

**CITY OF DAPHNE  
CITY COUNCIL MEETING AGENDA  
1705 MAIN STREET, DAPHNE, ALABAMA  
June 1, 2015  
6:30 P.M.**

**1. CALL TO ORDER**

**2. ROLL CALL  
INVOCATION /**

**PLEDGE OF ALLEGIANCE**

**3. APPROVE MINUTES:** Council Meeting Minutes / May 26, 2015

**4. REPORTS OF STANDING COMMITTEES:**

**A. FINANCE COMMITTEE – Fry**

**B. BUILDINGS & PROPERTY COMMITTEE - Davis**

**C. PUBLIC SAFETY - Rudicell**

**D. CODE ENFORCEMENT/ORDINANCE COMMITTEE - Scott**  
Review minutes / May 26<sup>th</sup>

**E. PUBLIC WORKS COMMITTEE / SOLID WASTE AUTHORITY – LeJeune**

**5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:**

**A. BOARD OF ZONING ADJUSTMENTS – Adrienne Jones**

**B. DOWNTOWN REDEVELOPMENT AUTHORITY – Conaway**  
Review minutes / May 27<sup>th</sup>

**C. INDUSTRIAL DEVELOPMENT BOARD – Davis**

**D. LIBRARY BOARD - Lake**

**E. PLANNING COMMISSION – Scott**  
Review minutes / April 23<sup>rd</sup>

Review Staff Report / May 28<sup>th</sup>

**F. RECREATION BOARD – LeJeune**

**G. UTILITY BOARD – Fry**  
Review minutes / April 29<sup>th</sup>

**6. MAYOR’S REPORT**

**7. CITY ATTORNEY’S REPORT**

**8. DEPARTMENT HEAD’S REPORT**

9. CITY CLERK’S REPORT

10. PUBLIC PARTICIPATION

11. RESOLUTIONS AND ORDINANCES:

**RESOLUTIONS:**

- a.) Resolution 2015-39. . . . .Consent to De-Annexation of Certain Real Property from the City of Daphne to be Incorporated into the City Limits of The City of Spanish Fort
- b.) Resolution 2015-40. . . . .Authorizing ADECA CDBG Application
- c.) Resolution 2015-41. . . . .Authorizing All-Way Stops at the Intersection of North and South Lamhatty Lanes and Tawasha Trace Subdivision

**ORDINANCES:**

**2<sup>ND</sup> READ**

- a.) Ordinance 2015-28. . . . .Appropriation of Funds: Redistricting to Establish Voting Districts
- b.) Ordinance 2015-29. . . . .Appropriation of Funds: Round-A-Bout @County Roads 13 & 64 / ATRIP Project / Intergovernmental Project with Baldwin County
- c.) Ordinance 2015-30. . . . .Appropriation of Funds: Sidewalk Improvements for FY2015
- d.) Ordinance 2015-31. . . . .Appropriation of Funds: 2014 Assistance to Firefighters Grant (AFG) / (19) Self-Contained Breathing Apparatus
- e.) Ordinance 2015-32. . . . .Lodging Tax Appropriation: Bayfront Park Drive Improvements / Water Line Installation

12. COUNCIL COMMENTS

13. ADJOURN

**CITY OF DAPHNE  
CITY COUNCIL**

**ROLL CALL**

**CITY COUNCIL:**

<b>COUNCILMAN RUDICELL</b>	<b>PRESENT</b> ____	<b>ABSENT</b> ____
<b>COUNCILMAN LAKE</b>	<b>PRESENT</b> ____	<b>ABSENT</b> ____
<b>COUNCILMAN FRY</b>	<b>PRESENT</b> ____	<b>ABSENT</b> ____
<b>COUNCILMAN SCOTT</b>	<b>PRESENT</b> ____	<b>ABSENT</b> ____
<b>COUNCILMAN LEJEUNE</b>	<b>PRESENT</b> ____	<b>ABSENT</b> ____
<b>COUNCILMAN DAVIS</b>	<b>PRESENT</b> ____	<b>ABSENT</b> ____
<b>COUNCIL PRESIDENT CONAWAY</b>	<b>PRESENT</b> ____	<b>ABSENT</b> ____

**MAYOR:**

<b>MAYOR HAYGOOD</b>	<b>PRESENT</b> ____	<b>ABSENT</b> ____
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**CITY CLERK:**

<b>REBECCA HAYES</b>	<b>PRESENT</b> ____	<b>ABSENT</b> ____
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**CITY ATTORNEY:**

<b>JAY ROSS</b>	<b>PRESENT</b> ____	<b>ABSENT</b> ____
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**MAY 26, 2015  
CITY COUNCIL MEETING  
REGULAR BUSINESS MEETING  
1705 MAIN STREET  
DAPHNE, AL  
6:30 P.M.**

**1. CALL TO ORDER:**

There being a quorum present Council President Conaway called the meeting to order at 6:30 p.m.

**2. ROLL CALL**

**COUNCIL MEMBERS PRESENT:**

Tommie Conaway; Pat Rudicell; John Lake; Randy Fry; Ron Scott; Robin LeJeune; Joe Davis.

Also present: Mayor Haygood; Rebecca Hayes, City Clerk; Sarah Toulson, Assistant City Clerk; Jay Ross, City Attorney; James White, Fire Chief; Vickie Hinman, HR Director; David McKelroy, Recreation Director; Richard Johnson, Public Works Director; David Carpenter, Police Chief; Suzanne Henson, Senior Accountant/Treasurer; Adrienne Jones, Planning Director; Bob Segalla, Utility Board; Willie Robison, BZA.

Absent: Margaret Thigpen, Civic Center Director; Michael Hoyt, Municipal Judge; Tonja Young, Library Director; Vickie Hinman, HR Director; Richard Merchant, Building Official.

**INVOCATION/PLEDGE OF ALLEGIANCE:**

Reverend Richard Mueller with Holy Trinity Lutheran Church gave the invocation.

**3. APPROVE MINUTES:**

**May 4, 2015 Council Meeting Minutes**

There being no corrections the May 4, 2015 minutes were approved as written.

**May 11, 2015 Special Called Council Meeting Minutes**

Councilman Scott amended the May 11, 2015 Special Called Council meeting minutes striking any mention of the Lake Forest Property Owners Association Lease Agreement, because the lease agreement was added to the agenda for the special called meeting without having been stated in the motion to set the special called meeting at the May 4, 2015 council meeting. Authority was given to the Mayor at the March 16, 2015 council meeting to sign the agreement. The minutes were approved with the amendment.

**May 11, 2015 Council Work Session Minutes**

The May 11, 2015 Council Work Session minutes were approved as written.

**PUBLIC HEARING: CDBG Grant**

Ms. Carla Stallman, grant consultant, gave the presentation. She mentioned this was for a CDBG application for Parker Road, Whispering Pines Road and Pollard Road. The grant is due June 15<sup>th</sup>. Next week there will be a resolution authorizing application and authorizing the Mayor to sign all documents.

Council President Conaway opened the Public Hearing at 6:38 p.m.

**Mr. Orrie Smith, Jr. – 7991 Whispering Pines Road** – spoke in favor of sewerage their area, and the CDBG application.

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*Ms. Victoria Mitchell – 2333 North Pollard Road* – spoke in favor of sewerage her area, and the CDBG application.

*Dr. Pam Henson – 810 Juniper Court* – Council President Conaway read her letter to council in favor of sewerage her area, and the CDBG application. (*Letter attached to these minutes*)

Council President Conaway closed the Public Hearing at 6:49 p.m.

**4. REPORT OF STANDING COMMITTEES:**

**A. FINANCE COMMITTEE – Fry**

The minutes for the May 11<sup>th</sup> meeting are in the packet.

**Treasurer’s Report / April 2015**

As of April 2015 total unrestricted funds: \$10,285,884 and total city fund: \$18,492,123

- Total Unrestricted Funds - \$10,285,884
- Decrease from Last Year’s Unrestricted Funds – (\$1,371,772)
- # of months of Unrestricted cash to cover monthly operating Expenses & Debt Service – 4.7 months compared to the previous year - 5.3 months

**Sales & Use Tax Collections / March 2015**

\$1,256,397.38 was collected for March, 2015 which was up \$51,054.71 from March 2014:

- Variance over Budget - \$2,383.78 +.2%
- Percent change from last year’s collections + 4.2%

**Lodging Tax Collections / March 2015**

For March 2015 were \$112,752.43 which is up \$ 40,797.46 from March’s 2014’s collections of \$ 71,954.97

- YTD Variance over Budget: \$19,173.42; + 5.2%
- Percentage change from last year’s collections: + 36.2%

**B. BUILDINGS & PROPERTY COMMITTEE – Davis**

The next meeting will be June 1<sup>st</sup>. He said due to the limited time span for the meeting verbal presentations will be limited to three minutes, and ten minutes for written presentations.

**C. PUBLIC SAFETY COMMITTEE – Rudicell**

The committee met this afternoon, and the next meeting will be June 15<sup>th</sup>.

**D. CODE ENFORCEMENT/ORDINANCE COMMITTEE – Scott**

The committee met this afternoon, and no actions were taken. They discussed the handbill ordinance adopted by the City of Mobile, and they will consider it again at the next meeting where a representative from AL.com will be present. The next meeting will be June 15<sup>th</sup> after the Public Safety meeting.

**E. PUBLIC WORKS COMMITTEE – LeJeune**

The minutes for the April 6<sup>th</sup> meeting are in the packet. There are two resolutions on the agenda which the committee recommends to council. The next meeting will be June 1<sup>st</sup>.

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**5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:**

**A. *Board of Zoning Adjustments* – Adrienne Jones**

The next meeting will be June 4<sup>th</sup>. There is a members term that will expire in July, Philip Durant, and needs to be re-appointed.

**MOTION BY Councilman Scott to re-appoint Philip Durant to the BZA / Term August 2015 – July 2018.  
Seconded by Councilman Davis.**

**MOTION CARRIED UNANIMOUSLY**

**B. *Downtown Redevelopment Authority* – Conaway**

The next meeting will be tomorrow at 5:30 p.m.

**C. *Industrial Development Board* – Davis**

The next meeting will be June 29<sup>th</sup> at 6:00 p.m., and is open to the public. He has been approached by citizens that are in favor of the DISC project.

**D. *Library Board* – Lake**

The next meeting will be June 11<sup>th</sup> at 4:00 p.m.

**E. *Planning Commission* – Scott**

**MOTION BY Councilman Fry to set a Public Hearing date for July 6, 2015, and to approve advertising to consider:**

- |                          |   |
|--------------------------|---|
| <b>1.) Rezoning:</b>     | <b>Cadence Bank</b>   |
| <b>Location:</b>         | <b>One quarter mile south of the intersection of County Road 64 and Pollard Rd.</b> |
| <b>Present Zoning:</b>   | <b>R-4, High Density Multi-Family Residential District</b>                          |
| <b>Requested Zoning:</b> | <b>PUD, Planned Unit Development</b>  |
| <b>Recommendation:</b>   | <b>Unanimous favorable</b>  |
| <b>2.) Pre-Zoning:</b>   | <b>Cadence Bank</b>   |
| <b>Location:</b>         | <b>One quarter mile south of the intersection of County Road 64 and Pollard Rd.</b> |
| <b>Present Zoning:</b>   | <b>RSF-2, Single Family District, Baldwin County District 15</b>                    |
| <b>Requested Zoning:</b> | <b>PUD, Planned Unit Development, City of Daphne</b>                                |
| <b>Recommendation:</b>   | <b>Unanimous favorable</b>  |
| <b>3.) Annexation:</b>   | <b>Cadence Bank</b>   |
| <b>Location:</b>         | <b>One quarter mile south of the intersection of County Road 64 and Pollard Rd.</b> |
| <b>Recommendation:</b>   | <b>Unanimous favorable</b>  |

**Seconded by Councilman Davis**

**MOTION CARRIED UNANIMOUSLY**

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***F. Recreation Board – LeJeune***

The March 11<sup>th</sup> and May 13<sup>th</sup> meeting minutes are in the packet along with a letter of recommendation for the recreation facilities.

**MOTION BY Councilman Scott to appoint a Park Planning Team consisting of the following:**

<b>Mayor Haygood</b>	<b>David McKelroy (<i>Parks &amp; Recreation Director</i>)</b>
<b>Councilman LeJeune</b>	<b>Charlie McDavid (<i>Recreation Programs Director</i>)</b>
<b>Councilman Lake</b>	<b>Richard Johnson (<i>Public Works Director</i>)</b>
<b>Councilman Rudicell</b>	<b>Matt Cunningham (<i>Recreation Board</i>)</b>
	<b>David Dueitt (<i>Recreation Board</i>)</b>

*Seconded by Councilman Davis*

**MOTION CARRIED**

***G. Utility Board – Fry***

The board met Friday for the mid-year financial review will be May 22<sup>nd</sup>, and the regular Utility Board meeting.

Mr. Bob Segalla, Chairman of the Utility Board, reported that there were several seats on the board coming up for reappointment, and he asked council to use the same procedure as they did last time and do a resume search. He said that the current members would serve until reappointed or replaced.

**6. MAYOR'S REPORT**

Mayor Haygood reported the LFPOA Lease Agreement was been fully executed on Friday. The mowing will begin June 1<sup>st</sup>. The single audit was filed today, and the CAFR has to be posted by Friday. The report was sent electronically to council today, and he asked council to review and address their concerns to the Finance Department before Friday. Tim Patton handed out a draft of the Scope of Services for the recreation facilities, and is looking for feedback from council. (*attached to these minutes*) This will go to the Finance Committee in June.

**7. CITY ATTORNEY REPORT:**

No report.

**8. DEPARTMENT HEAD COMMENTS:**

***James White – Fire Chief*** – reported the renovations of Fire Station #3 has started.

***David Carpenter – Police Chief*** – reported the traffic light at malfunction junction was out most of the day, and the officer did a fine job directing traffic.

***David McKelroy – Recreation Director*** – reported that the last Brown Bag by the Bay is Thursday's 11:00 a.m. – 1:00 p.m., Art in the Park will be Thursday, May 28<sup>th</sup> and June 4<sup>th</sup> 10:00 a.m. – 1:00 p.m., and Wet & Wild Wednesdays will be June 10<sup>th</sup>, June 17 and June 24<sup>th</sup> 10:00 a.m. – 1:00 p.m. He gave the schedule for sports events at Trione Sports Complex.

***Richard Johnson – Public Works Director*** – reported Public Works Equipment Day went well with over 1,000 children attending. It was great weather. Keep Daphne Beautiful Kickoff was May 16<sup>th</sup> and went well. There was hazardous waste collection at the kickoff. He thanked the sponsors of the event.

