

**CITY OF DAPHNE  
CITY COUNCIL WORK SESSION AGENDA  
1705 MAIN STREET  
DAPHNE, AL  
AUGUST 12, 2013  
6:30 P.M.**

- 1. DISCUSS: PARTICIPATION IN THE NOAA COASTAL RESILIENCE INDEX / MIKE SHELTON / ASHLEY CAMPBELL**
- 2. DISCUSS: ORDINANCE 2013-42 / EXTENSION OF US 98 SERVICE ROAD**
- 3. DISCUSS: RULES OF PROCEDURE**
- 4. DISCUSS: ANYTHING ELSE DEEMED NECESSARY**
- 5. ADJOURN**

**ACTION ITEMS FROM RETREAT FOR UPDATE**

1. Strategic Plan
2. Annexation
3. Grant writing
- ~~4. Pay-scale Adjustment~~
5. Explore Nicholson Center maintenance and equipment timeline
6. Work with Village Point Foundation to procure Public/Private Partnerships for a Cultural Cent and Amphitheater
  - a.) A Council liaison will work with them in this endeavor

**NOAA COASTAL  
RESILIENCE INDEX**

## Becky Hayes

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**From:** Adrienne Jones <cddirector@daphneal.com>  
**Sent:** Thursday, August 08, 2013 2:50 PM  
**To:** cityclerk@daphneal.com  
**Subject:** FW: Daphne EAC Recommendation - Community Resilience Index

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**From:** Bret M. Webb [mailto:bwebb@southalabama.edu]  
**Sent:** Friday, July 05, 2013 7:50 AM  
**To:** Richard Johnson  
**Cc:** Art Hosey; John Peterson; Sandi Cushway; Carl Pinyerd; Chester McConnell; Fred Nation; Adrienne Jones; councildistrict3@daphneal.com; Ashley Campbell; Stan Arbacauskas; councildistrict2@daphneal.com  
**Subject:** Daphne EAC Recommendation - Community Resilience Index

Mr. Johnson,

On behalf of the City of Daphne Environmental Advisory Committee, I formally recommend that Public Works carry a recommendation to the City Council supporting participation in the NOAA Community Resilience Index program, as described by Mike Shelton (AL Dept. Conservation and Natural Resources) during the October 29, 2012 regular meeting. This is a particularly opportune time to suggest participation in the program considering recent changes to the City Council and leadership (new officials, new mayor). Mike Shelton has offered to facilitate the assessment if the City is willing to participate in the program.

For more information, please see the October 29, 2012 meeting minutes distributed by Public Works to the City Council on February 18, 2013.

Respectfully,

Bret

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City of Daphne – Public Works Committee

Meeting Date: July 15, 2013

**Notice of Action Taken**

Agenda Item #	Description	Action Taken	Forwarded To	Person to Implement	Notes
IX.B.i.	From the EAC to PWC recommendation to the City Council supporting participation in the NOAA Community Resilience Index program.	Committee made an affirmative motion to the full City Council to support initiative.	City Clerk	City Clerk	Motion from Public Works Committee to support shall be placed on August 5, 2013 City Council Agenda
IX.B.ii.	From the EAC to PWC recommendation to the City Council in support of Village Point's proposal to the Forever Wild program regarding the purchase of a parcel of land bound by HWY 98 to the east, Interstate 10 to the south, and HWY 90 (Causeway) to the north.	Committee made an affirmative motion to the full City Council to support initiative.	City Clerk	City Clerk	Motion from Public Works Committee to support shall be placed on August 5, 2013 City Council Agenda

**X**



Richard D. Johnson, PE; Director

July 19, 2013

*“On the road to coastal resilience”*



# A Community Self-Assessment

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*Understanding how prepared your  
community is for a disaster*

Suggested citation: Sempier, T.T., D.L. Swann, R. Emmer, S.H. Sempier, and M. Schneider. 2010.  
Coastal Community Resilience Index: A Community Self-Assessment. MASGP-08-014.

Document designed by Diana Reid, The University of Southern Mississippi  
and Melissa Schneider, Mississippi-Alabama Sea Grant Consortium



Supplemental information and additional resources are available on the Web at [masgc.org/ti](http://masgc.org/ti)

MASGP-08-014

*This project was funded by the U.S. Department of Commerce through a cooperative agreement between the National Oceanic and Atmospheric Administration's Coastal Storms Program and the Mississippi-Alabama Sea Grant Consortium under NOAA Grant NA07OAR4170510. Additional support was provided by the Gulf of Mexico Alliance Coastal Community Resilience Team under NOAA grant number NA08NOS473398. The views expressed herein do not necessarily reflect the views of these organizations.*

