Rec-30 Debt Service-85	Marina-34	Street-35	Sanitation-40

Project will be:

Expensed _____
Capitalized XXX
Inventoried _____

Funding Source:

Operating Expenses _____
Budgeted Capital XXX
Unfunded _____

Expense Code: Utilities-16030
G/L Acct Name: Vehicles & Equipment

Grant: _____ Federal - not to exceed amount
State
City

Project Budgeted: \$25,000.00

(Over) Under budget amount: \$2,044.00

Bond: _____ Title _____ Year _____
Loan: _____ Title _____ Year _____

Comments:

Capital Lease: _____ Payment _____ Term _____

City Council Prior Approval/Date? No

City Treasurer

Finance Director

Mayor

Purchasing Memo Date: 4/24/18

Delivered To Date: 4/25/18

Delivered To Date: 5/2/18

Request Approved Date: 4/25/18

Approved Date: 5/2/18

Approved Date: 5/2/18

Signatures: *Michael V. Hinson*
Michael V. Hinson CPA

Jill Cabiniss
Jill Cabiniss, MBA

Mayor Karin Wilson
Mayor Karin Wilson



MEMO

Karin Wilson
Mayor

To: Mike Hinson, Treasurer

Council Members

From: *Delores A Brandt*
Delores A Brandt, Purchasing Clerk

Kevin G. Boone

Robert A. Brown

Jack Burrell, ACMD

Jimmy Conyers

Jay Robinson

Date: April 24, 2018

Lisa A. Hanks, MMC
City Clerk

Re: **Greensheet --CC Approval request for ONE over \$10,000 Vehicle Procurement for the Meter Department that is budgeted**

Michael V. Hinson, CPA
City Treasurer

The **Meter Department** is requesting procurement of **ONE (1) 2018 F150 Supercab 4X2 Pickup Model** as requested by Jason Jarvis, of the Meter Dept. and Fleet Supervisor, Tim Bung. The budgeted amount is \$25,000. The best pricing is from the State of Alabama Bid Number T191A,

ONE (1) 2018 Ford F150 Super Cab 4X2 Pickup including delivery. Delivered cost per unit is **TWENTY-TWO THOUSAND NINE HUNDRED FIFTY-SIX DOLLARS \$22,956.00**

The State contract vendor is Stivers Ford Lincoln of Montgomery, Al.

NOTES:

See Attached Vendor CUT-SHEET printout for details.
Delivery Approximately 10 weeks ARO

Please compose a greensheet and place on the next available City Council Agenda this request to approve this unbudgeted procurement for the Meter Department of one (1) 2018 Ford F150 Super Cab 4X2 Pickup from Stivers Ford Lincoln of Montgomery, Al.

161 North Section Street

P O. Drawer 429

Fairhope, Alabama 36535

251-928-2136

251-928-6776 Fax

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meter Dept & Police

STIVERS FORD LINCOLN

4000 EASTERN BLVD
MONTGOMERY, AL 36116

2018 FORD F150 SUPERCAB 4x2 PICKUP -- STATE CONTRACT T191A - FAIRHOPE SWB

CONTRACT NUMBER: MA999 16000000008

LINE NUMBER: 8 (T191A)

CONTRACT AMOUNT: \$19,682

MODEL SERIES

X1C

ORDER CODE

100A

INCLUDES: 3.3L V6 290 Horsepower FFV Engine, 6 Spd Auto, 4x2, 145" Wheelbase, 6.5' Box, Rear View Camera, 4 Wheel Disc Brakes w/ ABS, Tilt Wheel, Air Conditioning, Vinyl Flooring, 245/70R17 AS AM/FM Radio, Cloth 40/20/40 Seat, Air Bags-Front & Safety Canopy Side Curtain Airbags Auto Start Technology; **NOTE** -- 3.3L Engine n/a with 163" wheelbase

RECOMMENDED OPTIONS

STATE CONTRACT PRICE (T191A)

145	Wheelbase - 145"	\$	19,682
			Std
995	5.0L V8 -- 385 Horsepower - w/ 10 speed Automatic	\$	1,995
XL3	3.31 Electronic-Locking Axle	\$	420
LED	4 Corner LED Strobe Lights (White / White)	\$	589
YZ	Oxford White		NC
AG	Vinyl 40/ 20 /40 Front & Rear Seat - Dark Earth Gray		NC