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**9. CITY CLERK REPORT:**

**a.) Event Permit / Angel Baby Benefits Presents / Motorcycle Ride / June 20, 2015**

**MOTION BY Councilman Scott to approve the Event Permit / Angel Baby Benefits Presents / Motorcycle Ride / May 9, 2015. *Seconded by Councilman Davis.***

**MOTION CARRIED UNANIMOUSLY**

**b.) Events Permit / Run for Shep / 5K / January 23, 2016**

**MOTION BY Councilman Scott to approve the Events Permit for Run for Shep / 5K / January 23, 2016. *Seconded by Councilman Rudicell.***

**MOTION CARRIED UNANIMOUSLY**

**c.) Events Permit / LSK Lupus Walk / March 19, 2016**

**MOTION BY Councilman Scott to approve the Events Permit for LSK Lupus Walk / March 19, 2016, 2016. *Seconded by Councilman Rudicell.***

**MOTION CARRIED UNANIMOUSLY**

**10. PUBLIC PARTICIPATION**

***Mr. David Connor – Attorney for City of Spanish Fort*** - spoke regarding the de-annexation of property in the City of Daphne into the City of Spanish Fort. (*Handout attached to these minutes*)

***Mr. Rod Drummond – Ridgewood Drive*** - spoke against dropping of the speed limit on Ridgewood Drive to 25 mph.

***Mr. David Marks – Owner of Lazy Boy Furniture Company*** – spoke against the de-annexation of the property into the City of Spanish Fort.

***Mr. Mike McMillan – Mayor of the City of Spanish Fort*** – spoke regarding the de-annexation saying they are on a tight schedule to get this done and urged council to move forward with the de-annexation.

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**11. RESOLUTIONS & ORDINANCES:**

**RESOLUTIONS:**

- a.) **Resolution 2015-33.** . . . . . Declaring Certain Property Surplus & Authorize Disposition / John Deere Deck Mower
  
- b.) **Resolution 2015-34.** . . . . . Declaring Certain Property Surplus & Authorize Disposition / Eight Packages of Minute Book Paper (*approximately 750 sheets*)
  
- c.) **Resolution 2015-35.** . . . . . Establishing “On Call” Low Impact Development (LID) and Leadership in Energy and Environmental Design (LEED) Project Services for the City of Daphne
  
- d.) **Resolution 2015-36.** . . . . . Authorization for the City to Enter Into a Cooperative Maintenance Agreement (MCA) with the Alabama Department of Transportation (ALDOT) for Mowing on Interstate 10 with All Costs Reimbursed by Agreement with Infirmiry Health System
  
- e.) **Resolution 2015-37.** . . . . . Bid Award: Disaster Debris Removal & Disposal Services / Crowder Gulf LLC
  
- f.) **Resolution 2015-38.** . . . . . Adopting a Citizen Participation Plan and a Four Factor Analysis for Limited English Proficiency Persons

**MOTION BY Councilman Davis to waive the reading of Resolutions 2015-33 and 2015-34. *Secoded by Councilman Scott.***  
**MOTION CARRIED UNANIMOUSLY**

**MOTION BY Councilman Davis to adopt Resolution 2015-33 and 2015-34. *Secoded by Councilman Scott.***  
**MOTION CARRIED UNANIMOUSLY**

**MOTION BY Councilman Scott to waive the reading of Resolutions 2015-35, 2015-36, 2015-37 and 2015-38. *Secoded by Councilman Fry.***  
**MOTION CARRIED UNANIMOUSLY**

**MOTION BY Councilman Scott to adopt Resolution 2015-35. *Secoded by Councilman LeJeune.***  
**MOTION CARRIED UNANIMOUSLY**

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MOTION BY Councilman Scott to adopt Resolution 2015-36. *Seconded by Councilman LeJeune.*

MOTION CARRIED UNANIMOUSLY

MOTION BY Councilman Scott to adopt Resolution 2015-37. *Seconded by Councilman Rudicell.*

MOTION CARRIED UNANIMOUSLY

MOTION BY Councilman Scott to adopt Resolution 2015-38. *Seconded by Councilman Lake*

MOTION CARRIED UNANIMOUSLY

ORDINANCES:

2<sup>ND</sup> READ

- a.) Ordinance 2015-25..... Amending the Land Use & Development Ordinance 2011-54 /  
Article XXXX Self-Service Vending Machine Units Regarding Signage
- b.) Ordinance 2015-26..... Amending the Land Use & Development Ordinance 2011-54 / B-2a,  
General Business Alternative District

MOTION BY Councilman Scott to waive the reading of Ordinances 2015-25 and 2015-26. *Seconded by Councilman Fry.*

MOTION CARRIED UNANIMOUSLY

MOTION BY Councilman Scott to adopt Ordinances 2015-25. *Seconded by Councilman Fry.*

MOTION CARRIED UNANIMOUSLY

MOTION BY Councilman Scott to adopt Ordinances 2015-26. *Seconded by Councilman Davis.*

MOTION CARRIED UNANIMOUSLY

ORDINANCES 2015-28, 2015-29, 2015-30, 2015-31 and 2015-32 ARE 1<sup>ST</sup> READ

**MAY 26, 2015  
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**12. COUNCIL COMMENTS**

*Councilman Rudicell* spoke regarding Memorial Day. He also spoke regarding the de-annexation saying he just found out about it a couple of weeks ago, and he heard it has been going on for a while. He mentioned the DISC project saying that council has not voted to appropriate funds, and the BP funds may or may not be available.

*Councilman Lake* concurred with Councilman Rudicell's comments regarding the de-annexation. He would like to have been given the information way ahead of time. He said the other properties need to be looked at for the DISC project. He is not in favor of giving money to the project. He has some ideas to present to the IDB.

*Councilman Fry* said he hoped everyone enjoyed the Memorial Day weekend. He said everyone needs to remember the servicemen past and present every day. He heard good comments on the flags throughout the city. He gave kudos to the Public Works staff that was involved in the Keep Daphne Beautiful Day. He said there was a good turnout for the event, and this was another great positive for the city. He recognized Mr. Mike Brown, Executive Director of the Red Cross in our area, and his son Matt who is working on his civics badge.

*Councilman Scott* attended the Big Band concert at Bayfront Park, and said it was great entertainment. He said the Bayfront is a gem for Daphne, and encouraged folks to use the park.

*Councilman Davis* asked citizens to remember what Memorial Day is about, recognizing the sacrifice of past and present servicemen. He encouraged council and citizens to attend the IDB meetings. They are trying hard not to ask the city for any money for the DISC project other than what they get from the lodging tax.

*Mayor Haygood* hoped everyone had a great Memorial Day. He said it was a good time for him to reflect. He mentioned Project Bloom saying that he is trying to change the visibility of the city, and have people recognize Daphne.

*Council President Conaway* asked all the citizens from the Whispering Pines and Pollard area to stand. There were about 15 residents present. She thanked them for coming to the meeting.

**13. ADJOURN:**

**MOTION BY Councilman Scott to adjourn. *Seconded by Councilman Lake.***

**MOTION CARRIED UNANIMOUSLY**

**THERE BEING NO FURTHER BUSINESS TO DISCUSS, THE MEETING ADJOURNED AT 7:52 P.M.**

Respectfully submitted by,

Certification of Presiding Officer

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

\_\_\_\_\_  
Tommie Conaway,  
Council President

May 24, 2015

Dr. Pam Henson  
810 Juniper Court  
Daphne, AL 36526

Dear Councilwoman Conaway,

First, I apologize that I could not be at the meeting tonight; I am out of town on business. I am writing this letter because I have experienced problems with the septic tank on our property. I moved into my home on Juniper Court in January of 2000, within a month, I had to have the septic tank pumped. At that time, sewer service was being installed on streets in the area surrounding Juniper Court. I inquired, but was never given a reason "why" Juniper Court was being excluded. Over the years, I continued to have the tank pumped at least once a year. In 2009, the problems became worse. After utilizing the washing machine or after long periods of rain, I had water standing in and around the tank in the yard (this is not a healthy situation). At that point, I began to have the tank pumped twice a year, only to have the septic tank men tell me "it was nothing but water." This has continued over the last six years. I finally decided the washing machine could only be utilized once a week.

In late January of 2014, I called the City of Daphne and inquired about our area receiving sewer services. I was originally told we were on the long range plan to receive services, shortly thereafter, I learned this was not correct. Therefore, I contacted my Councilwoman, Tommie Conaway, who has worked tirelessly to help with this situation.

We desperately need public sewer in the Whispering Pines community. Some of my neighbors have had sewage back into their homes. Many of us have had numerous problems with our septic tank and very much want to connect to the public sewer in the City. Why have we not been offered the same services as everyone else?

Please consider this request to provide sewer service to our area; it only makes Daphne a stronger community and better place to live. Thank you for considering this request.

Thank you,

*Pam T. Henson*

*Pam T. Henson*

DRAFT

City of Daphne Recreation Facilities

Master Planning, Design and Construction Phase Services

May 26, 2015

SUMMARY OF SERVICES

Volkert proposes the following Scope of Services:

**Phase 1: Pre-Design Services**

- A) Site surveying
- B) Environmental Investigations
- C) Master Planning

**Phase 2: Design Services**

- A) Project Administration
- B) Civil engineering
- C) Landscape architectural
- D) Architectural design
- E) Mechanical engineering
- F) Electrical engineering

**Phase 3: Construction Phase Services**

- A) Construction Contract Administration
- B) Construction Site Representation
- C) Technical support for bidding
- D) Technical support for construction administration

I. **SCOPE OF SERVICES**

**Phase 1: Pre-Design Services**

A. SITE SURVEYING

Prepare topographic surveys of Parcels A, B & C as shown on the attached aerial photographs, located on the City of Daphne's properties near Park Drive and at Lott and Trione Parks. The Topographic Survey will be performed to the current Minimum Standard of Practice for Surveys in Alabama to category 1 precision as detailed in the regulations. The map of survey will be prepared at 1"=100' scale or a scale approved by client to show the property on a single sheet. The Map will show wetlands as delineated by others, flood zones, setbacks and zoning issues that can be indicated graphically. Utilities, drainage ways and culverts, rights-of-way and easements will be shown to the extent that they are visible in the field or that

Volkert is made aware of by the Owner in lieu of a title report. The bearings will be relative to current published data for Alabama State Grid.

The topography and Benchmarks will be set relative to local published datum for NAVD 88 elevations. The Map of survey will be prepared at a scale of 1"=30'. The survey will show 1' interval contours prepared from spot shots at minimum 50' interval and along break lines.

## B. ENVIRONMENTAL INVESTIGATIONS

This task includes identifying and reporting potential environmental effects of the proposed park improvements and corresponding existing or additional environmental permitting coordination or acquisition requirements. It is understood that previous wetland delineations and corresponding permitting performed for the City's Park Drive property and approved by the USACE are still valid.

## C. MASTER PLANNING

### **Task 1: Park Planning Team Workshop**

In this task we will gather and assemble information regarding the sites, prepare for the Parks Planning Team (PPT) workshop, conduct the workshop, prepare a preliminary program which will be prioritized based on the workshop results and compile decisions made and direction provided by the PPT in the workshop.

Preparation for the workshop will include preparing a presentation and boards that illustrate park planning options considered to date, key planning and design issues to be considered with respect to each park site and refine techniques for decision making and prioritization during the meeting. The planning team will also re-visit the site inventory and analysis conducted during the proposal and will visit each site once again prior to the workshop.

We will conduct the workshop with the PPT in Daphne. The workshop will include an overview of existing master plan options, development of specific goals and objectives, criteria for evaluating options, development of potential options, evaluation of the options, prioritization for plan implementation and an initial review of park programming details through the use of an Athletic Complex Checklist. This checklist will assist in defining the program for recreation facilities, material and systems selection, etc., that will guide the master plan and establish baselines for development of the opinions of probable cost. The desired outcome of the workshop will be to develop a consensus on what facilities are to be developed at which park site, a preliminary program for each site and facilities, the priorities for each facility for implementation and the budgetary constraints that the phasing plan needs to be developed under and general direction regarding the desired arrangement of facilities at each site. Following completion of the workshop, we will develop a written and graphic summary of the results of the workshop including key decisions made for distribution to the participants. This will form the basis for the development of preliminary master plan options.

### **Key Task Outcomes:**

- Consensus on what facilities are to be developed at which park site

- Preliminary program for each site and the facilities
- Implementation priority for each facility
- Budgetary constraints
- General direction regarding the desired arrangement of facilities on each site

### **Task 2: Preliminary Master Plan Development Options**

Following the workshop, we will utilize the results of the PPT workshop, program information, the results of the site inventory and analysis to prepare up to two (2) alternative conceptual master plans for each park site. The concept plans will illustrate the location, size, type, character, and scale of the proposed improvements in a diagram format. We will review these concepts at a meeting with the PPT to receive their input. A top-level comparative cost will be discussed with the PPT for each option. During this meeting, we will come to a consensus with the PPT regarding a preferred direction on a master plan option for each site.

#### **Key Task Outcomes:**

- Selection of a preferred master plan option for each site

### **Task 3: Draft Master Plan Synthesis**

In this task, we will refine the preferred alternative diagram based on input received from the PPT public into a more finished preliminary plan that will more accurately depict the location, scale, and character of the proposed improvements within each park. For the Park Drive site, we will prepare a preliminary grading plan in order to more accurately estimate costs for earthwork. We will prepare initial preliminary opinions of probable costs for the implementation of the plans for each park and phasing recommendations based on the budgetary constraints and priorities developed in the PPT workshop. This information will be presented at a meeting with the PPT for review and comment.

#### **Key Task Outcomes:**

- Refinement of master plans
- Preliminary grading plan for Park Drive
- Phasing recommendations
- Project budget definition and refinement
- Consensus on plans to be presented to the City Council

### **Task 4: Preliminary Final Master Plan Refinement**

Based on comments received from the PPT, we will complete final rendered plans for each site and a brief written final report documenting the master planning process, which will contain

reduced copies of the rendered plan, supporting documentation, and the opinions of probable cost. Copies of the final draft plan and report will be provided to the PPT for review and comment.

**Key Task Outcomes:**

- Preparation of final draft master plan and report
- Draft copies of the final plan and report submitted to the PPT for review
- Make any necessary revisions as a result of PPT comments
- Prepare copies of the final plan and report for submission to City Council

**Task 5: Final Master Plan Refinement**

- Present the draft final plan to City Council.

**Key Task Outcomes:**

- Approval of the plan by the City Council subject to any revisions they may require
- Make any necessary revisions as a result of comments received

**Task 6: Final Master Plans**

Make any necessary revisions to the draft plan and report as a result of comments received and submit the final deliverables to include:

- One mounted copy of the color rendered conceptual master plan for each park
- 10 copies (more or less depending on Client requirements) of the final written report documenting the planning process including a reduced copy of the color rendered master plan, recommended phasing of construction, preliminary opinions of probable cost by phase
- Electronic copies of the color rendered master plan and final report in .pdf format.