*Disclaimer: Notwithstanding any other provision of law, reports, surveys, schedules, lists, or data compiled or collected using the Coastal Resilience Index for the purpose of evaluating the post-disaster adaptability of a community, and planning safety enhancements of that community, shall not be subject to discovery or admitted into evidence in a Federal or State court proceeding or considered for other purposes in any action for damages arising from any occurrence at a location mentioned or addressed in such reports, surveys, schedules, lists, or data. Information compiled using the Coastal Resilience Index is speculative, and is not presented to the community as a definitive statement of fact or prediction, but rather an assessment that may encourage a community to seek further consultation.*

# TABLE OF CONTENTS

Introduction.....	1
Results Overview.....	1
Build Your Scenarios .....	2
Critical Infrastructure and Facilities.....	3
Transportation Issues.....	4
Community Plans and Agreements.....	5
Mitigation Measures .....	6
Business Plans .....	7
Social Systems .....	8
Determining Your Resilience Index .....	9
Interpreting Resilience Index Results.....	11
Next Steps .....	11
Acknowledgments.....	11
References .....	12



# INTRODUCTION

The purpose of this self-assessment is to provide community leaders with a simple and inexpensive method of predicting if their community will reach and maintain an acceptable level of functioning after a disaster. Experienced local planners, engineers, floodplain managers or administrators can complete this self-assessment using existing sources of information from their community. The goal is for every community to become highly resilient. The assessment may identify problems your community should address before the next disaster and where resources should be allocated.

Results of the assessment are presented as a Resilience Index that estimates the adaptability of your community to a disaster. This self-assessment was created to identify areas in which your community may become more resilient. Your community's unique Resilience Index is an internal evaluation tool and should not be used to compare your community with others.

The Resilience Index and methodology does not replace a detailed study just as a self-examination for skin cancer is not a substitute for a check-up and tests by a dermatologist. But, the Resilience Index resulting from this Community Self-Assessment may encourage your community to seek further consultation.

**DISASTER RESILIENCE** is the capacity of a community exposed to hazards to adapt, by resisting or changing, in order to reach and maintain an acceptable level of functioning and structure.

**RESILIENCE** is determined by the degree to which the community is capable of organizing itself to increase its capacity for learning from past disasters.

*Definitions are from the Subcommittee on Disaster Reduction. 2005. Grand Challenges for Disaster Resilience. National Science Technology Council, Committee on Environment and Natural Resources. Washington, D.C.: National Science and Technology Council.*

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*NOTE: This Community Self-Assessment is date-specific and should be periodically applied as the community grows and/or the landscape changes, such as when shoreline erosion accelerates. Your community officials should conduct new assessments on a regular basis (annual, biannual, etc.) because of this growth and/or change.*

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## RESULTS OVERVIEW

After completing this self-assessment, you should complete the summary that will help you calculate your Resilience Index (see pages 9 and 10).

The Resilience Index used in this self-assessment will be defined as LOW, MEDIUM or HIGH.

The rating will give you an idea of how long it may take your community to provide basic services and reoccupy homes and businesses after a disaster.

For more details about interpreting Resilience Index results, go to page 11.

## BUILD YOUR SCENARIOS

Use the definitions of Bad and Future Storm below to complete the table. Decide as a group what the best benchmarks would be based upon your past experience, historical records, and prior knowledge. You will then refer to these benchmark storms to complete the rest of the Index.

**Bad Storm:** Select a benchmark storm you will use to answer questions on the Index. Look back at historical events to help you determine as a group which storm would be the best to use. Remember, this is a self-assessment, so try and select a benchmark you feel will give you the most information about where the community vulnerabilities may be.

**Future Storm (greater intensity):** Select a storm which would be 50 percent worse than the “bad storm” you selected. For example, what if the storm surge was higher? The rainfall greater? This is to assist you in preparing for a future event that has not been witnessed in the historical records.

Variables	Bad Storm (benchmark) Scenario 1 Name:	Future Storm (greater intensity) Scenario 2 Name:
Wind speed at landfall (mph)		
Rain (total/24hours)		
Storm Surge (height in feet)		
Direction		
Speed of Movement		
Duration		
Tidal Influence (high or low)		
Landfall Location		

# CRITICAL INFRASTRUCTURE AND FACILITIES

The following are key indicators that will give a preliminary assessment of your community's disaster resilience. A more detailed assessment process is available in the FEMA 386-2 publication ([fema.gov](http://fema.gov)).

- Place a check mark in the column where your community's critical infrastructure and facilities are located. You may need to use flood maps to determine where the boundaries would be. If the facility is located in multiple areas, put a check in all that are applicable. Then put a check mark in the last column if the infrastructure or facility is functional after a disaster (assuming Scenario 1). Use the total check marks in the last column for Section A and Section B to complete page 9, "Determining Your Resilience Index".