DELIVERY: State Contract Provisions for \$1.50 / mile one-way

\$ 270

TOTAL VEHICLE (Required)

\$ 22,956

STATE CONTRACT TERMS:

PAYMENT DUE AT TIME OF DELIVERY

SIGNATURE: (Required)

DATE: (Required)

PURCHASE ORDER NUMBER: (Required)

Quantity:

RESOLUTION NO. _____

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE, ALABAMA, as follows:

[1] That the City of Fairhope approves the procurement of a PowerMaster 7332 3-Phase Metering Site Analyzer for Electric Department Tri-State Utility Products, Inc., as Sole Source Provider in the State of Alabama for Powermetrix products. The units must fit into our existing standardized system; and are exempt from formal bid pursuant to Code of Alabama 1975, Section 41-16-75. The total cost is \$37,740.00.

[2] That the City Council amends the budget to move \$37,740.000 from Operating Supplies to Capital Outlay for the PowerMaster 7332 3-Phase Metering Site Analyzer.

Adopted on this 15th day of March, 2018

Karin Wilson, Mayor

Attest:

Lisa A. Hanks, MMC
City Clerk

City of Fairhope Project Funding Request

Issuing Date: 5/4/2018

Please return this Routing Sheet to Treasurer by: ASAP

MAY 9 '18 AM 8:15

JMW

Project Name: PowerMaster 7332 3-Phase Metering Site Analyzer for Electric Dept

Project Location: Electrical System

Presented to City Council: 5/15/2018 **Resolution #:** _____

Funding Request Sponsor: Richard Peterson, Director of Operations
Jeremy Morgan, Substation Meter Tech **Approved:** _____

Project Cash Requirement Requested: _____ **Changed:** _____

Cost: \$37,740.00 **Rejected:** _____

Vendor: Tri-State Utility Products, Inc.

Project Engineer: n/a

Order Date: n/a **Lead Time:** n/a

Department Funding This Project							
General	Gas	Electric XXX	Water	Sewer	Gas Tax	Cap Proj	Impact
Department of General Fund Providing the Funding							
Admin-10	Police-15 Golf-50	Fire-20 Golf Grounds-55	Rec-25	Adult Rec-30 Debt Service-85	Marina-34	Street-35	Sanitation-40

Project will be:

Expensed _____ Capitalized <u>XXX</u> Inventoried _____	Funding Source: Operating Expenses <u>XXX</u> Budgeted Capital _____ Unfunded _____
---	---

Expense Code: 003-50340 (003-16030 If budget is amended)

G/L Acct Name: Operating Supplies

Project Budgeted: \$32,000.00 (contained in Operating Supplies Budget)

(Over) Under budget amount: (\$5,740.00)

Comments: Equipment was included within the Operating Supplies budget. Suggest a Budget Amendment to move \$37,740 from Operating Supplies to Capital Outlay.

Bond: _____ Loan: _____ _____ _____ _____ _____ Capital Lease: _____	Federal - not to exceed amount State _____ _____ City _____ Title _____ Year _____ Title _____ Year _____ _____ _____ _____ Payment _____ Term _____
--	---

City Council Prior Approval/Date? No

<u>City Treasurer</u> Purchasing Memo Date: <u>5/2/18</u> Request Approved Date: <u>5/4/18</u> Signatures: <u>Michael V. Hinson</u> Michael V. Hinson CPA	<u>Finance Director</u> Delivered To Date: <u>5/4/18</u> Approved Date: <u>5/4/18</u> Signatures: <u>Jill Cabiniss</u> Jill Cabiniss, MBA	<u>Mayor</u> Delivered To Date: <u>5/4/18</u> Approved Date: <u>5/8/18</u> Signatures: <u>Karin Wilson</u> Mayor Karin Wilson
---	---	---



MEMO

To: Michael Hinson, Treasurer

From: *Jillian Saffle*
Jillian Saffle, Purchasing Manager

Date: May 2, 2018

Re: Placing on City Council agenda approval to purchase budgeted Meter Test Equipment for the Electric Department

Karin Wilson
Mayor

Council Members
Kevin G. Boone
Robert A. Brown
Jack Burrell, ACMO
Jimmy Conyers
Jay Robinson

Lisa A. Hanks, MMC
City Clerk

Michael V. Hinson, CPA
City Treasurer

The Electric Department has requested to purchase Meter Test Equipment. The amount budgeted for this procurement is THIRTY-TWO THOUSAND DOLLARS (\$32,000.00). The actual cost for this equipment is ~~THIRTY THREE THOUSAND THREE HUNDRED THIRTY FIVE DOLLARS (\$33,335.00)~~ to be procured from Tri-State Utility.