**Key Task Outcomes:**

- Completion of the Master Planning Phase

**Task 7: Signage and Branding Concepts**

Provide signage and branding options that will coincide with the City's overall master signage and branding program. Meet with designated personnel with the City to develop signage concepts that will allow readily recognizing City of Daphne park facilities and corresponding uses.

**Key Task Outcomes:**

- Developing a branding program and signage design that will consistently identify Daphne parks and corresponding activities

## **Phase 2: Design Services**

Volkert will coordinate with all designated project design consultants to monitor project progress including completion schedules, construction budget costs, and required permit & planning submittals. Monthly reports will be provided to the City for tracking the project progress including completed and anticipated tasks, schedules and costs.

Volkert will develop the preliminary design, specifications and scopes of work descriptions for each park that are to be constructed within the available budget funds based on the selected Master Plan improvements. Design services performed by Volkert and the other consultants selected by the City for identified areas will include the various design disciplines necessary to prepare the final construction plans and technical specifications for receiving construction bids for the park improvements and for support during construction. Submittals to the City for review, comment and approval will include a 30% complete submittal by Volkert to further verify the estimated costs and define the specifications, along with a 50% complete submittal, a 90% complete submittal and a 100% complete submittal by HMR/Lose for the grass athletic field improvements and by Hatch, Mott, McDonald for the tennis facility and the remaining required facilities by Volkert for issuing for construction bids.

### **A. CIVIL ENGINEERING SERVICES**

Volkert will provide civil engineering design services to include preliminary site layout, roadway and parking lot design, site utilities design, grading/drainage/erosion control design, earthwork calculations, opinion of probable construction cost (OPCC) and technical specifications for the selected Master Plan improvements and the final design for items that are not included in the HMR/Lose and Hatch, Mott, McDonald scopes of work. Specific items are noted as follows:

#### Site Layout Design

Provide professional Civil Engineering design services illustrating the location of proposed improvements. Coordinate geometry will be provided for critical site features. This information will be provided in a format such that the successful contractor will be able to locate items on the proposed site.

#### Roadway and Parking Lot Design

Provide professional Civil Engineering design services illustrating the proposed entrance roadway and parking lot location, size, and elevations. Plan and profile drawings will be drawn as required for local review and approval. Plans will include the following items:

1. Centerline geometry(horizontal and vertical) and plan dimensions;

2. Inlet locations;
3. Typical roadway and parking lot sections;
4. Curb and gutter details;
5. Sidewalk size and location;
6. Roadway and parking lot location for layout purposes;
7. Details as required.

### Site Utilities Design

Provide professional Civil Engineering design services illustrating the proposed sanitary sewer system, connection to existing sanitary sewer service, and water system layout and design as required for local review and approval. Plans will include the following items:

1. Sanitary sewer location and size;
2. Sewer profile (if necessary);
3. Connection to existing adjacent sewer service location;
4. Water line size and locations;
5. Fire Hydrant locations, as required;
6. Connection of water line to main;
7. Tap and meter locations;
8. Details as required.

Hydraulic computations will be prepared for regulatory reviews and approval. This design will be in accordance with the regulations, standards and specifications of the State and local agencies having jurisdiction.

### Grading, Drainage and Storm Water Management System Design/ Phased Erosion Control Design

Provide professional Civil Engineering design services to illustrate site grading, surface conveyances, proposed storm water drainage system. Plans will include the following items:

1. Horizontal and vertical alignments of piped and surface conveyances;
2. Typical ditch sections;
3. Grading, as required;
4. Retaining wall design (as required);
5. Details for storm water collection and conveyance;
6. Temporary sediment ponds, as required;
7. Storm water detention areas, as required;
8. Erosion, sediment and pollution controls.

Storm water calculations will be accomplished using approved methods. Temporary sediment ponds may be required as part of the project detention/erosion and sediment controls. The storm water design will accommodate on-street and off-street drainage. A storm water management report (hydrology and hydraulics) will be prepared as required. Plans will also include erosion, sediment and pollution controls using accepted Best Management Practices (BMP's). In addition, a Storm Water Pollution Prevention Plan (SWPPP) will be developed.

## B. LANDSCAPE ARCHITECTURAL SERVICES

Provide landscape architectural design services for the proposed complex. Services are to include the overall project design focusing upon vehicular/pedestrian circulation, sports field layout and design, hardscape design, irrigation design and planting design.

### Planting Design

Provide professional landscape architectural design services illustrating the proposed planting design for the areas immediately adjacent to the ball field complexes and other areas as permitted by the budget. Plans will illustrate the following items:

- a. Plant location;
- b. Plant type;
- c. Plant name (scientific and common);
- d. Plant size;
- e. Notes;
- f. Details;
- g. Quantity.

Plans will be drawn to a known scale.

### Irrigation Design

Provide professional irrigation for the sports fields and common areas in the parks. Plans will be drawn to a known scale and will illustrate the following:

1. Point of connection to water source;
2. Meter size and location;
3. Backflow size and location;
4. Controller location;
5. Main line size and routing;
6. Valve size, type and location;
7. Lateral line size and routing;
8. Irrigation head, type, and location;
9. Quick coupler location;
10. Notes and details;

### Hardscape Design

Provide professional landscape architectural design services illustrating the proposed hardscape features for the project area. Proposed features are to focus on the following areas:

1. Plaza areas between ball fields and adjacent buildings;
2. Amenity areas;
3. Specialty pavement.

Plans will illustrate the following:

1. Material type and finishes;
2. Dimensions and layout;
3. Spot elevations and slopes;
4. Drainage inlets and piping;
5. Utility locations;
6. Notes, details, etc.

#### Sports Field Design:

Provide professional landscape architectural design services illustrating the proposed sports fields. Plans will illustrate the following:

1. Sports field layout, design and grading;
2. Turf design and details
3. Fencing, backstop, and dugouts;
4. Irrigation;
5. Sports field equipment locations (goals, foul poles, etc.)
6. Notes, details, etc.

#### Site Wayfinding Signage

Provide design, specifications and an overall site map for the on-site wayfinding/directional signage for each park complex and for other areas that provide direction to the various park complexes.

### C. ARCHITECTURAL/STRUCTURAL DESIGN SERVICES

Provide professional architectural and structural engineering design services for the proposed buildings in the parks. Plans will include:

1. Plans and elevations;
2. Building and wall sections;
3. Details;
4. Room finish and door schedule;
5. Structural framing plans and details;
6. Building foundation and slab design.

### D. MECHANICAL ENGINEERING DESIGN SERVICES

Provide professional mechanical engineering design for the proposed buildings. Services are to include the following items:

1. HVAC design;
2. Waste, vent and domestic hot and cold water piping to all toilet and concession areas and any other fixtures requiring plumbing;
3. Coordinate site plumbing requirements with site civil engineers;

## E. ELECTRICAL ENGINEERING DESIGN SERVICES

Provide professional electrical engineering design services for the site, sports fields, roadways, parking lots and buildings. Specific items included are as follows:

1. Site electrical distribution;
2. Sports field lighting;
3. Parking area and roadway lighting;
4. Building electrical design;
4. Notes and details.

### **Phase 3: Construction Phase Services**

#### A. TECHNICAL SUPPORT FOR BIDDING SERVICES

Provide professional services related to supporting the City of Daphne to include bidding and awarding of the construction contract for the project. These services will begin upon the successful completion of final construction documents and will occur on an as needed basis. Specific items included are as follows:

1. Preparation of a project manual including all front end and technical specifications necessary for bidding the project.
2. Assist with advertisement and solicitation of bids;
3. Prepare addendums as required during the bid phase;
4. Conduct a pre-bid meeting;
5. Prepare and issue meeting minutes of pre-bid meeting;
6. Respond to contractor questions;
7. Prepare certified bid tabulation;
8. Submit recommendation of award;

#### B. TECHNICAL SUPPORT FOR CONSTRUCTION ADMINISTRATION SERVICES

Provide professional services related construction administration of the project on an as needed basis. These services will begin at the pre-construction meeting and end with project closeout services. Specific items included are as follows:

1. Pre-construction conferences;
2. Review and approval of contractor shop drawings, submittals, progress schedule, and schedule of values and monitor for performance during the contract period;
3. Review and approval and recommendation of payment of contractor monthly pay requests;
4. Conduct monthly construction progress meeting and issue meeting minutes;
5. Review change order requests;
6. Provide necessary interpretations and clarifications of the contract documents;
7. Provide periodic site visits (at least twice per month) to observe the progress of construction;
8. Participate in punch list inspection;
9. Issue notice of Substantial Completion;

10. Conduct final project closeout.
11. Warranty Inspection

## II. ASSUMPTIONS

Volkert will provide the above noted services based upon a given set of assumptions. These assumptions are as follows:

- A) Appropriate sanitary sewer, water, gas, electric and communication services are available to the site; off-site design services can be provided as an additional service.
- B) Construction administration services are based upon a twelve month construction schedule;
- C) Total project construction budget is to be determined with the completion of the master plan.
- D) Construction is currently expected to commence and be completed by early 2017. It is assumed that the work will be bid in a single bid package and the construction contract will be awarded to a single General Contractor on a lump sum basis.
- E) Project is to be funded with 100% local funds such that there is no regulatory requirements outside the City that will govern the design and construction process other than those typically required by the State for erosion control, environmental protection, etc.
- F) Services/Information by Others
  1. Geotechnical and geophysical investigations are not included however Volkert can assist the City in procuring these services and providing coordination.
  2. Testing and geotechnical services during construction are not included herewith;
  3. Permit and recording fees, cost for advertisement for bids, etc. and all other associated costs to be paid by the City of Daphne;
  4. Schedule is dependent upon the timely receipt of critical information such as receipt of permits, responses from regulatory authorities, Owner and Contractor;
  5. Zoning changes, re-platting, and/or subdivision of property by others.

## III. ADDITIONAL SERVICES

Volkert is available to provide additional services as requested by client as needed. These services are as follows:

- A. Traffic studies;
- B. Construction staking surveys;
- C. Any environmental studies and reports, sink hole disturbance permitting, wetland mitigation, ARAP permits for wetland mitigation and/or stream relocation, etc. other than those included in Master Planning.
- D. Archeological studies;
- E. Preparation of utility and access easements;
- F. Revisions to plans to incorporate text revisions issued by bid document addendums;
- G. Preparation of multiple, separate construction contract packages;
- H. As-built surveys and/or construction record surveys;

- I. Services resulting from significant changes in general scope or character of the project or its design following approval of the 50% and 90% submittals and during construction, particularly those resulting from differing field conditions discovered during construction (such as, but not limited to, soil conditions);
- J. Record drawing preparation based upon markups prepared by the general contractor;
- K. Development of site plan graphics and perspective drawings for marketing purposes other than those identified as part of Basic Services;
- L. ALTA/ACSM land title surveys;
- M. Platting and recording services;
- N. Mortgage surveys and or surveys for title companies and lending institutions;
- O. Resident Project Representation (RPR) services.
- P. Construction phase services beyond the date of substantial completion if the Contractor exceeds the construction contract time.

Other Additional Services can be provided for a negotiated lump sum fee or on a per hourly rate basis of actual labor cost multiplied by a multiplier of 3.0.

#### **IV. TIME OF PERFORMANCE**

Volkert is prepared to begin work immediately upon receipt of a signed professional services agreement or written authorization to proceed. The work will be completed as quickly as possible in order to get the project issued for bid as soon as possible.

#### **V. OWNER'S RESPONSIBILITIES**

Volkert strives to work closely with our clients. In order for the project team to function efficiently certain information is needed to be provided by the Owner and other interested stakeholders. These items and responsibilities are noted below:

- A. Provide information as required to support development of Volkert's scope as required in the project agreement for services;
- B. Provide review comments in a timely manner;
- C. Provide single point of contact for project coordination purposes.

#### **VI. DELIVERABLES**

The following is an anticipated list of deliverables that will be produced as a part of this effort.

- 1. Topographic surveys;
- 2. 2 copies of 30%, 50%, 90% and 100% complete submittals;
- 3. 2 complete sets of construction plans, notes, project manual, and details (plans will be distributed to bidders using a virtual plan room);
- 4. Meeting notes and site observation reports;
- 5. Opinions of Probable Construction Cost(OPCC)

#### **VII. COMPENSATION**

The compensation to be paid to Volkert for providing requested services shall be as follows:

## **Master Planning/Pre-Design Services**

- A. Topographic Survey
  - i. Park Drive - \$21,000 Lump Sum
  - ii. Lott Park - \$8,500 Lump Sum
  - iii. Trione Park - \$19,600 Lump Sum
- B. Master Planning
  - i. Task 1 – PPT Workshop - \$17,000 Cost Plus
  - ii. Task 2 – Preliminary Master Plan Development Options - \$37,000 Cost Plus
  - iii. Task 3 – Draft Master Plan Synthesis - \$21,000 Cost Plus
  - iv. Task 4 – Preliminary Final Master Plan Refinement - \$19,000 Cost Plus
  - v. Task 5 – Final Master Plan Refinement - \$7,000 Cost Plus
  - vi. Task 6 – Final Master Plan - \$4,000 Cost Plus
  - vii. Task 7 – Signage and Branding Development - \$9,000 Cost Plus
- C. Environmental Review - \$5,000 Cost Plus
- D. Total Estimated Fee - \$163,100

## **Design and Construction Phase Services**

Volkert proposes to provide Project Administration services on a cost plus basis with a 3.0 multiplier with a current estimated maximum fee of \$150,000 for the design and construction duration of the selected Phase 1 Master Plan improvements.

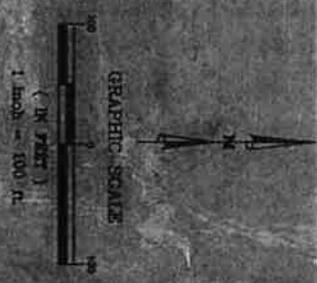
The Volkert proposes to complete the preliminary design (30% Complete) services on a cost plus basis with a 3.0 multiplier with a current estimated maximum fee of \$212,000. Volkert will invoice monthly for work completed based on actual monthly costs.

The fee for performing the remaining 50%, 90% and 100% design plans and construction phase services will be based on a negotiated percent of construction fee of the actual construction costs. Until the final construction cost is known, monthly progress payments will be made based on a percent of the design or construction is completed, as appropriate, based on the estimated construction costs. This percentage will include the fees for the design and construction phase services to be provided Volkert/Barge, Waggoner, Sumner and Cannon, Inc., HMR/Lose and Associates and Hatch, Mott and McDonald.