	Special Flood Hazard Area (SFHA)	Bad Storm Scenario 1	Future Storm Scenario 2	Infrastructure or facility functions after disaster
<i>Example: Power grid</i>		✓		✓
<b>Section A: Critical Infrastructure</b>				
Wastewater treatment system				
Power grid				
Water purification system				
Transportation/evacuation routes				
<b>Total check marks for Section A:</b>				
<b>Section B: Critical Facilities*</b>				
City Hall or other local government building(s)				
Police station or other law enforcement building(s)				
Fire station(s)				
Communications main office or substations				
Emergency operation center				
Evacuation shelter(s)				
Hospital(s)				
Critical record storage				
<b>Total check marks for Section B:</b>				

\*Critical facilities may be defined a certain way in an ordinance. However, each community may identify other structures they consider critical. If you need assistance locating critical infrastructure and facilities, you can refer to the mapping tool that accompanies the Index.



## COMMUNITY PLANS AND AGREEMENTS

3. Does your community have the following plans, personnel or agreements in place? Check Yes or No.

Does your community:	Yes	No
<i>Example: Have a certified floodplain manager?</i>		√
Participate in the FEMA Community Rating System? (Rating of 8 or lower)		
Use an early flood warning system?		
Have a certified floodplain manager?		
Have planning commissioner(s) with formal training in planning?		
Have a planning staff with credentials from the American Institute of Certified Planners (AICP)?		
Have a FEMA-approved and state EMS-approved mitigation plan?		
If you have an approved mitigation plan, has it been revised in the past two years?		
Have Memorandums of Understanding (MOUs) or Memorandums of Agreement (MOAs) with neighboring communities to help each other during times of disaster?		
Have a comprehensive plan or strategic plan that addresses natural disasters?		
Have a floodplain manager or planner who participates in the following organizations: Association of State Floodplain Managers or State Floodplain Management Association?		
American Planning Association (APA) or state APA chapter?		
American Society of Civil Engineers (ASCE) or state or local section of ASCE?		
American Public Works Association?		
Have first-hand experience with disaster recovery within the last 10 years?		
Have a communication system to use before, during and after a disaster?		
<b>Total number of Yes answers and No answers:</b>		

### ADDITIONAL NOTES

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#### DID YOU KNOW?

Communities with a multi-hazard mitigation plan can receive up to 294 points through the Community Rating System.

## MITIGATION MEASURES

4. Has your community implemented the following ongoing mitigation measures or projects?  
Check Yes or No.

Mitigation measures in place	Yes	No
<i>Example: Relocation of buildings and infrastructure</i>		√
Elevation of residential, nonresidential buildings, or infrastructure to National Flood Insurance Program standards for your community*		
Relocation of buildings and infrastructure from flood-prone areas		
Flood-proofing of nonresidential structures		
Education programs about mitigation options for your community		
Acquisition of repetitive loss structures, infrastructure, or property		
Incentives-based mitigation measures		
Adoption of the most recent International Building Codes		
Hiring certified building inspectors		
Staffing an adequate number of people to enforce building codes		
Have completed or planned shoreline restoration projects for critically eroding areas		
Require the protection and maintenance of sensitive coastal habitats, ecosystems, and natural features (dunes, barrier islands, salt marshes, mangroves)		
Have undeveloped public lands, such as parks, forests or preserves in the coastal high hazard areas (V-zone on FIRM map)		
<b>Total number of Yes answers and No answers:</b>		

### ADDITIONAL NOTES

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	DID YOU KNOW?
	Creating permanent no-build areas can earn a community up to 900 points through the Community Rating System. For buildings in hazardous areas that cannot be relocated or removed, retrofitting of existing structures is an option that can earn communities up to 2,800 points.

\*Note that the Association of State Floodplain Managers recommends communities consider higher elevations than the minimum National Flood Insurance Program standard.

## BUSINESS PLANS

5. What assets do the large retail stores (The Home Depot, Wal-Mart, etc.), grocery stores and fuel distributors in your community have to reopen after a disaster? If more than 50 percent of the businesses in your community have the following equipment or plans, mark yes. If fewer than 50 percent have the equipment or plans, check no.

Business equipment/plans*	Yes (50% or more)	No (Less than 50%)
<i>Example: Generators</i>		✓
Generators		
Backup options for basic needs (water, sewer, food, and communications)		
Plans to bring in staff to help reopen the business (considering impacts to staff)		
Plans for restocking		
Plans for ice distribution		
<b>Total number of Yes and No answers:</b>		

### ADDITIONAL NOTES

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#### DID YOU KNOW?

Communities that create a Post Disaster Recovery Plan can earn up to 10 points through the Community Rating System. This requires working with all sectors of the community.

\*Businesses may include functioning marinas or ports as important distribution points after a disaster. If so, consider the assets these businesses have to reopen after a disaster.