31,740.00 (MH)

The Electric Department is requesting that this equipment be purchased from Powermetrix. Per Powermetrix, Tri-State Utility Products Inc. is the sole supplier of Powermetrix products in the states of Georgia, Alabama, and Florida; therefore, this is a sole source procurement and does not need to be bid out. Section 41-16-75 of the Code of Alabama 1975 states the following regarding sole source items:

State entities seeking to purchase goods or services from a sole source vendor may do so only upon the approval of the Department of Finance, through the Division of Purchasing, unless the purchasing state entity is authorized by law to conduct its own purchasing activities. Approval for sole source purchases shall be given only if the purchasing state entity establishes that no other goods or service can meet its needs and that no other vendor offers substantially equivalent goods or service that can accomplish the purpose for which the goods or service is required. The Director of Finance may require information from either the purchasing entity or the vendor seeking to be declared a sole source that is deemed necessary to meet the requirements of this provision.

See sole source letter and quote attached to this memo

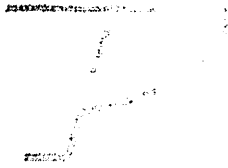
Please compose a greensheet and move forward to the next available City Council agenda, this procurement approval request for Meter Test Equipment at a total cost of \$33,335.00.

Cc: file; J. Morgan

161 North Section Street
PO Drawer 429
Fairhope, Alabama 36533

251-928-2136

251-928-6776 Fax
www.fairhopeal.gov



Powermetrix Division

Technology for Energy Corporation
10757 Lexington Drive
Knoxville, TN 37902
(877) 686-5900

April 25, 2018

Jeremy Morgan
City of Fairhope
555 S. Section St.
Fairhope, AL 36532

Dear Mr. Morgan,

Please let this letter serve as notice that Tri-State Utility Products Inc. is the sole agent/supplier of Powermetrix products in the states of Georgia, Alabama, and Florida.

If you have any questions or concerns please feel free to reach out at any time.

Sincerely,

Mitch Turner
Executive Vice President of Sales



Technology for Energy Corporation
 Powermetrix Division
 10737 Lexington Drive
 Knoxville, TN 37932-3294
 TEC Main: 865-966-5856

QUOTATION

Quote No.: 29328
 Issued Date: 02/22/2018
 Cust No.: L31005
 Cust Ref. No.:
 Page: 1 of 3

B City of Fairhope
 | 555 S. Section St.
 L Fairhope AL 36532
 L

S City of Fairhope
 H 555 S. Section St.
 | Fairhope AL 36532
 P

T
 O

T
 O

Sales Employee: John Jones
 Contact Name: Jeremy Morgan
 Phone No.:

Ship Via:
 Cust Shipping #:
 FOB: Source

Terms: Net 30 Days
 Valid Until: 5/23/2018 12:00:00AM

Item	Description	QTY	Disc %	Unit Price	Ext Price
1	10-130-7332 PowerMaster 7332 - 3-Phase Metering Site Analyzer Features True 3 Phase Reference Standard (0.02%) True 3 Phase Current Source (0.1 - 20A Per Phase) True 3 Phase Voltage Source (30-480V Per Phase) Customer Load Meter Testing Customer Load Demand Testing True 3-Phase CT & PT Testing Data Trending CT Demagnetization Transducer Testing Calibration Verification Meter Site Manager Software 5 Year Contingent Warranty Included Accessories True 3-Phase Test Switch Direct Current Probes (0.1-20A, 600V) (10-340-0027) True 3-Phase Voltage Cable (10-600V) (10-340-0006) True 3-Phase Probe Adapter Cable (10-340-0014) IR Pulse Detector with Flexible Arm Mount (10-100-3327) USB Communication Cable (75-800-4005) Auxiliary Power AC Adapter (10-340-0045) Soft Accessory Case (75-900-7301) CT Jumper Leads (4 of 10-340-0133) User Manual (10-300-7300)	1.00	0.00	\$27,995.00	\$27,995.00
2	10-100-3331 Magnetic IR Pulse Detector for 715/4 Series	1.00	0.00	\$390.00	\$390.00
3	10-140-1036-1 Flexible Current Probe 36" (Lightweight) (1000A, 600V max)	3.00	0.00	\$1,030.00	\$3,090.00
4	10-140-8016 High Voltage Amp Litewire Probe (4 x 6 inch window)	1.00	0.00	\$4,405.00	\$4,405.00
5	Z-CT-TESTING-20A Dead Site CT Testing Kit (20A)	1.00	0.00	\$1,860.00	\$1,860.00
6	ET-COMP-ONSITE Complimentary Onsite Training	1.00	0.00	\$0.00	\$0.00