**SPECIFIC PURPOSE SURVEY**  
 SKETCH OF DUTCAM, DEED (INSTRUMENT NO. 877917)  
 FROM RIGHT-OF-WAY THE STATE OF ALABAMA, CONVERTED  
 TO CYPRESS/SPANISH FORT I, L.P.



**HUTCHINSON, MOORE & RAUCH, LLC**  
 ENGINEERS & SURVEYORS  
 11500 W. UNIVERSITY BLVD.  
 SUITE 100  
 HOUSTON, TEXAS 77057

SANITARY  
MENT  
G. 513)

UTILITY EASEMENT  
(INSTRU. NO. 1042813)

ABANDONED 25' UTILITY  
(INSTRU. NO. 644604)

LOT 7

MARKS FURNITURE CO, INC  
d/b/a LA-Z-BOY FURNITURE  
GALLERIES OF DAPHNE AND  
SPANISH FORT PARCEL

EASEMENT

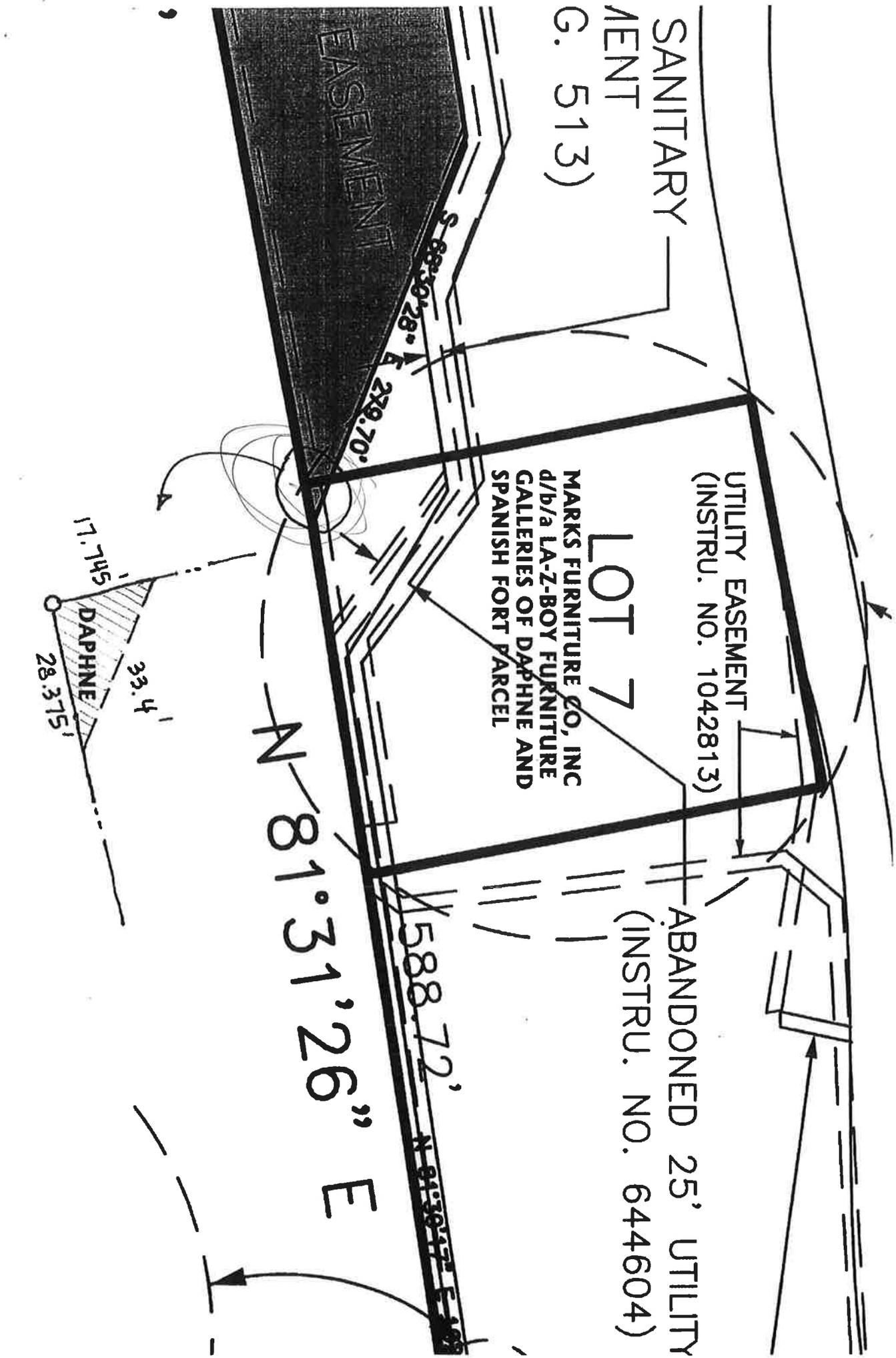
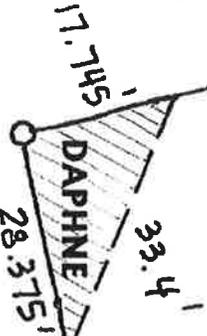
N 81°31'26" E

588.72'

N 91°30'47" E 108

279.70'

S 68°30'28" E





# **ORDINANCE COMMITTEE**

*Wednesday, May 26, 2015  
City Hall Executive Conference Room  
1705 Main Street  
Daphne, AL  
5:30 P.M.*

*Councilman Ron Scott, Chairman  
Councilman Randy Fry  
Councilman Pat Rudicell  
Councilman Robin LeJeune*

*Councilwoman Tommie Conway  
Councilman John Lake  
Councilman Joe Davis*

## **I. CALL TO ORDER/ROLL CALL**

The chairman declared a quorum was present and called the meeting to order at 5:35 p.m.

**Members Present:** Ron Scott; Randy Fry; Pat Rudicell; Robin LeJeune; Tommie Conaway; John Lake (*arrived at 5:55 p.m.*); Joe Davis.

**Also Present:** Rebecca Hayes, City Clerk / recording secretary; Richard Johnson, Public Works Director.

## **II. APPROVE MINUTES / April 20, 2015**

There were no corrections to the April 20, 2015 minutes and stand approved as written.

## **III. PUBLIC PARTICIPATION**

No one spoke.

## **IV. ORDINANCE REVIEW/DISCUSSION**

### **a.) Discuss: Update on Mobile's Regulate the Distribution of Handbills Ordinance**

Mr. Ross sent a message saying that Mobile met with representatives from AL.com to iron out issues with the ordinance, and at the end AL.com was good with the result. Councilman Scott said that he will put the ordinance on the June agenda, and requested that Mr. Ross have a representative from AL.com at the meeting to discuss the ordinance.

### **b.) Discuss: Ordinance Adopting the Codification of Ordinances**

Council had a question regarding Section 4 dealing with fines and asked who sets the fines, and regarding Section 2 and 3 repealing of ordinances saying that it was confusing Mrs. Hayes will get with the City Attorney to discuss the ordinance, and bring it back to the June meeting.

**V. ANY OTHER BUSINESS DEEMED NECESSARY**

The committee discussed the pay adjustment for Department Heads, and said this will be discussed at a Finance Committee meeting.

The committee would like the Code Enforcement Officer to attend the meetings.

**VI. NEXT MEETING / June 15, 2015**

**VII. ADJOURN**

**MOTION BY Councilman LeJeune to adjourn. Seconded by Councilwoman Conaway.**

**MOTION CARRIED UNANIMOUSLY**

**THERE BEING NO FURTHER BUSINESS TO DISCUSS THE MEETING  
ADJOURNED AT 6:15 P.M.**

**DOWNTOWN REDEVELOPMENT AUTHORITY**  
**1705 MAIN STREET, DAPHNE, AL**  
**May 27, 2015**

**COMMITTEE MINUTES**

**Members Present:** Casey Zito, Dorothy Morrison, Ken Balme, Debbie Strahley, Dayna Oldham, Patricia Vanderpool, Doug Bailey

**Also Present:** Councilwoman Tommie Conaway; Sarah Toulson (Recording Secretary); Mary Helmer, Main Street Alabama

***Vice-Chairman Ken Balme called the meeting to order at 5:35 p.m.***

**1. Public Participation**

No one spoke.

**2. Approval of Minutes**

**Motion:** to approve the minutes from the April 22, 2015 meeting as written.  
**Moved by Dayna Oldham, Second by Dorothy Morrison.**

**Carried unanimously.**

***Chairman Casey Zito arrived at 5:37 p.m.***

**3. Treasurer's Report**

Chairman Zito reviewed the Treasurer's report, stating DRA funds currently stood at \$156,602.40 and noted that this amount included the \$15,000.00 payment to Ameri'ca Jones Designs, LLC for construction of bicycle racks.

**Motion:** to approve the April 22, 2015 Treasurer's Report as written. **Moved by Dorothy Morrison, Second by Kennard Balme.**

**Carried unanimously.**

**4. Bicycle Racks**

Chairman Zito reported that the bicycle racks had been delivered to Daphne Public Works as of Wednesday, May 26. Public Works staff will pour concrete slabs and otherwise prepare the racks for installation.

***Patricia Vanderpool arrived at 5:40 pm.***

## **5. Main Street Alabama**

Mary Helmer of Main Street Alabama presented to the DRA, explaining the Main Street Alabama Program's different tiers of service and opportunities.

**Motion:** To allocate funding and approve joining the Alabama Downtown Network for \$300.00. **Moved by Ken Balme, Second by Doug Bailey.**

**Carried unanimously.**

## **6. Other Business Deemed Necessary**

*With no other business to consider, the meeting was adjourned at 7:00 p.m. Moved by Dorothy Morrison, seconded by Kennard Balme. Motion carried unanimously.*

*Next Meeting: June 24<sup>th</sup> at 5:30 pm.*

The City of Daphne  
Planning Commission Minutes  
Regular Meeting of April 23, 2015  
Council Chamber, City Hall - 5:00 P.M.

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Call to Order:

The regular meeting of the City of Daphne Planning Commission was called to order at 5:04 p.m. The number of members present constitutes a quorum.

Call of Roll:

Members Present:

Charles Smith  
Don Terry  
Larry Chason, Chairman  
Ron Scott, Councilman (departed @ 6:15 p.m.)  
Hudson Sandefur  
Chief White (departed @ 6:12 p.m.)

Staff Present:

Adrienne Jones, Director of Community Development  
Jan Vallecillo, Planning Coordinator  
Jay Ross, Attorney (arrived @ 5:20 p.m.)

The first order of business is the approval of the minutes.

Chairman asked for questions, comments or corrections to the minutes ***of the regular meeting of March 26, 2015. There being none, the minutes are approved as submitted.***

The next order of business is site plan review for Team Gunther Volkswagen.

An introductory presentation was given by Mr. Jared Landry and Mr. Gary Cowles, representatives of Cowles, Murphy, Glover & Associates, of an automobile sales and service facility located northwest of the intersection of Renaissance and Frederick Boulevard.

Chairman asked if staff comments had been addressed. Mr. Cowles stated we addressed all of your questions presented at the site preview meeting. An indemnification form was submitted stating that the common detention facility will be maintained by the Renaissance Improvement District and in response to Councilman Scott's question, indicated that construction would likely begin within the next month.

Chairman asked for Commission questions or comments and a motion for approval.

**A Motion** was made by Mr. Scott and **Seconded** by Mr. Terry **to grant site plan approval to Team Gunther Volkswagen.**

**The City of Daphne  
Planning Commission Minutes  
Regular Meeting of April 23, 2015  
Council Chamber, City Hall - 5:00 P.M.**

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***There was no discussion on the motion. The Motion carried unanimously.***

The next order of business is site plan review for Sweeney Dentist Office.

An introductory presentation was given by Mr. Larry Smith, representative of S.E. Civil, of a dental office located southwest of the intersection of Mill Lane and McSara Court and stated all of the comments were addressed prior to the last meeting.

Chairman stated the conversation at the work session was mainly about the situation with common detention facility and asked Mr. Smith if he had discussed this with his client. Mr. Smith stated the owner is aware of it; however, it appears that the POA is in infancy as to moving this forward with this issue.

Chairman stated for the sake of fairness, the Commission will hear from the POA's representative on this development that drains into their pond and called for a presentation from the TimberCreek POA regarding the central detention facility agenda item to be moved up.

Mr. Pittman, attorney for the TimberCreek POA, presented the time line of the development of TimberCreek Subdivision: development of lots began in early 1990, no flooding in TimberCreek Subdivision, Phase A and B on Pine Court until the development of the commercial area in 2010 or 2011. In 2013, common detention facility outflow structure failed during a normal spring rain event, resulting in flooding in yards, not homes. Thereafter, TimberCreek POA modified the outflow structure to allow storm water to dissipate more quickly than it had in the past. In 2014, there was a five hundred year rain event occurred with no problems within TimberCreek or downstream. In 2015, upon review of Schild Investment site plan application, the POA expressed their concerns about further commercial area development without onsite detention or sharing some of the load of this detention pond We, basically, came before you and said we do not want to hold up development, but the problem resolved.

Mr. Pittman, read correspondence from Schild Investments, L.L.C., Johanna Schild, President in regard to detention and cost reimbursement. As a result of the Schild application, Mr. Pittman stated he reviewed restrictive covenants for the land and presented Section 2.01 and further discussed the detention pond repair in 2014 initiated by the Schild application. Mr. Pittman stated that TimberCreek POA is asking that the Commission require the provision of onsite detention or require the developer to participate in the pro rata cost of the maintenance of the detention pond. Otherwise, the POA is opposed to any further TimberCreek Commercial Park development without onsite detention.

**The City of Daphne  
Planning Commission Minutes  
Regular Meeting of April 23, 2015  
Council Chamber, City Hall - 5:00 P.M.**

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Mr. Pittman stated Larry Bouldrey, TimberCreek resident, an engineer, and member of TimberCreek POA Board, made a point that even with onsite detention, the storm water still has an outflow that ends up in the common detention pond, thus we are simply asking that anyone who utilizes that pond share in the expense of maintenance.

Chairman stated one of the things that we talked about at the work session that I would like for you to comment on is the fact that there were pictures given that show part of the reason that the detention pond was not functioning properly was not design, but rather a lot of debris and trash that made its way into the system.

Mr. Pittman agreed with Mr. Chason that some component of it was due to that and further stated that TimberCreek has spent approximately eight thousand dollars repairing that outfall structure to its original specifications. They have engaged their landscaping company to monitor, clean it out as needed, and maintain it.

Chairman commented that at the time of the submittal of every application of a commercial site, an engineer has stated that the detention pond has the capacity to handle additional storm water, that is the way it was designed, and it is functioning correctly.