## SOCIAL SYSTEMS

6. Are there social systems that define your community or serve as the core of your community? Check Yes or No.

Social system category	Yes	No	If yes, describe relationship
<i>Example: Strong faith-based networks</i>	√		<i>Church networks</i>
Strong faith-based networks (counted on during a disaster)			
Cultural identity (unified Hispanic, Asian or other ethnic communities)			
Neighborhood associations Support members in times of need			
Business cooperative or working relations (industries that employ many residents, Chamber of Commerce, other business-related networks, etc.)			
Strong civic organizations (Kiwanis Club, Rotary Club, etc.)			
<b>Total number of Yes answers and No answers:</b>			

### ADDITIONAL NOTES

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#### DID YOU KNOW?

Several agencies, organizations, and programs provide information on flooding, erosion, and other coastal hazards. Communities that make hazard information available and accessible to the general public can earn up to 30 points through the Community Rating System.

# DETERMINING YOUR RESILIENCE INDEX

To determine your Resilience Index for each section, use the following tables, which are based on the totals you entered for each section of the Index.

## Section IA: Critical Infrastructure

Total number of infrastructure functioning after a disaster: \_\_\_\_\_

Number of check marks	Percentage of infrastructure and facilities functioning after a disaster	Resilience Index
0	0%	LOW
1	25%	LOW
2	50%	MEDIUM
3	75%	MEDIUM
4	100%	HIGH

Your critical infrastructure Resilience Index is \_\_\_\_\_.

Find out what your Resilience Index means on page 11.

## Section IB: Critical Facilities

Total number of critical facilities functioning after a disaster: \_\_\_\_\_

Number of check marks	Percentage of critical facilities functioning after a disaster	Resilience Index
1	13%	LOW
2	25%	LOW
3	38%	LOW
4	50%	MEDIUM
5	63%	MEDIUM
6	75%	MEDIUM
7	88%	HIGH
8	100%	HIGH

Your critical facilities Resilience Index is \_\_\_\_\_.

Find out what your Resilience Index means on page 11.

## Sections 2-6: Transportation, Community Plans, Mitigation Measures, Business Plans and Social Systems

Use the box labeled “Total number of Yes answers” from Sections 2-6 to complete the following chart.

Sections 2-6	Number of Yes answers	Translate number of Yes answers to Resilience Index	Resilience Index	Comments
<i>(Example) Section 2: Transportation issues</i>	<i>1</i>	<i>2 or fewer (LOW) 3 to 4 (MEDIUM) 5 or more (HIGH)</i>	<i>LOW</i>	<i>A road construction project will create an additional evacuation route within a year. Also, we are in talks with the local public transportation provider about a program to assist evacuation.</i>
Section 2: Transportation Issues		2 or fewer (LOW) 3 to 5 (MEDIUM) 6 or more (HIGH)		
Section 3: Community Plans and Agreements		4 or fewer (LOW) 5 to 8 (MEDIUM) 9 or more (HIGH)		
Section 4: Mitigation Measures		4 or fewer (LOW) 5 to 8 (MEDIUM) 9 or more		
Section 5: Business Plans		1 or fewer (LOW) 2 to 3 (MEDIUM) 4 or more (HIGH)		
Section 6: Social Systems		1 or fewer (LOW) 2 to 3 (MEDIUM) 4 or more (HIGH)		

### ADDITIONAL NOTES

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# INTERPRETING RESILIENCE INDEX RESULTS

**RESILIENCE INDEX:** A Resilience Index is an indicator of your community’s ability to reach and maintain an acceptable level of functioning and structure after a disaster.

After completing the Summary section of this self-assessment, your Resilience Index was identified as **LOW**, **MEDIUM** or **HIGH** in different categories.

**LOW Resilience Index.** A low Resilience Index indicates that your community should pay specific attention to this category and should make efforts to address the areas of low rating. If the critical infrastructure category received this rating, then reoccupation of your community may take more

than 18 months before basic services are restored.

**MEDIUM Resilience Index.** A medium Resilience Index indicates that more work could be done to improve your Resilience in this category. If the critical infrastructure category received this rating, reoccupation of your community may take less than 2 months before basic services are restored.

**HIGH Resilience Index.** A high Resilience Index indicates that your community is well prepared for a storm event. If the critical infrastructure category received this rating, then the community probably will not suffer or will have minimal damage (can be functional in less than two weeks) to basic services.

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## NEXT STEPS

Regardless if your city has a **HIGH**, **MEDIUM** OR **LOW** Resilience Index, you should learn about and investigate the weaknesses you have identified during this process. Refer to the references page for additional information on resources, training, and support.

For more information, contact the NOAA Gulf of Mexico Coastal Storms Program Outreach Coordinator, Mississippi-Alabama Sea Grant Consortium, 703 East Beach Drive, Ocean Springs, MS, 39564, or (228) 818-8829.