Subtotal \$37,740.00
 Discount % 0.00 \$0.00
 Freight \$0.00
 Rounding \$0.00
 \$0.00

Total Order Value in USD \$37,740.00

Cust Ref. No.:

Issued Date: 02/22/2018

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Quote No.: 29328

Item	Description	QTY	Disc %	Unit Price	Ext Price
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TEC Powermetrix Division warrants its products herein specified for a period of five (5) years for the PowerMaster 7 Series and 83xx Series, two (2) years for the PowerMaster 4 Series and 5 Series, and one (1) year for the PowerMaster 3 Series and Model 890x Automated Calibration System. Warranty is dependent on the product returning to the factory once per year for annual calibration and preventive maintenance check (fee incurred). Such products consist of everything designed and manufactured by Powermetrix. All accessories and probe sets not manufactured by Powermetrix come with a one (1) year warranty from delivery for any part that fails during normal operation. This warranty covers defects in material and workmanship. Servicing will be handled from the factory in Knoxville, TN. Defective units should be returned to TEC Powermetrix Division after calling to obtain an RMA number. All shipping costs are the responsibility of the customer. Note that there are no user-serviceable parts in the unit.

A 1.5% per month charge will be added to unpaid balances after the payment terms period. Delivery lead time will be 6 weeks ARO. Shipping is prepaid and added FOB Knoxville. Powermetrix will review pricing annually and reserves the right to change prices at any time. During the warranty period, any firmware upgrades will be provided free of charge. Shipping charges for the firmware upgrade and warranty are the responsibility of the customer.

FOB shipping point.

Customer agrees to pay in full all taxes, fees, or duties imposed by law on an order, regardless of any amount shown or not shown on this document. Technology for Energy Corporation (TEC) is based in multiple locations within the United States and is registered to conduct business and collect taxes in those locations where it has nexus. Customers outside areas where TEC has registered to do business are responsible in their government entities for payment of any taxes, fees, or duties associated with the purchase of products or services from TEC.

Customer agrees that the amount of sales tax shown on any quote is an ESTIMATE, and agrees not to rely on that amount as a contractual commitment on TEC's part.

TEC accepts MasterCard, Visa, American Express, and Discover credit cards.

TEC certifies that these goods were produced in compliance with all applicable requirements of Sections 6, 7, and 12 of the Fair Labor Standards Act as amended, and of regulations and orders of the United States Department of Labor, issued under section 14 thereof.

Items to be returned will not be accepted without a proper customer Return Material Authorization (RMA) Number.

TEC reserves the right to charge a restocking fee on any non-warranty return. NOTE: Returns of items produced under TEC's Nuclear Qualification Program are not permitted for non-warranty issues.

Customer agrees that all property sold under these terms and conditions remains the property of TEC until paid in full. TEC reserves the right to recall such unpaid property at any time the purchaser is found to be noncompliant with these terms of sale.

The parties hereby incorporate the requirements of 41 C.F.R. § 60-1.4(a) and 20 C.F.R. § 471, Appendix A to Subpart A, if applicable.

This contractor and subcontractor shall abide by the requirements of 41 CFR 60-300.5(a) and 41 CFR 60-741.6(a), if applicable. These regulations prohibit discrimination against qualified protected veterans and qualified individuals with disabilities, and require affirmative action by covered prime contractors and subcontractors to employ and advance in employment qualified protected veterans and qualified individuals with disabilities.