Chairman asked the purpose of constructing a detention facility, if one is in place and functions when maintained and accommodates the additional storm water. Mr. Pittman stated they are basing that on the findings of an engineer from 1989 without any commercial development in place and with proper maintenance and removal of siltation. In response, the Chairman stated what you have discussed is who will be responsible for maintenance, and that would not be the responsibility of the Planning Commission. If you wished to change the operation of the system, that would be Richard Johnson, Public Works Director. That would not come to us. My concern is imposing a requirement to construct another pond.

Mr. Scott stated this would be an issue of covenants, and we do not see those. There is a plat that states that the storm water from the commercial district drains to that pond. The engineer calculated the impervious surfaces based on the zoning of that district and signed off on it. The City is being asked to get involved in a civil situation. Mr. Pittman stated you do not have to be an engineer to know that it was not engineered properly because the outfall structure blew out.

Mr. Pittman stated the POA cannot pursue the engineering firm from 1991 because it no longer exists. We are asking that the Commission impose a requirement that is reasonable. Let's impose a moratorium until we get an individual engineer and not the one that engineered it to say that the system was properly designed. Although you said this is a private matter of which you cannot get involved, the City did get involved in September, 2014 by asking the POA to repair the pond.

**The City of Daphne  
Planning Commission Minutes  
Regular Meeting of April 23, 2015  
Council Chamber, City Hall - 5:00 P.M.**

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Mr. Pittman stated now I think the City has ownership in this instance. I am asking that the commercial developments share in the cost of maintenance.

Chairman stated I have a few questions. He asked is there one set of covenants for the development. Mr. Pittman stated there are multiple sets of commercial covenants. Chairman asked does the set that you read include the Sweeney property. Mr. Pittman stated it is for Lot 4 of TimberCreek Commercial Subdivision, Phase Two, Northwest Quadrangle. They were all done by the original developer.

Mr. Ross asked how the City can impose a duty that we do not possess. He stated he had received correspondence that TimberCreek POA would object to any further development unless the City of Daphne Planning Commission requires the developer to sign the detention basin agreement. There is no present mechanism to do that.

Mr. Pittman stated maybe you cannot, but you are on notice that there is a serious problem. What I would ask is for the Commission to deny any submission that does not have onsite detention.

Chairman stated one of your comments was that last week when we had a tremendous amount of rain and the system functioned properly. That is proof that if the detention pond is properly maintained that it functions properly. This is a problem that takes money to fix, and we are not a money group. Chairman stated this body does not have the purview and/or the authority to do that. He also reiterated that you stated that the detention pond is functioning properly and is being maintained regularly by a landscaping company.

Mr. Scott stated the Planning Commission did not ask the POA to return the pond back to its original specifications, Mr. Johnson, the Public Works Director, did. Chairman stated the site plan met the requirements. Mr. Pittman rebutted that Mr. Schild, did not keep his word.

Chairman commented that if the POA has data supporting that the design is inadequate, he suggested presenting it to the City Council. Mr. Pittman stated there is an issue with additional storm water and until we contact each client to discuss the maintenance of detention agreement, the POA opposes approval of Sweeney or any other development, unless they agree to work with us. Mr. Pittman stated Mr. Ross made a good point. I do not know if the City can do anything one way or the other, but you can say there is a problem.

The Chairman brought back for discussion the site plan review for Sweeney Dentist Office.

Mr. Smith, project engineer, stated if there is an issue regarding the central detention pond or participation in the maintenance, then Mr. Pittman should contact my client, Mr. Sweeney.

**The City of Daphne  
Planning Commission Minutes  
Regular Meeting of April 23, 2015  
Council Chamber, City Hall - 5:00 P.M.**

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Ms. Jones stated that the site plan is in compliance with the Land Use and Development Ordinance and supporting reports from applicable staff and utilities have been provided.

Mr. Ross stated this site plan complies with language in regard to drainage and storm water management facilities, as provided in Article XVIII of the Land Use and Development Ordinance. The Planning Commission has no authority to require commercial development to enter into a maintenance agreement with the POA or to require onsite detention. Ms. Jones stated utilities, staff and the Public Works Director concur that the site plan is in compliance.

Chairman asked if the comments have been addressed. Mr. Smith stated yes, followed by a motion for approval.

**A Motion was made by Mr. Scott and Seconded by Smith to grant site plan approval to Sweeney Dentist Office, in accordance with Article XVIII of the Land Use and Development Ordinance. There was no discussion on the motion. The Motion carried unanimously.**

The next order of business is a zoning amendment for Cadence Bank.

An introductory presentation was given by Mr. Steve Pumphrey, representative of Preble-Rish, of the rezoning of a six point zero two acre parcel located one quarter mile south of the intersection of County Road 64 and Pollard Road from an R-4, High Density Multi-Family residential, to a PUD, Planned Unit Development. This property was proposed as the second phase of the adjacent development, St. Charles Village, which consists of thirty-six units. The purpose of the application is in preparation for the construction of a PUD consisting of twenty-three buildings, three units per building, for a total of sixty-nine units. The development will be a part of the existing townhomes. It will have a separate gated private entrance, but share the pool and clubhouse. The POA will be under the same umbrellas as far as the responsibility to split and/or share maintenance of the facility.

Chairman opened the floor to public participation. No one came forth. He closed public participation and asked for Commission questions or comments and a motion recommending acceptance.

**A Motion was made by Mr. Scott and Seconded by Mr. Sandefur of an unanimous affirmative recommendation by the Planning Commission to the City Council of Daphne of the rezoning of a six point zero two acre parcel located one quarter mile south of the intersection of County Road 64 and Pollard Road from an R-4, High Density Multi-Family residential, to a PUD, Planned Unit Development for Cadence Bank. There was no discussion on the motion. The Motion carried unanimously.**

**The City of Daphne  
Planning Commission Minutes  
Regular Meeting of April 23, 2015  
Council Chamber, City Hall - 5:00 P.M.**

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The next order of business is a pre-zoning amendment for Cadence Bank.

An introductory presentation was given by Mr. Steve Pumphrey, representative of Preble-Rish, of the pre-zoning of a one point zero eight acre parcel, Lots 1, 2 & 3 of Bolar View Subdivision, located one quarter mile south of the intersection of County Road 64 and Pollard Road from an RSF-2, Single Family District, Baldwin County District 15 to a PUD, Planned Unit Development.

Chairman asked for Commission questions or comments and opened the floor to public participation.

Mr. Pumphrey stated that he had met with Mr. Young this morning regarding drainage.

Mr. Arnold Newman, 25719 Pollard Road, expressed his concerns about the proposed development. When the developer constructed the first phase, they destroyed my place and left it. He asked for the contact information for the developer and Councilman Scott advised that such information would be available in Community Development or from the engineer.

Ms. Vera White, 25738 Pollard Road, asked will the annexation of this property have an impact on her or her neighbor's property. Chairman stated it will not affect you.

Mr. Willie Young, 25602 Pollard Road, stated Mr. Pumphrey met with me this morning. He explained it was too early to address my concerns and would meet with me again when the drainage information is available for review.

Mr. Scott commented that this will go before the City Council and we would appreciate your attendance at that meeting to give your input.

Chairman asked for Commission questions or comments. He closed public participation and asked for a motion recommending acceptance.

**A Motion was made by Mr. Scott and Seconded by Mr. Sandefur of an unanimous affirmative recommendation by the Planning Commission to the City Council of Daphne of the pre-zoning of a one point zero eight acre parcel, Lots 1, 2 & 3 of Bolar View Subdivision, located one quarter mile south of the intersection of County Road 64 and Pollard Road from an RSF-2, Single Family District, Baldwin County District 15, to a PUD, Planned Unit Development for Cadence Bank. There was no discussion on the motion. The Motion carried unanimously.**

The next order of business is a petition for annexation review for Cadence Bank.

**The City of Daphne  
Planning Commission Minutes  
Regular Meeting of April 23, 2015  
Council Chamber, City Hall - 5:00 P.M.**

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An introductory presentation was given by Mr. Steve Pumphrey, representative of Preble-Rish, of the annexation of a one point zero eight acre parcel, Lots 1, 2 & 3 of Bolar View Subdivision, located one quarter mile south of the intersection of County Road 64 and Pollard Road as from an RSF-2, Single Family District, Baldwin County District 15 as a PUD, Planned Unit Development.

Chairman opened the floor to public participation. No one came forth. He closed public participation and asked for Commission questions or comments and a motion recommending acceptance.

**A Motion was made by Mr. Scott and Seconded by Mr. Sandefur of an unanimous affirmative recommendation by the Planning Commission to the City Council of Daphne of the annexation of one point zero eight acre parcel, Lots 1, 2 & 3 of Bolar View Subdivision, located one quarter mile south of the intersection on County Road 64 and Pollard Road as a PUD, Planned Unit Development. There was no discussion on the motion. The Motion carried unanimously.**

The next order of business is site plan review for Daphne Commercial Center.

An introductory presentation was given by Mr. Trey Jinright, representative of Jade Consulting, of a multi-tenant retail strip center located northeast of the intersection of Urgent Care Drive and Alabama Highway 181. He indicated that minor changes were made to the site plan to incorporate suggestions made in Ms. Jennifer Miller's letter to the Planning Commission submitted at the Site Preview meeting.

Chairman asked for Commission questions or comments and a motion for approval.

**A Motion was made by Mr. Scott and Seconded by Terry to grant site plan approval to Daphne Commercial Center. There was no discussion on the motion. The Motion carried unanimously.**

The next order of business is Planning Commission discussion.

An introductory presentation was given by Mr. Kevin Spriggs, representative of Spriggs Enterprises, requesting Planning Commission interpretation of Article 16, Section 3, Design Standards of the Land Use and Development Ordinance for Malbis Ventures Retail Shops, a *previously approved site plan*. Upon review of the site plan by the Historic Malbis Architectural Board, several minor changes were made to the site plan and as a result the loading area is shorter and wider than required by the Ordinance.

The City of Daphne  
Planning Commission Minutes  
Regular Meeting of April 23, 2015  
Council Chamber, City Hall - 5:00 P.M.

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Ms. Jones commented that the Planning Commission originally allowed a modification to the loading area in accordance with the parking provisions and in reviewing minor modifications to the original plan felt it would be appropriate for the Planning Commission to determine whether an additional modification would be considered.

Chairman asked for Commission questions or comments and a motion for approval.

**A Motion was made by Mr. Sandefur and Seconded by Terry to grant approval to Malbis Ventures Retail Shops regarding a modified loading area. There was no discussion on the motion. The Motion carried unanimously.**

The next order of business is public participation.

Chairman asked for public participation. No one came forward. He closed public participation.

The next order of business is the attorney's report.

Mr. Ross stated that he concurred with Chairman's comments that the Planning Commission does not have the authority to impose conditions on commercial development and the use of the common detention facility in TimberCreek Subdivision and/or onsite detention.

The next order of business is commissioner's comments.

Mr. Sandefur commented that he was not comfortable with the Planning Commission intervening in the maintenance of common detention facility issue of TimberCreek Subdivision and the lack of accessibility to internet in neighborhoods in the City of Daphne and Baldwin County.

The next order of business is director's comments.

Ms. Jones presented that the public hearing for Self Service Vending Unit Signage and B-2a, General Business Alternative, will be held at the City Council meeting of Monday, May 4, 2015 at 6:30 p.m., and the upcoming meeting dates are site preview, May 20, and regular meeting, May 28, 2015.

**There being no further business, the meeting was adjourned at 6:31 p.m.**

**Respectfully submitted by:**



Jan Vallecillo, Planning Coordinator

The City of Daphne  
Planning Commission Minutes  
Regular Meeting of April 23, 2015  
Council Chamber, City Hall - 5:00 P.M.

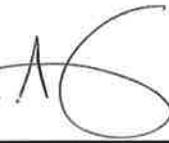
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Approved: May 28, 2015



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Larry Chason, Chairman



1.    **CALL TO ORDER**

2.    **CALL OF ROLL: LARRY CHASON, DON TERRY, CHIEF WHITE, CHARLES SMITH TYRONE FENDERSON AND MONTY MONTGOMERY**

3.    **APPROVAL OF MINUTES:**

Review of minutes for the regular meeting of April 23, 2015. **(APPROVED AS SUBMITTED)**

4.    **NEW BUSINESS:**

A.    **SUBDIVISION EXEMPTION REVIEW:**

1.    **File SRP15-03:            (APPROVED)**

**Subdivision:**    Replat of Lots 18 & 19, Ervin Subdivision  
**Zoning(s):**        *R-3, High Density Single Family Residential*  
**Location:**        Northeast of Japonica and Park Drive  
**Area:**              3.73 Acres ±, (2) lots  
**Owner:**            Francesca Ervin and John Bolton  
**Surveyor:**        Geo-Surveying - Matt & Jima Kountz

B.    **PRELIMINARY/FINAL PLAT REVIEW:**

1.    **File SDPF15-01:            (APPROVED)            PUBLIC HEARING**

**Subdivision:**    Peaceful Acres  
**Zoning(s):**        *RA, Rural Agricultural District, Baldwin County District 15, in the Extraterritorial Planning Jurisdiction of Daphne*  
**Location:**        24250 River Road North  
**Area:**              28 Acres ±, (3) lots  
**Owner(s):**        CGPCW Trust - Jacque Cory, Trustee  
**Surveyor:**        Moore Surveying - Seth Moore

C.    **PRELIMINARY PLAT REVIEW:**

1.    **File SDP15-01:            (APPROVED)            PUBLIC HEARING**

**Subdivision:**    Brookhaven, Unit 2, Part C  
**Present Zoning:** *R-3, High Density Single Family Residential*  
**Location:**        Northwest of the intersection of Whispering Pines Road and County Road 13  
**Area:**              4.28 Acres ±, (12) lots  
**Owner:**            Feliciter Investment Group, L.L.C. - Nathan Cox  
**Engineer:**        Preble-Rish - Steve Pumphrey

CITY OF DAPHNE  
PLANNING COMMISSION AGENDA  
REGULAR MEETING OF MAY 28, 2015    REPORT  
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

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5.    PUBLIC PARTICIPATION
6.    ATTORNEY'S REPORT
7.    COMMISSIONER'S COMMENTS
8.    DIRECTOR'S COMMENTS:
  - a.    Self Service Vending Unit Signage and B-2a, General Business Alternative, ordinances were approved by the City Council at the meeting of Tuesday, May 26, 2015 at 6:30 p.m.
  - b.    Meeting dates: Site preview, June 17, and regular meeting, June 25, 2015
9.    ADJOURNMENT



Accepted by:

*Robert Segalla*  
Chairman, Daphne Utilities

# APPROVED MINUTES

## Utilities Board Meeting

City of Daphne Council Chambers ♦ April 29, 2015 ♦ 5:00 p.m.