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## ACKNOWLEDGMENTS

Appreciation is extended to the following communities for donating their time, sharing their expertise, and assisting us in strengthening the Index through their participation as pilot communities. In alphabetical order:

Bayou La Batre, AL  
Biloxi, MS  
Cameron Parish, LA  
Cedar Key, FL

Dauphin Island, AL  
Ft. Myers Beach, FL  
Gulf Shores, AL  
Marco Island, FL

Ocean Springs, MS  
Orange Beach, AL  
Pascagoula, MS  
Pass Christian, MS

Port Arthur, TX  
Sarasota, FL  
St. Tammany Parish, LA  
Steinhatchee, FL

A special thank you to members of the Gulf of Mexico Alliance Resilience Team and Gulf of Mexico Sea Grant Extension Specialists for their assistance in making suggested changes, pilot testing the draft versions, and promoting the use of the Index in local communities.

# REFERENCES

## Useful Definition

Critical facility (also called critical action) means facilities for which the effects of even a slight chance of flooding would be too great. The minimum floodplain of concern for critical facilities is the 0.2 percent chance flood level. Critical facilities include, but are not limited to facilities critical to the health and safety of the public such as: emergency operations centers, designated public shelters, schools, nursing homes, hospitals, police, fire and emergency response installations, vital data storage centers, power generation and water and other utilities (including related infrastructure such as principal points of utility systems) and installations which produce, use or store hazardous materials or hazardous waste (as defined under the Clean Water Act and other Federal statutes and regulations). Such facilities and access to such facilities will be constructed outside the one percent chance Special Flood Hazard Area or elevated/protected to or above the 0.2 percent chance flood level.

## Additional Resources

Resilience Index Critical Facilities Mapping Tool: [www.csc.noaa.gov/criticalfacilities](http://www.csc.noaa.gov/criticalfacilities)

Risk and Vulnerability Assessment Tools: [www.csc.noaa.gov/rva\\_tools](http://www.csc.noaa.gov/rva_tools)

Community Rating System: <http://www.fema.gov/business/nfip/crs.shtm>

StormSmart Coasts Network: <http://stormsmart.org>

NOAA Coastal Storms Program: [www.coastalstorms.noaa.gov](http://www.coastalstorms.noaa.gov)

Gulf of Mexico Alliance Resilience Team: [www.gulfofmexicoalliance.org/issues/resilience.html](http://www.gulfofmexicoalliance.org/issues/resilience.html)

## Training

Gulf of Mexico Sea Grant College Programs: <http://gulfseagrant.org>

Florida Sea Grant: <http://www.flseagrant.org>

Louisiana Sea Grant: <http://www.laseagrant.org>

Mississippi-Alabama Sea Grant: <http://www.masgc.org>

Texas Sea Grant: <http://texas-sea-grant.tamu.edu>

Coastal Services Center: <http://www.csc.noaa.gov/training/>

National Estuarine Research Reserves Coastal Training Program: <http://gulfalliancetraining.org/>

Federal Emergency Management Agency: <http://training.fema.gov/>

AL Emergency Management Agency Training: <http://ema.alabama.gov/Organization/Preparedness/Training.cfm>

FL Division of Emergency Management Training: <http://floridadisaster.org/TrainingCalendar/index.asp>

LA Homeland Security & Emergency Preparedness Training: <http://www.ohsep.louisiana.gov/Training/>

MS Emergency Management Agency Training: <http://www.msema.org/training/>

TX Division of Emergency Management Training: <http://www.txdps.state.tx.us/dem/pages/Training.htm>

## Networking

StormSmart Connect: <http://stormsmartconnect.org>

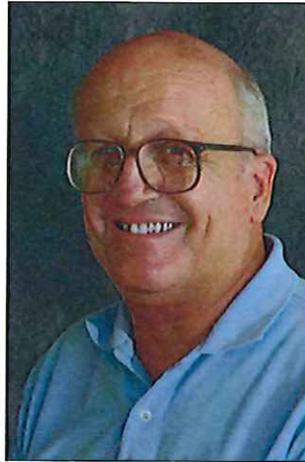
## Contacts

### Tracie Sempier

Coastal Storms Outreach Coordinator  
Mississippi-Alabama Sea Grant Consortium  
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### Jody Thompson

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*In Memoriam*  
**DR. ROD EMMER**  
1944 — 2008

The original concept for the Resilience Index was born from the work Dr. Emmer conducted in local communities through Louisiana Sea Grant. With his passing, the Gulf region lost a great resource of knowledge and experience in the fields of floodplain management, hazard mitigation, geography, and culture. Although he was not able to see this final version of the Index, it is sincerely hoped he would approve of the transformation this tool has made and its potential to assist many communities across the Gulf and the nation.