Respectfully,
 John Jones
 Regional Sales Manager
 Email: john.jones@powermetrix.com
 Direct: (865) 218-5889
 Mobile: (865) 414-7571

Cust Ref. No.:

Issued Date: 02/22/2018

Cust No.: L31005

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Quote No.: 29328

Item	Description	QTY	Disc %	Unit Price	Ext Price
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Technology for Energy Corporation
 10737 Lexington Drive
 Knoxville, TN 37932
 Federal I.D. #: 62-0937255

Customer Set-up/Change Form

Customer Legal Name:		
Street Address:		
City:	State:	Zip Code:
Country:	Phone Number: ()	
Federal ID#::		

Ship To Account

Name:		
Street Address:		
City:	State:	Zip Code:
Country:	Phone Number: ()	
Fax Number: ()		
FOB: <input type="checkbox"/> Source <input type="checkbox"/> Destination	Shipping Type (if collect account please provide account number)	

Include a Tax Exemption Certificate if applicable

Bill To Account

Name:		
Street Address or P.O. Box:		
City:	State:	Zip Code:
Country:	Phone Number: ()	
Fax Number: ()		
Email Address:		
Vendor # assigned to TEC by your system:		
Statement	<input type="checkbox"/> Mailed	<input type="checkbox"/> Emailed
Email Address:		

Other Contact Information

Name	Phone Number	Email	Address	Other Information

Documentation to be attached:

W9

Sales Tax Exemption Letter (if applicable)

TEC Credit Form (if applicable)

Three Phase Field Test Equipment Specification

- 1) True Three Phase Reference Standard with 0.02% Worst Case Accuracy (or better)
- 2) True Three Phase Vector Diagrams in Real-Time
- 3) True Three Phase Waveforms in Real-Time
- 4) True Three Phase Power Quantities in Real-Time
- 5) True Three Phase Wiring Diagrams
- 6) Harmonics Analysis up to the 100th Harmonic on Voltage and Current with THD
- 7) Perform Customer Load Meter Test
- 8) Perform Demand Meter Test
- 9) CT Burden and Ratio Testing
- 10) CT Demagnetization
- 11) Test Transducers
- 12) True 3 Phase Current Source WITHIN case (0-20A True Three Phase)
- 13) True 3 Phase Voltage Source WITHIN case (0-480V True Three Phase)
- 14) Full Phase adjustment from 0 to 360 degrees
- 15) Test Meters with Integrated Current or Integrated Current/Voltage Source
- 16) 8" Full Color Transflective Display
- 17) Auxiliary Power Connection up to 530V
- 18) Internal Battery to operate unit without Auxiliary Power
- 19) USB Ports for High Speed Data Transfer via USB Cable
- 20) USB Ports for Data Transfer via USB Memory Stick
- 21) USB Ports for use with external keyboard and mouse
- 22) Ethernet Connection
- 23) MIL-Std Multi-Pin connectors for voltage and current connections
- 24) SD Memory Card Compatible for Data Transfer
- 25) SQL Database Software for storing and analyzing test data and site information
- 26) Ability to print test reports
- 27) Ability to connect to ALL Secondary Currents, Secondary Voltages, and Primary Currents at the same time
- 28) Unit must come with Hard "Pelican" Style case or similar
- 29) Total Weight INCLUDING "Pelican" Style case cannot exceed 40 lbs.
- 30) 5 Year Warranty

05/26/2017 02:14 |

JOE | NEXT YEAR BUDGET HISTORICAL COMPARISON

PROJECTION: 2018 2018 budget

ACCOUNTS FOR:

Electric Fund

2017
ACTUALS

CY 2017
BUDGET

PROJECTION
LEVEL 1 -2018

003 Electric

003 50340 Operating Supplies

187,155

250,000

177,625

ITEM DESCRIPTION	2017	2018
Tools/PPE/Safety/Training Equipment		55,000
AED's		20,625
Meter Test Equipment		32,000
Misc. Electric Dept. Items		70,000
TOTAL		177,625

Dee Dee Brandt

From: Jeremy Morgan
Sent: Thursday, April 26, 2018 7:12 AM
To: Dee Dee Brandt
Subject: Powermetrix meter test equipment
Attachments: Fairhope 7 Series Quote.pdf

Here you go...If we leave off line item 4 it puts the price at \$33335, \$1335 over the budget amount. If that is a problem, we can leave of 4 and 5 which puts it at \$31475, \$525 under budget. We need both of those line items, but can get by without them for a little while.

Thanks,
Jeremy