### I. Call to Order

The regular April 2015 Board meeting for the Utilities Board of the City of Daphne was held on April 29, 2015 and called to order by Chairman Robert Segalla, at 5:02 p.m., proceeded by the Roll Call:

### II. Roll Call

**Members Present:** Robert Segalla, Chairman  
Fenton Jenkins, Vice Chairman  
Billy Mayhand  
Dane Haygood, Mayor – arrived at 5:03 pm

**Others Absent:** Randy Fry, Secretary/Treasurer

**Others Present:** Jerry Speegle – Board Attorney  
Tony Hoffman – Board Attorney  
Danny Lyndall –General Manager  
Van Baggett – Operations Manager  
Drew Klumpp – Administrative Services Manager  
Lori May-Wilson – Executive Assistant  
Rebecca Williamson – Accounting Assistant  
Melinda Immel – Volkert & Associates  
Ray Moore – HMR

**Others Absent:** Teresa Logiotatos – Finance Manager

### III. Pledge of Allegiance

The Chairman led the Board and meeting attendees in the Pledge of Allegiance.

Mayor Haygood arrived at 5:03pm.

### IV. Approval of Minutes

#### A. Utilities Board Minutes from March 25, 2015:

The Chairman inquired if there were any corrections noted for the submitted corrected Minutes for the March 25, 2015 Utilities Board meeting.

**MOTION BY Billy Mayhand to approve the Minutes for March 25, 2015 as submitted; Seconded by Fenton Jenkins.**

**AYE:**HAYGOOD, JENKINS, MAYHAND, SEGALLA

**NAY:**

**ABSENT:** FRY

**ABSTAIN:**

**MOTION CARRIED**

**V. OLD BUSINESS –**

No old business, although Danny Lyndall updated the Board on the Spanish Fort Water Agreement that Daphne Utilities is 25% completed reconciling the addresses against the sewer customers that Spanish Fort says that we have.

**VI. NEW BUSINESS –**

- A. Municipal Water Pollution Prevention (MWPP) (Requires Board Action RESOLUTION); Jim Caudle briefed the Board on the annual efficiencies and operations document generated and required by ADEM.

RESOLUTION 2015-01 - Municipal Water Pollution Prevention (MWPP)

***MOTION BY Mayor Dane Haygood approve Resolution 2015-01 Municipal Water Pollution Prevention; Seconded by Fenton Jenkins.***

**AYE: HAYGOOD, JENKINS, MAYHAND, SEGALLA**

**ABSENT: FRY**

**ABSTAIN:**

**MOTION CARRIED**

- B. Authorizing Signatures for BB&T for Deposit Accounts (Requires Board Action RESOLUTION); Rebecca Williamson explained to the Board that BB&T has requested to have authorized signers on the resolution as well as their accounts; she stated that the signatures on the resolutions – General Manager, Danny Lyndall; Finance Manager, Teresa Logiotatos; and Secretary/Treasurer, Randy Fry.

She confirmed that this is required to update the signatures on the resolution and bank accounts ending with 7659, 7667, and 6600 authorized signatures are General Manager Danny Lyndall, Finance Manager Teresa Logiotatos and Secretary/Treasurer Randy Fry.

RESOLUTION 2015-02 – Agreement for BB&T Deposit Accounts

***MOTION BY Mayor Dane Haygood to adopt RESOLUTION 2015-02 – Authorizing Signatures for BB&T Deposit Accounts specifically for General Manager Danny Lyndall, Finance Manager Teresa Logiotatos and Secretary/Treasurer Randy Fry to include for accounts ending in 7659, 7667, 6600; Seconded by Billy Mayhand.***

**AYE: HAYGOOD, JENKINS, MAYHAND, SEGALLA**

**ABSENT: FRY**

**ABSTAIN:**

**MOTION CARRIED**

- C. Bond Purchase Agreement with Harbor Financial Services, LLC (Requires Board Action RESOLUTION)

Danny Lyndall explained to the Board that the Agreement with Harbor Financial Services, LLC is for the refunding of the bond issue referenced before in order to gain an interest savings. Mr. Speegle answered questions relating to “bank qualified” status.

RESOLUTION 2015-03 - Bond Purchase Agreement with Harbor Financial Services, LLC

***MOTION BY Billy Mayhand to adopt RESOLUTION 2015-03 – Bond Purchase Agreement with Harbor Financial Services, LLC; Seconded by Fenton Jenkins.***

**AYE: HAYGOOD, JENKINS, MAYHAND, SEGALLA**

**ABSENT: FRY**

**ABSTAIN:**

**MOTION CARRIED**

**VII. BOARD ATTORNEY’S REPORT**

Mr. Speegle had nothing further to add to the submitted report but notified the Board that a jury has been selected for a court case in which Daphne Utilities is involved.

**VIII. FINANCIAL REPORT**

Rebecca Williamson reviewed and highlighted the Check History Report for the Board.

**IX. GENERAL MANAGER’S REPORT**

**A. GM Report**

Mr. Lyndall had nothing additional to add to the report but mentioned an upcoming scheduling conflict with the May Board meeting due to scheduled court dates as previously brought up by Mr. Speegle. A discussion took place regarding rescheduling the Board meeting and it was decided to check with all Board members of their availability. Mr. Lyndall informed the Board of scheduling a mid-year financial review and preliminary rate class structure presentation and it was suggested for the Board members to review their availability and advise.

**B. Operations Report**

Van Baggett had one comment to a highlight which was the hiring of the new Natural Gas Manager, Bobby Purvis.

**C. Engineering & Consulting Reports**

Melinda Immel had nothing to add to her report. She answered questions from the Board regarding the traffic circle at CR13 and CR64.

Ray Moore updated the Board on the status of the unsewered areas in Daphne.

**X. BOARD ACTION – Previously addressed under “New Busines”**

**A. RESOLUTION 2015-01 - Municipal Water Pollution Prevention (MWPP);**

**B. RESOLUTION 2015-02 – Agreement for BB&T Deposit Accounts;**

**C. RESOLUTION 2015-03 - Bond Purchase Agreement with Harbor Financial Services, LLC**

**XI. PUBLIC PARTICIPATION – None**

**XII. BOARD COMMENTS –** Fenton Jenkins asked about the location of the new wet well and by-pass pump to which Melinda Immel answered his questions. Mayor Dane Haygood gave praise to all those with 25 years of service.

**XIII. ADJOURNMENT -**

*MOTION BY Billy Mayhand to adjourn.*

**A YE:** Haygood, Jenkins, Mayhand, Segalla

**NAY:**

**ABSENT:** Fry

**ABSTAIN:**

**MOTION CARRIED**

The meeting adjourned at 5:30pm.

Preceding minutes submitted to the Daphne Utilities Board

by: Lori Wilson, Executive Assistant, Daphne Utilities

**CITY OF DAPHNE**

**RESOLUTION 2015-39**

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**CONSENT TO DE-ANNEXATION OF CERTAIN PARCELS OF REAL  
PROPERTY FROM THE CITY OF DAPHNE TO BE INCORPORATED  
INTO THE CITY LIMITS OF THE CITY OF SPANISH FORT**

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**WHEREAS**, the City of Spanish Fort has requested that certain parcels of real property north of Interstate 10 and adjacent to the Spanish Fort Town Center be de-annexed from the City of Daphne and annexed into the City of Spanish Fort by an act of the 2015 Regular Session of the Alabama Legislature; and

**WHEREAS**, a request by Mayor Michael M. McMillan, City of Spanish Fort on April 29, 2015 which was presented to the Daphne City Council for consideration; and

**WHEREAS**, the Daphne City Council believes that the public health, safety and welfare of the citizens would be promoted by the agreement to de-annex the said property by the Alabama Legislature and be annexed into the City of Spanish Fort.

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA** as follows:

1. The City Council of the City of Daphne consents to the de-annexation of a small parcel of real property north of Interstate 10 and adjacent to Spanish Fort Town Center, which is described as follows:

Commencing at the Northwest corner of Section 32, T-4-S, R-2-E of Baldwin County, Alabama; thence S01°34'23"W along the west line of said Section 32 a distance of 1425.90 feet to a point, said point being the Point of Beginning of the property herein described; thence N81°32'36"E a distance of 517.77 feet to a point; thence S68°27'24"E a distance of 280.00 feet to a point (said point offset 250.00 feet left of and perpendicular to the project centerline of Interstate- 10 at Station 469+00); thence S79°20'53"W a distance of 1400.89 feet to a point (said point offset 200.00 feet left of and perpendicular to the project centerline at Station 455+00); thence N51°32'36"E a distance of 380.00 feet to a point; thence N81°32'36"E a distance of 310.65 feet to the Point of Beginning of the property herein described and containing 4.19 acres more or less.

**Ordinance 2015-\_\_\_**

**Consent to De-annexation of Certain Property from the Corporate Limits of the City of Daphne and Annexing Same Into the Corporate Limits of the City of Spanish Fort**

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2. A map showing the relationship of the subject property to the corporate limits of the City of Spanish Fort and the City of Daphne is attached hereto.

3. The City Council of the City of Daphne consents to the legislative action sponsored by House Representative Randy Davis to modifying the corporate limits as set forth herein.

**ADOPTED AND APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA ON THIS THE \_\_\_ DAY OF MAY, 2015.**

**CITY OF DAPHNE**

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**DANE HAYGOOD, MAYOR**

**ATTEST:**

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**REBECCA A. HAYES, CITY CLERK**



## CITY OF SPANISH FORT

7581 Spanish Fort Blvd.  
Spanish Fort, Alabama 36527  
(251) 626-4884  
(251) 626-4880 Fax

Michael M. McMillan  
Mayor

Mary Lynn Williams  
City Clerk / Treasurer

April 29, 2015

City Council

Dennis D. Dismuke  
Robert Curtis Smith  
Bobby J. Fortenberry  
Clewis W. Smith, Jr.  
Mary W. Brabner

The Honorable Dane Haygood  
Mayor of the City of Daphne  
Post Office Box 400  
Daphne, Alabama 36526

Re: Proposed Local Legislative Act De-annexing Certain Property from the Corporate Limits of the City of Daphne and Annexing the same into the Corporate Limits of the City of Spanish Fort

Dear Mayor Haygood:

I am writing this letter on behalf of the City of Spanish Fort, requesting that the City Council of the City of Daphne pass a resolution stating that it has no objection and/or consents to the de-annexation of a small parcel of property north of Interstate 10 and adjacent to the Spanish Fort Town Center, which is described as follows:

Commencing at the Northwest corner of Section 32, T-4-S, R-2-E of Baldwin County, Alabama; Thence S01°34'23"W along the west line of said Section 32 a distance of 1425.90 feet to a point, said point being the Point of Beginning of the property herein described; Thence N81°32'36"E a distance of 517.77 feet to a point; Thence S68°27'24"E a distance of 280.00 feet to a point (said point offset 250.00 feet left of and perpendicular to the project centerline of Interstate-10 at Station 469+00); Thence S79°29'53"W a distance of 1400.89 feet to a point (said point offset 200.00 feet left of and perpendicular to the project centerline at Station 455+00); Thence N51°32'36"E a distance of 380.00 feet to a point; Thence N81°32'36"E a distance of 310.65 feet to the Point of Beginning of the property herein described and containing 4.19 acres more or less.

A map showing the relationship of the subject property to the corporate limits of the City of Spanish Fort and the City of Daphne is attached hereto. Also, enclosed you will find a copy of the notice that a proposed bill will be introduced in the 2015 Regular Session of the Alabama Legislature to de-annex the subject property from the City of Daphne and annex the same into the corporate limits of the City of Spanish Fort.

*"A City of Spirit"*

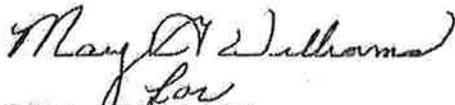
Mayor Dane Haygood  
Page 2

It is our understanding that the subject property was owned by the Alabama Department of Transportation, and sometime during the approval process for the Spanish Fort Town Center, the Alabama Department of Transportation conveyed the subject property to the Spanish Fort Town Center developers. This area was inadvertently overlooked during the development approval process. In addition, a portion of one of the buildings for the Spanish Fort Town Center project was constructed in this area. The proposed legislative act would aid the City of Spanish Fort and the developers in correcting this matter.

On behalf of the City of Spanish Fort, and at the request of Representative Randy Davis, I hereby request that the City Council of the City of Daphne pass a resolution stating that the City of Daphne has no objection to the proposed legislative act and/or consents thereto.

Your assistance in this matter will be greatly appreciated. If you have any questions or comments, please do not hesitate to contact me.

Yours very truly,



Michael M. McMillan  
Mayor

Enclosures

xc: Ms. Rebecca Hayes, City Clerk ✓  
Mr. Jay Ross, Esquire, City Attorney

LEGAL NOTICE

STATE OF ALABAMA  
BALDWIN COUNTY

NOTICE is hereby given that a bill substantially as follows will be introduced in the 2015 Regular Session of the Legislature of Alabama and application for its passage and enactment will be made:

Act No. \_\_\_\_\_

A BILL  
TO BE ENTITLED  
AN ACT

To alter or rearrange the boundary lines and corporate limits of the City of Spanish Fort in Baldwin County, Alabama, so as to include within the corporate limits of the City of Spanish Fort all territory now within the corporate limits of the City of Spanish Fort and also certain other territory to the exclusion of all other municipalities, and to de-annex, delete and remove said territory from the corporate limits of the City of Daphne in Baldwin County, Alabama.