(Photo courtesy of Louisiana Sea Grant)



## Coastal Resilience Index Critical Facilities Tool

<http://csc.noaa.gov/criticalfacilities/>

- assists communities in completing sections of the Index
- includes drop down menus for selecting your state, then county, or municipality
- generate and print reports directly from the site

The screenshot shows the NOAA Coastal Services Center website interface for the Coastal Resilience Index Critical Facilities Tool. The page features a navigation menu with links for Home, About, Data, Tools, Training, How-To Guides, Publications, Partnerships, and Technical Assistance. The main heading is "Coastal Resilience Index Critical Facilities Tool". Below the heading, there are four numbered steps for using the tool:

1. Check which elements to view:  Map  Results Table
2. Choose a State: [Select] then County or Municipality [Must Select State First]
3. Choose Visible Facilities: A list of facility types with checkboxes and radio buttons for visibility. The list includes: All Facilities (On/Off), Airports, Communication Towers, Electric Power Facilities, Emergency Operations Centers, Fire Stations, Hazardous Materials Sites, Medical Care Facilities, Oil Facilities, Police Stations, Potable Water Facilities, Rail Facilities, Schools, Waste Water Facilities, Flood Zone, Counties, and Municipalities.
4. Use the search box to locate a missing facility (ex., school, County Hospital, etc.)

The interface also includes a map of the Gulf Coast region, a search box, and a "View Printable Map" button.

## StormSmart Coasts Network

<http://stormsmart.org/>

- Learn how to identify your community's risks
- Find ways to reduce those risks (and the funding to do so)
- Discover what other communities across the Gulf and the nation are doing to address their risks
- Find others working to protect their communities



**EXTENSION  
OF  
US 98  
SERVICE ROAD**

**ORDINANCE 2013-42**

**U.S. 98 (SR42) Service Road Extension in Baldwin County Agreement for Preliminary Engineering, ROW Acquisition, Utilities and Construction**

**WHEREAS**, Ordinance 2012-58 approved and adopted the Fiscal Year 2013 Budget on October 1, 2012; and

**WHEREAS**, subsequent to the adoption of the Fiscal Year 2013 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2013 budget; and

**WHEREAS**, the City desires to cooperate with TWOSTEP Partners, LLC and Alabama Department of Transportation (ALDOT) in a construction agreement for the extension of the Service Road on U.S. 98 (SR42) in Daphne with each party sharing 33.33% of the project cost , and

**WHEREAS**, per the agreement the City will invoice TWOSTEP and ALDOT as work progresses for their 33.33% portion of their cost share ratio.

**WHEREAS**, the total project cost is estimated to be \$726,000 with the City's share being \$242,000, and

**WHEREAS**, preliminary engineering will be performed by or for the City at NO cost to TWOSTEP Partners, LLC but all construction, engineering, and inspection will considered as part of the project cost to be shared.

**NOW, THEREFORE**, BE IT ORDAINED by the City Council of the City of Daphne, Alabama, that:

- 1) Funds in the amount of \$319,578 (\$242,000 + *Preliminary Engineering* - \$77,578.00) from the General Fund are appropriated to be transferred to Capital Reserve and made a part of the Fiscal Year 2013 budget for the City's 33.33% match for the U.S. 98 Service Road Extension project, and
- 2) Volkert Engineering is hereby selected to provide the engineering services for the project, and
- 3) the Mayor is hereby authorized to execute any and all documents required in order for the City of Daphne to participate in such project.

**APPROVED AND ADOPTED** by the Mayor and City Council of the City of Daphne, Alabama, this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Dane Haygood, Mayor

**ATTEST:**

\_\_\_\_\_  
Rebecca A. Hayes, City Clerk

**RULES  
OF  
PROCEDURE**

MARCH 11, 2013  
CITY COUNCIL WORK SESSION  
1705 MAIN STREET  
DAPHNE, AL  
6:30 P.M.

# Discussion of Changes ↓

9

new developments that want to use these methodologies they are taking them one at a time and they do not really have a standard or a measure to judge them by.

Councilman Fry said your recommendation is this is the best way to do that as opposed to some other change of the guidelines the city currently has.

Mr. Johnson said again this set of regulations is not going to inspire any developer to do anything different than what they had already planed to do, but what it will do is accommodate those that desire this methodology, and give them a standard with which to judge their methodology.

Council President Scott said this body will make this decision, but the city has a nine person Planning Commission, and this was vetted by the Planning Commission over a number of months, and it was a unanimous recommendation to the council to approve this ordinance. He thinks the fact that there was not a motion shows the fact that they had not done a good job of at least educating folks as to what it was all about.

Consensus of council was to put Ordinance 2013-12, Low Impact Development, on the March 18<sup>th</sup> agenda.



## 2. RULES OF PROCEDURE

Council considered the rules of procedure for council meetings section by section. The recommended changes are as follows:

### Section II

Strike the last sentence regarding agenda items

### Section V

Move Department Heads Report before the Mayors Report  
Add City Clerk Report after City Attorney Report

### Section VI

Add work session in the second line after items to be placed on the agenda must be turned in by 5:00 p.m. on the Wednesday before the council meeting and *work session* to the City Clerk...