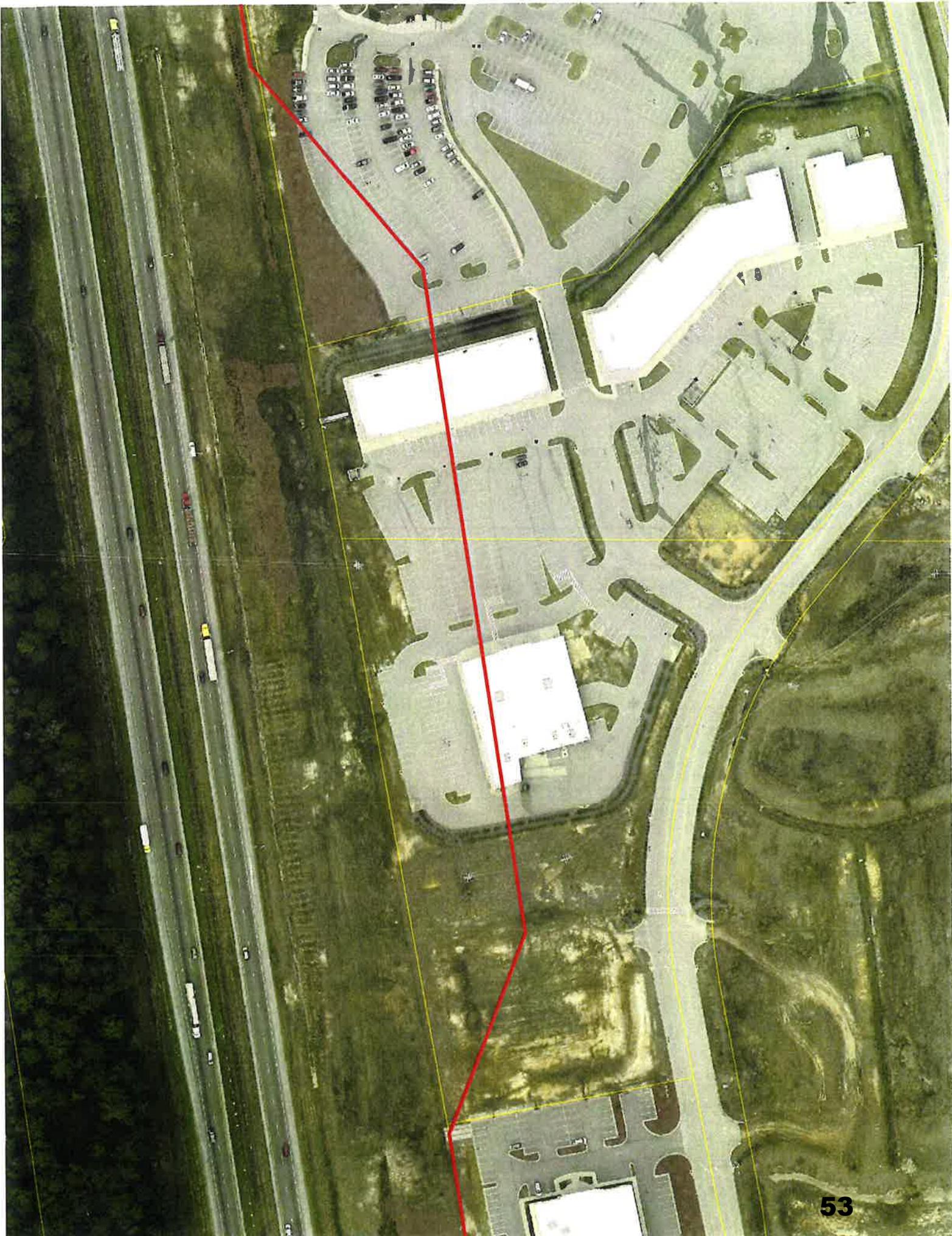
BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

SECTION 1. The boundary lines and corporate limits of the City of Spanish Fort in Baldwin County, Alabama, be, and the same are hereby altered, extended, rearranged and redefined so as to include within the corporate limits of the City of Spanish Fort, to the exclusion of all other municipalities, in addition to the territory presently contained within the corporate limits and boundaries of the City of Spanish Fort, the following described territory, to-wit:

Commencing at the Northwest corner of Section 32, T-4-S, R-2-E of Baldwin County, Alabama; Thence S01°34'23"W along the west line of said Section 32 a distance of 1425.90 feet to a point, said point being the Point of Beginning of the property herein described; Thence N81°32'36"E a distance of 517.77 feet to a point; Thence S68°27'24"E a distance of 280.00 feet to a point (said point offset 250.00 feet left of and perpendicular to the project centerline of Interstate-10 at Station 469+00); Thence S79°29'53"W a distance of 1400.89 feet to a point (said point offset 200.00 feet left of and perpendicular to the project centerline at Station 455+00); Thence N51°32'36"E a distance of 380.00 feet to a point; Thence N81°32'36"E a distance of 310.65 feet to the Point of Beginning of the property herein described and containing 4.19 acres more or less.

SECTION 2. All territory brought within the corporate limits of the City of Spanish Fort under the provisions of this Act shall be subject to the laws and ordinances of the City of Spanish Fort, and the City Council of the City of Spanish Fort shall have and exercise the same and exclusive jurisdiction over such territory as is presently exercised over the territory within the corporate limits of the City of Spanish Fort. Any of the territory described in SECTION 1 above which is brought within the corporate limits of the City of Spanish Fort under the provisions of this Act which is contained within or claimed to be contained within the corporate limits of the City of Daphne, Alabama, shall be de-annexed, deleted or removed from the corporate limits of the City of Daphne, and the City of Spanish Fort shall exercise exclusive control, authority and jurisdiction over the aforementioned territory.







SANITARY  
MENT  
G. 513)

UTILITY EASEMENT  
(INSTRU. NO. 1042813)

ABANDONED 25' UTILITY  
(INSTRU. NO. 644604)

LOT 7

MARKS FURNITURE CO, INC  
d/b/a LA-Z-BOY FURNITURE  
GALLERIES OF DAPHNE AND  
SPANISH FORT PARCEL

EASEMENT

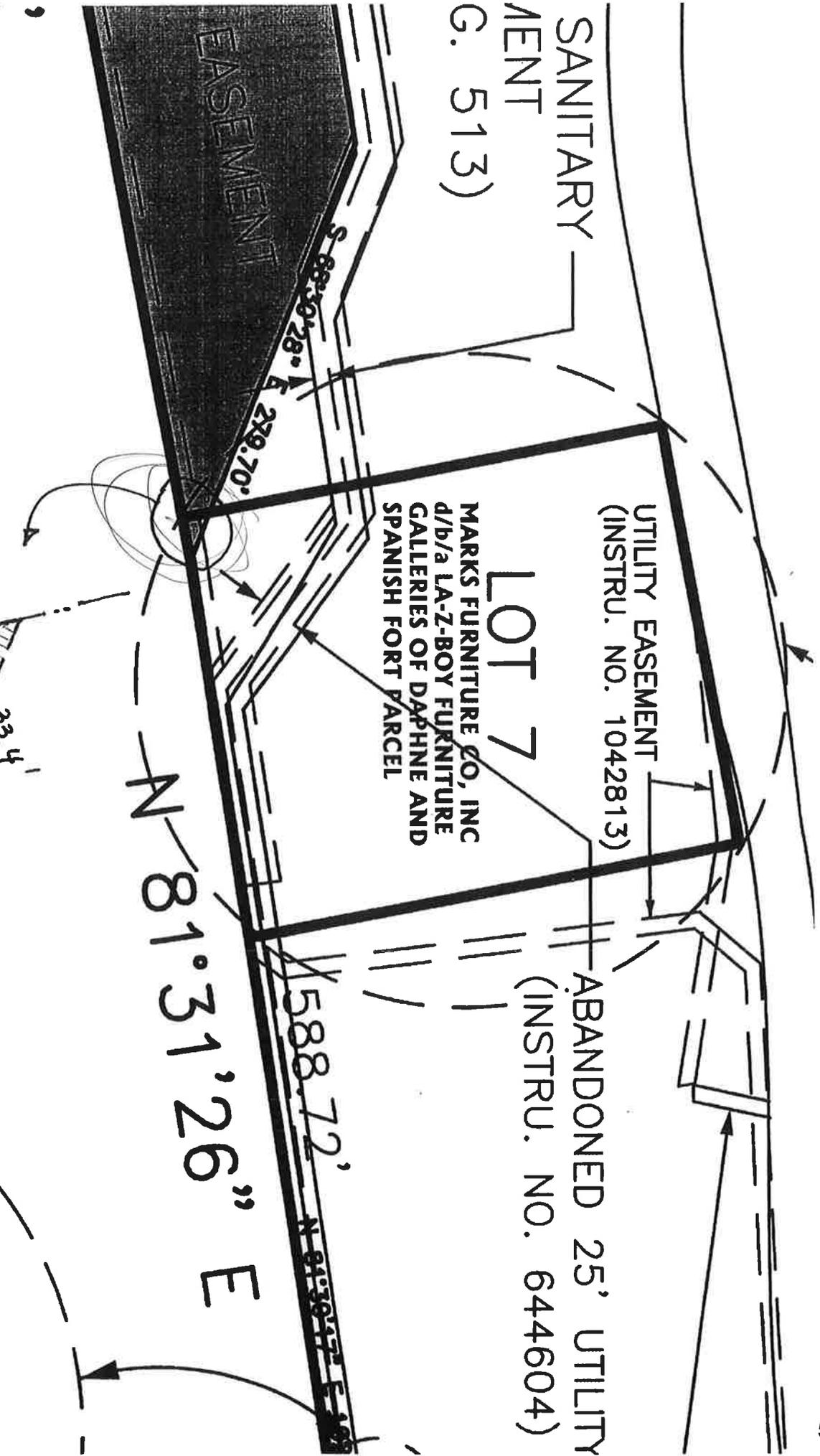
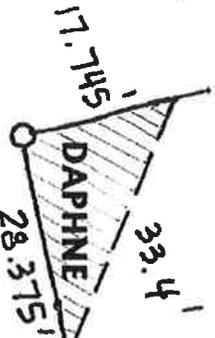
N 81°31'26" E

588.72'

N 91°30'47" E 108'

279.70'

S 68°30'28" E





**CITY OF DAPHNE**

**RESOLUTION 2015-40**

**Authorizing ADECA CDBG Application**

**WHEREAS**, the City of Daphne is applying to the Alabama Department of Economic and Community Affairs (ADECA) for Program Year 2015 Community Development Block Grant (CDBG) funds made available through the United States Department of Housing and Urban Development (HUD); and

**WHEREAS**, the City of Daphne has identified community development needs and determined that there is a critical need to extend public sewer in the Whispering Pines community in an area where a high concentration of low to moderate income persons reside; and

**WHEREAS**, a public hearing was held on May 26, 2015 informing the public of the availability of the funds and identifying the project that the City intends to address with the funds;

**NOW, THEREFORE IT BE RESOLVED** that the City of Daphne authorizes the submission of a grant application to ADECA requesting \$450,000 in PY 2015 CDBG Funds; and

**BE IT FURTHER RESOLVED** that the City of Daphne agrees to provide \$1,000,000 in cash matching contributions toward the project, for a total project cost of \$1,450,000; and

**BE IT FURTHER RESOLVED** that the City Council authorizes the Mayor to sign all required grant application documents on behalf of the City.

**APPROVED AND ADOPTED** by the City Council of the City of Daphne, Alabama this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

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

ATTEST:

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

**CITY OF DAPHNE**  
**RESOLUTION 2015-41**

**RESOLUTION AUTHORIZING ALL-WAY STOPS AT THE INTERSECTION OF NORTH and SOUTH LAMHATTY LANES and TAWASHA COURT – TIAWASEE TRACE SUBDIVISION**

**WHERE AS**, the citizens of Tiawasee Trace Subdivision have described in detail to the Public Safety Committee the difficulty of traversing the intersection of North and South Lamhatty Lanes and Tawasha Court during times of heavy traffic; and

**WHERE AS**, the additional subdivision phases of The Estates of Tiawasee and the The Retreat of Tiawasee will add additional traffic volume to the intersection of North and South Lamhatty Lanes and Tawasha Court; and

**WHERE AS**, North and South Lamhatty Lanes and Tawasha Court are City of Daphne Maintained public roads whose posted speed limits are 25 MPH; and

**WHERE AS**, following the reported concerns of Citizens and Public Safety Officials, the Property Owner Association of Tiawasee Trace has made a formal request to the City of Daphne to establish an all-way stop condition at intersection of North and South Lamhatty Lanes and Tawasha Court; and

**WHERE AS**, the City of Daphne has determined that the establishment of an all-way stop condition at intersection of North and South Lamhatty Lanes and Tawasha Court is warranted;

**NOW THEREFORE BE IT RESOLVED** by the City Council of the City of Daphne that:

- 1.) Authorize Public Works to install the necessary signage, including temporary advance warning signage and flagging at the intersection of North and South Lamhatty Lanes and Tawasha Court; and
- 2.) If decorative sign post are desired by the Property Owner Association of Tiawasee Trace (matching existing), then those posts shall be provided by the POA at their cost; and
- 3.) New signage and all-way stop conditions at both intersections shall be installed and implemented by September 30, 2015.

**APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.**

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

**ATTEST:**

\_\_\_\_\_  
**REBECCA A. HAYES, CITY CLERK**

\_\_\_\_\_  
**DANE HAYGOOD, MAYOR**

**ORDINANCE 2015-28**

**Redistricting GIS Services: Redistricting to establish Voting Districts**

**WHEREAS**, Ordinance 2014-44 approved and adopted the Fiscal Year 2015 Budget on September 23, 2014; and

**WHEREAS**, subsequent to the adoption of the Fiscal Year 2015 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2015 budget; and

**WHEREAS**, the City of Daphne's population has grown since the current districts were established; and

**WHEREAS**, it has been determined that due to annexations and population growth redistricting is needed to establish a more equitable representation of the citizens of Daphne; and

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

1. The Fiscal Year 2015 Budget is hereby amended to include an additional appropriation from the General Fund not to exceed \$14,520 for purposes of engagement of Carey Technology, LLC for professional Redistricting GIS Services; and
2. The recommendations by Carey Technology, LLC for redistricting shall be presented to Council for consideration and approval; and
3. The Mayor is hereby authorized to execute the contract and related documents required for the completion of this project.

**APPROVED AND ADOPTED** by the Mayor and City Council of the City of Daphne, Alabama, this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

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**Dane Haygood, Mayor**

**ATTEST:**

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**Rebecca A. Hayes, City Clerk**



# CAREY TECHNOLOGY, LLC

- GIS Mapping
- GPS Survey
- Utility Infrastructure Management
- GIS Assessment and Implementation
- Redistricting
- Statistical Analysis

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2867 Hilburn Drive • Mobile, Alabama 36606 • TEL: 251.581.4341 • [cynthia@careytechnology.com](mailto:cynthia@careytechnology.com)

February 5, 2015

Ms. Rebecca Hayes  
The City of Daphne Legislative Department  
1705 Main Street  
Daphne, Alabama 36526

Re: Request for Proposal for Redistricting GIS Services

Dear Ms. Hayes,

Carey Technology, LLC is please to submit our Proposal for Redistricting GIS Services.

We have assemble personnel for this project which meet the qualifications necessary to complete the Scope of Work as outlined in your Request for Proposal. You will find that the experience of our team and the success of our past projects give Carey Technology, LLC the background necessary to provide the City of Daphne with a comprehensive redistricting GIS package.

We thank you for the opportunity to present our credentials and look forward to hearing from you.

If you have any questions regarding our qualifications, please call anytime.

Sincerely,

Cynthia Carey Feirman, MSGIS, MPA, GISP  
Principial Owner  
Carey Technology, LLC

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**CYNTHIA CAREY FEIRMAN**

**PRINCIPAL**

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Certified GIS Professional with extensive experience designing, implementing, testing and supporting GIS solutions, including hardware, software, data and staff. Experience in all platforms and levels of GIS software, Web design, and database design and administration.