### Section VIII

Separate public participation rule from presentation rule

### Section XIV

Add to the third sentence where it says: If the majority of the council shall vote in favor of the Motion for executive session the body shall *upon certification of the city attorney that the reason for entering into executive session is legal according to the Open Meetings Act.*

### Section XVII

That the rules of the Council may be temporarily suspended by unanimous roll call vote of all members present.

MARCH 11, 2013  
CITY COUNCIL WORK SESSION  
1705 MAIN STREET  
DAPHNE, AL  
6:30 P.M.

10

**Section XXI**

The city attorney will check to see if the City Engineer is required under state code to attend council meetings.

Department Heads will stay at the meeting when they have agenda items.

**Section XXIII**

Get opinion from the city attorney as to which Roberts Rules of Order to go by.

**Section XXV**

Delete in its entirety *(All motions that come from committees must still be seconded.)*

**3. UPDATE ON HIGHWAY 64 AND COUNTY ROAD 13 ROUNDABOUT / RICHARD JOHNSON**

Mr. Johnson gave an update on this project using a power point presentation. He said the county is taking the lead on this project.

**4. ADJOURN**

There being no further business to discuss the meeting adjourned at 8:21 p.m.

Respectfully submitted by,

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Rebecca A. Hayes,  
City Clerk

Certification of Presiding Officer:

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Ron Scott,  
Council President

**CITY OF DAPHNE  
ORDINANCE 2012-63**

**AN ORDINANCE ADOPTING THE RULES OF PROCEDURE IN ALL  
INSTANCES FOR MEETINGS OF THE CITY COUNCIL**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA** that the Order Procedure in All Instances for Meetings of the City Council shall be as follows:

**SECTION I:**

That the Rules of Procedure herein contained shall govern the deliberations and meetings of all of the Council of the City of Daphne, Alabama.

**SECTION II:**

That the regular meetings of the City Council shall be held on the first and third Mondays of each month, which meeting shall convene at 6:30 p.m. at the City Hall Council Chamber and all meetings, regular and special, shall be opened to the public, except when Council meets in executive session as authorized by State law. The regularly scheduled work session will be held on the Monday between the first and second council meeting at 6:30 p.m. at the City Hall Council Chambers. Items for the agenda must be turned in by 5:00 p.m. on the Wednesday before the council meeting and work session.

**SECTION III:**

That special meetings may be held at the call of the presiding officer by serving notice on each member of the Council not less than twenty-four hours before the time set for such special called meeting. All special meetings may be held as provided by Section 11-43-50 Code of Alabama, 1975 (as amended). Furthermore, any two (2) Council members shall have the right to call for a special meeting. Notice of all special meetings shall be posted on the council approved bulletin board and appropriate customary media notified, and shall be accessible to the public twenty-four hours prior to such scheduled meeting.

**SECTION IV:**

A Quorum shall be determined as provided by Section 11-43-40, Code of Alabama, 1975, (as amended).

**SECTION V:**

That the order of business of each council meeting shall be as follows:

1. Call to Order
2. Roll Call/Invocation/Pledge of Allegiance
3. Approval of the Minutes of the Previous Meeting(s)
4. Reports of Standing Committees:
  - Finance Committee
  - Building/Property Committee
  - Code Enforcement/Ordinance Committee
  - Public Safety
  - Public Works/Solid Waste Committee
5. Reports of Special Boards and Commissions
  - Board of Zoning Adjustment
  - Downtown Redevelopment Authority
  - Industrial Development Board
  - Library Board
  - Planning Commission
  - Recreation Board
  - Utility Board
6. Report of Officers:
  - a. Mayors Report
  - b. City Attorney Report
  - c. Department Heads Report
7. Public Participation
8. Resolution, Ordinances and Other Business
9. Council Comments
10. Adjournment

**SECTION VI:**

That any item including all background material to be placed on agenda must be turned in by 5:00 p.m. on the Wednesday before the council meeting to the City Clerk subject to the review of the Council President. The council packet will be sent to the full City Council by 12:00 p.m. Friday before the City Council Meeting.

**SECTION VII:**

That no member shall speak more than twice on the same subject without permission of the presiding officer, and after all other council members have had the opportunity to speak.

**SECTION VIII:**

That no individual who is not a member of the City Council or the Mayor shall be allowed to address the same while in session without permission of the presiding officer and for not more than three (3) minutes, unless approved by the presiding officer. No person shall be allowed to address the Council on any matter which shall be the subject of a public hearing scheduled by the Council until the meeting under which the public hearing on that matter is scheduled to be heard. An individual wishing to speak to the council with permission of the Council President or Presiding Officer will be allowed 5 minutes. The individual must provide in writing a synopsis of the topic to be discussed. This synopsis is to be delivered to the City Clerk by the Wednesday before the council meeting at 5:00 p.m.

**SECTION IX:**

That those motions to reconsider must be made by a council member who voted with the majority at the same or next succeeding meeting of the Council.

**SECTION X:**

That whenever it shall be required by one or more members the "ayes" and the "nays" shall be recorded and any member may call for a division on any question.

**SECTION XI:**

That all questions of order shall be decided by the presiding officer of the Council with the right of appeal to the full Council.

**SECTION XII:**

That the presiding officer of the Council may, at his or her discretion, call any members to take the chair to allow him or her to address the Council or make a motion or discuss any other matter at issue.

**SECTION XIII:**

That motions to lay any matter on the table shall be first in order, and on all questions, the last amendment, the most distant day, and the largest financial sum shall be first put.

**SECTION XIV:**

That Council may meet in executive session only for purposes authorized by State law. When a council person makes a motion for executive session for an enumerated purpose, the presiding officer shall put the motion to vote. If the majority of the council shall vote in favor of the Motion for executive session the body shall then move into executive session for discussion of the matter for which executive session was called. No action may be taken in an executive session. When the discussion has been completed, the council shall resume its deliberations in public.

**SECTION XV:**

That a motion for adjournment shall always be in order.

**SECTION XVI:**

That the rules of the Council may be amended in the same manner as any other ordinance of general or permanent nature.

**SECTION XVII:**

That the rules of the Council may be temporarily suspended by unanimous vote of all members present.

**SECTION XVIII:**

That the chair of each respective committee, or the council member acting for him or her, shall submit and make report to the Council when so requested by the presiding officer or any member of the Council.

**SECTION XIX:**

That all ordinances, resolutions or propositions submitted to Council which require the expenditure of money will lie over until the next Council meeting; provided that such ordinance, resolution or propositions may be considered earlier by unanimous consent of the Council members present at such meeting by roll call vote and provided further that this rule shall not apply to the current expenses of, or contracts previously made with, or regular salaries of officers, or wages of employees of the City.

**SECTION XX:**

That all motions, resolutions, ordinances or other business required to be in writing shall be prepared and supplied to all Council members by twelve noon one full city work day before the Council meeting in which it is to be presented. (e.g. if City offices are not open, the Friday before the Monday council meeting, then the writings and documentation shall be supplied to each city council member by placing same in each member's mailbox at City Hall by noon Thursday.)

- a. It is desired that information be supplied to the City Clerk in time to be made part of the agenda packet.
- b. When a work session is called or scheduled between two council meetings, all motions, resolutions, ordinances or other business required to be in writing shall be presented in substantially the same form as that which is required for presentation at council meeting.
- c. Notwithstanding Sections a. and b., hereinabove, in the situation of an actual emergency sections a. and b., hereinabove, shall not apply. For purposes herein an actual emergency exist from failure to act will result in an immediate and irrefutable harm to the City or any of its citizens and or otherwise it was physically impossible to comply with notice requirements set forth herein as the same may be determined by the presiding officer of the Council.

**SECTION XXI:**

That the City Clerk, City Engineer, City Attorney, Chief of Police and Fire Chief and such other officers and employees shall attend all meetings of the City Council, and shall otherwise remain in the Council Chamber for such length of time as the Council, presiding officer or Mayor may direct.

**SECTION XXII:**

That the City Council may have the ability to have a discussion on any motion.

**SECTION XXIII:**

That Roberts' Rules of Order be and is hereby adopted as the rules of procedure for this Council in those situations which cannot be resolved by the rules set forth in this Ordinance.

**SECTION XXIV:**

The City Council will set all public hearings by a majority vote. At all public hearings after the initial presentation all questions and comments are limited to three (3) minutes per speaker.

**SECTION XXV:**

All motions that come from committees must still be seconded.

**SECTION XXVI:**

That Ordinance 2009-21 be and is hereby repealed in its entirety and that other ordinance(s), parts of ordinance(s) or resolutions(s) conflicting with the provisions of this Ordinance are hereby repealed insofar as they conflict.

**SECTION XXVII:**

That the provisions of this Ordinance are severable. If any provision, section, paragraph, sentence are part thereof shall be held to be unconstitutional or invalid by a court of competent jurisdiction, such decision shall not effect or impair the remainder of this Ordinance, it being the legislative intent to ordain and act each provision section, paragraph, sentence, and part thereof separately and independently of each other.

**SECTION XXVIII:**

This Ordinance shall take effect and be enforced from and after approval by the City Council of the City of Daphne upon publication required by law.

**ADOPTED AND APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA on this the 5<sup>th</sup> day of November, 2012.**

**CITY OF DAPHNE, AN ALABAMA MUNICIPAL CORPORATION**

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**BAILEY YELDING, JR.,  
MAYOR**

**ATTEST:**

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**REBECCA A. HAYES,  
INTERIM-CITY CLERK**