- Geographic Information Systems (GIS) Needs Assessment
- GIS System Wide Implementation Management, Development & Design
- GIS Project Development, Design, Implementation
- GIS Customized Training
- Global Positioning Systems (GPS) Project Design & Training
- Infrastructure Management
- Business Technology Needs Assessments
- Political Redistricting
- Community Needs Development
- Research Design Statistics

**REPRESENTATIVE EXPERIENCE**

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Redistricting of the three Mobile County Commission Districts 2011. Redistricting of the five Mobile County School Board 2011 & 2013. Redistricting of the Mobile County Voter Precincts 2011 & 2014. All done in accordance with the wished of the governing body and in accordance with national, state and local laws while under Department of Justice Supervision.

GIS integration into Alabama State Election Database for the County of Mobile under the Mobile County Commission (MCC). Responsible for the completion and creation of county wide data set, data sharing, and GIS support for the Commission.

GIS Consultant for City of Sulphur, LA. Coordinate the maintenance of GIS system including Land Use, Zoning, Public Works (utilities mapping, maintenance and work order tracking) Capital Improvement, City Boundaries, Fire, and Addressing.

GIS Administrator for the Cities of Lake Charles, LA and the City of Sulphur, LA. GIS Conducted needs assessments to analyze the need of GIS in engineering and infrastructure maintenance corporations. Coordinated and oversaw quality control of infrastructure mapping including Aerial photography, COGO points, and Global Positioning System

ESRI certified Trainer for ArcGIS

Collaborated and worked on the team that created the national GIS training program for Urban & Regional Information Systems Association.

FDIC Train the Trainer Program for the National Metadata Program

Needs Assessment and Implementation Plan for Lafayette Assessors Office, Competed pilot project of interest area incorporating both rural and urban area, compiling both platted and legal documentation.

Implementation design & management for public works functions, specializing in water, wastewater, gas and GPS for Cities of Old Hickory, TN and Stevenson, AL.

GIS Training for City of Sulphur, LA; City of Lake Charles, LA; City of Lafayette, LA; Tax Assessor's Office, City of Stevenson, AL; City of Maplesville, AL; Old Hickory, TN Utility District; Smith County, TX Water and Utility District; City of Center, TX; and Temecula, CA.

Organized, addresses and gathered demographic research for a 2020 Transportation Plan for North Central Texas Council of Government.

Assisted in the writing and updating of The March of Dimes Birth Defect Foundation's 1999 Needs Assessment On Maternal and Infant Health in North Texas.

Examined the mandated evaluation mechanism and the goals set in place by over 250 Dallas Metropolitan United Way member organizations for their content, achievable goals, and the stated measures of those goals in their ability to predict the effectiveness of the evaluation program.

Aided in the design of the ESRI Electrical and Gas Distribution System Models.

Conducted needs assessments to analyze the need of applications and data for Paulding County, GA GIS Pilot Program

Performed Technical Evaluation of Sales Force Automation Systems for American Cast Iron Pipe Company.

Designed GIS Implementation and Base Map for the City of Lafayette Tax Assessor's Office.

## **PROFESSIONAL & CONSULTANT HISTORY**

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Mobile County Commission GIS Analyst II	2009-present
Carey Technology L. L. C. GIS, Municipal & County Consultants	2002-present
City of Sulphur (Louisiana) GIS Administrator	2002-2009
City of Lake Charles (Louisiana) GIS Administrator	2002-2004
C. H. Fenstermaker & Associates, Inc. GIS Consultant	2000-2002
Carey Consulting GIS Consultant for Smith County, Texas	1998-2000
North Central Texas Council of Government Graduate Research Assistant	1997

## **EDUCATION & TRAINING**

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### **URBAN & REGIONAL INFORMATION SYSTEMS ASSOCIATION**

Geographic Information Science Professional Certification 2005- 2010; 2010- 2015

### **URBAN & REGIONAL INFORMATION SYSTEMS ASSOCIATION ALABAMA**

Vice President 2010-2011; President 2011-2012; Past President 2012-2013

### **UNIVERSITY OF TEXAS AT DALLAS**

**Dallas, Texas**

GIS Certificate – 1999

Master of Public Affairs – 1999

Master of Science in Geographic Information Systems – 2000

### **UNIVERSITY OF ALABAMA**

**Tuscaloosa, Alabama**

Bachelors of Arts Political Science – 1996

Bachelors of Arts Psychology – 1996

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**SECTION I- RELEVANT EXPERIENCE AND QUALIFICATIONS****A. QUALIFICATIONS****CAREY TECHNOLOGY, LLC**

Carey Technology, LLC is a Mobile, Alabama based women owned business specializing in providing professional Geographic Information System services. Carey Technology, LLC was founded in 2002 in Lafayette, Louisiana. The main office was relocated to Mobile, Alabama in 2005. Carey Technology, LLC has the unique advantage of providing quality GIS/GPS professional consulting service with a bottom line budget in mind. Carey Technology has achieved providing budget GIS/GPS service by concentrating on the smaller municipal and utility markets. Carey Technology understands that all technology including GIS is there to service and reinforce the entities goals and objectives. Carey Technology has the adequate financial resources to perform the requested proposed project.

Carey Technology is certified GIS professional by the Urban & Regional Information Systems Association certification process. This project is not based on engineering design or practices. Carey Technology is a GIS concentrated firm, allowing for a more GIS specialty solution.

The success of Carey Technology LLC is a function of the management, skills, technical capabilities, and experience of the personnel assigned to the project. Our organization maintains a strong safety and performance record with the highest ideals of integrity and ethics.

The resume for the key personnel is provided in this document.

**B CLIENT REFERENCES**

Ross, Jordan & Grey  
Jay Ross  
251.432.5400

The Atchison Firm  
Derek Atchison  
251.665.7200

Mobile County Probate Court  
Joe McEarchem, Chief Clerk  
251.574.6113

Mobile County Board of Registrars  
Pat Tyrrell, Chairman  
251.574.8586

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**SECTION II- SCOPE OF WORK AND REQUIRED INFORMATION****A. UPDATE CURRENT CITY LIMIT AND CITY COUNCIL BOUNDARIES IN GIS**

Carey Technology will update the City of Daphne's existing GIS files to match their existing City Limits and City Council Districts as provided by the City of Daphne in the form of GIS files and Annexation ordinances since August 2014.

**Deliverables:**

1. Up to dated GIS Shapefile for the City of Daphne city limits (digital).
2. Up to dated GIS Shapefile for the City of Daphne's seven city council districts (digital).

**B. ESTABLISH 2000 POPULATION STATISTICS FOR CURRENT CITY COUNCIL DISTRICTS.**

Carey Technology will create GIS boundaries and calculate population statistics for the current city council districts from the 2000 U.S. Census. This is a baseline for the statistical parameters of new city council districts. It is also a needed part of a Department of Justice (DOJ) review submittal.

**Deliverable:**

1. Map of Current City Council Districts and Population Statistics from the 2000 U.S. Census for each. ( digital PDF format/1 map)
2. List of all Census blocks in each city council district (digital .txt format)

**C. ESTABLISH 2010 POPULATION STATISTICS FOR CURRENT CITY COUNCIL DISTRICTS.**

Carey Technology will create GIS boundaries and calculate racial and population statistics for the current city council districts from the 2010 U.S. Census. This is the building block of the redistricting process. It is also a needed part of a Department of Justice (DOJ) review submittal.

**Deliverable:**

1. An overview map of Current City Council Districts and Population Statistics from the 2010 U.S. Census. ( digital PDF format/ 1 map)
2. A map of each Current City Council Districts and Population Statistics from the 2010 U.S. Census ( digital PDF format/ 7 maps)
3. List of all Census blocks in each city council district (digital .txt format)

D. CHANGING POLITICAL BOUNDARIES TO EVENLY DISTRIBUTE POPULATION AMONG CITY COUNCIL DISTRICTS.

1. Carey Technology will meet with each city council member separately to discuss suggested changes to their district.
2. Carey Technology will use the information gained in the meeting with each city council member separately to try to develop a successful redistributed redistricting plan.

Deliverables:

1. An overview map of proposed changes to City Council Districts and Population Statistics from the 2010 U.S. Census. ( digital PDF format/ 1 map)
2. A map of proposed changes to each Current City Council Districts and Population Statistics from the 2010 U.S. Census ( digital PDF format/ 7 maps)
3. A finalized list of all Census blocks in each city council district (digital .txt format)

*Section D can be repeated up to 3 instances in this project scope.*

E. LEGAL DESCRIPTIONS

1. A legal description for each of seven city council districts.

Deliverable:

Legal Description of City Council Boundaries (digital PDF and MS Word format)

**PART III- COST**

The cost estimate for each task in the scope of work is list below. Based upon the preliminary NOT TO EXCEED scope for each task, the total project cost should be in the range of 10 - 15 thousand dollars. Project costs do not include redistricting internet subscription which, if needed shall be supplied by the City of Daphne.

	Description of Scope of Work	Estimate Cost
A	UPDATE CURRENT CITY LIMIT AND CITY COUNCIL BOUNDARIES IN GIS	\$ 520
B	ESTABLISH 2000 POPULATION STATISTICS FOR 2015 CITY COUNCIL DISTRICTS	\$ 2,250
C	ESTABLISH 2010 POPULATION STATISTICS FOR 2015 CITY COUNCIL DISTRICTS	\$ 2,250
D	CHANGING POLITICAL BOUNDARIES TO EVEN POPULATION WITHIN CITY COUNCIL DISTRICTS	\$ 6,500
E	LEGAL DESCRIPTIONS	<u>\$ 3,000</u>
		\$14,520

During the duration of the project additional work may be required outside of the proposed scope of work. Any work performed will be charged at the published hourly rate listed below.

Position Title	Hourly Rate
GIS Project Manager	\$ 100
GIS Technician II	\$ 85
GIS Technician I	\$ 65
GIS Trainer	\$ 125
GIS Analyst I	\$ 125
GIS Analyst II	\$ 150
GIS Analyst III	\$ 200

**PART IV- SCHEDULE**

The tentative schedule for each task in the scope of work is list below. Based upon the preliminary scope for each task, the total project timeframe should be in the range of 3- 7 months. Carey Technology proposes to do a phase project implementation. Phase project implementation allows for greater QA/QC of the project. All scope of work sections in a single phase can be performed concurrently. The tentative schedule is based on all information and data being available from sources.

Phase	Description of Scope of Work	Tentative Schedule
A I	UPDATE CURRENT CITY LIMIT AND CITY COUNCIL BOUNDARIES IN GIS	1 month
B I	ESTABLISH 2000 POPULATION STATISTICS FOR 2015 CITY COUNCIL DISTRICTS	1 month
C I	ESTABLISH 2010 POPULATION STATISTICS FOR 2015 CITY COUNCIL DISTRICTS	1 month
D II	CHANGING POLITICAL BOUNDARIES TO EVEN POPULATION WITHIN CITY COUNCIL DISTRICTS	3 months
E II	LEGAL DESCRIPTIONS	1 months

IN WITNESS WHEREOF, the parties hereto have executed this Contract as of the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

ATTEST:

**THE CITY OF DAPHNE**  
**DAPHNE, ALABAMA**

BY: \_\_\_\_\_  
REBECCA A. HAYES, CITY CLERK

BY: \_\_\_\_\_  
DANE HAYGOOD, MAYOR

CAREY TECHNOLOGY, LLC: \_\_\_\_\_

Two Witnesses: BY: \_\_\_\_\_

ITS: \_\_\_\_\_

I, \_\_\_\_\_, certify that I am the \_\_\_\_\_ of the corporation named as Contractor herein: that \_\_\_\_\_ who signed this Contract on behalf of the Contractor, was then \_\_\_\_\_ of said corporation; that said Contract was duly signed for and on behalf of said corporation by authority of its governing body, and is within the scope of its corporation by authority of its corporate powers.

**CITY OF DAPHE**

**ORDINANCE 2015-29  
ROUND-A-BOUT @ COUNTY ROAD 13 & 64 – ATRIP PROJECT:  
INTERGOVERNMENTAL PROJECT WITH BALDWIN COUNTY –  
ADDITIONAL APPROPRIATION**

**WHEREAS**, Ordinance 2014-44 approved and adopted the Fiscal Year 2015 Budget on September 23, 2014; and

**WHEREAS**, subsequent to the adoption of the Fiscal Year 2015 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2015 budget; and

**WHEREAS**, the Round-A-Bout at CR13 & 64 is an approved Alabama Transportation Rehabilitation and Improvement Program (ATRIP) project and grant monies are available for this project; and

**WHEREAS**, the City entered into an agreement with Baldwin County for construction of a Round-A-Bout at CR13 & CR64 for 10% Construction /50% CE&I cost share of the match monies required by the grant; and

**WHEREAS**, *Funds in the amount of \$259,298 were previously approved:* Ordinance 2013-16 - \$43,339 for engineering + Ordinance 2014-60 which appropriated \$215,959 for the estimated balance of the project; and

**WHEREAS**, bids were received and the *final billing from Baldwin County is \$330,499;* and

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

- Additional funds in the amount of **\$71,201 from Capital Reserve Fund** are appropriated and made a part of the Fiscal Year 2015 budget for Round-A-Bout at County Road 13 & 64
- The Mayor is hereby authorized to execute any documents required in order for the City of Daphne to participate in such intersection project.

**APPROVED AND ADOPTED** by the Mayor and City Council of the City of Daphne, Alabama, this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

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

**ATTEST:**

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



## COUNTY COMMISSION

BALDWIN COUNTY  
FINANCE/ACCOUNTING DEPARTMENT  
312 COURTHOUSE SQUARE  
SUITE 11  
BAY MINETTE, ALABAMA 36507

Telephone  
(251) 937-0282  
Finance/Accounting Fax  
(251) 239-4309  
Accounts Payable Fax  
(251) 580-2514

April 24, 2015

The Honorable Dane Haygood  
Mayor  
City of Daphne  
Post Office Box 400  
Daphne, AL 36526

Re: ATRIP Project Intersection at CR 64 and CR 13  
Project # 0220911

Dear Mayor Haygood,

Attached is an invoice for the cost share to date for the City of Daphne regarding the ATRIP Intersection Project of CR 64 and CR 13. The intergovernmental service agreement is attached as well. The cost share to date for this project is \$287,160.31. Please remit payment at your earliest convenience.

If you have any questions concerning the attached invoice, please contact Travis McHenry at the following telephone number: 251-937-0386

Sincerely,

Kim Creech  
Clerk/Treasurer

APPROVED INVOICE

GL #

DATE 5/5/2015

SIGNATURE

## Summary of Cost Share as of 4/21/2015

<b><u>UTILITY PE</u></b>		
DAHPNE UT /VOLKERT	\$ 22,000.00	PAID BY COD
BELFOREST / GM&C	\$ 14,143.50	PAID BY BCC
<b><u>GEOTECH</u></b>		
PREBLE RISH	\$ 13,545.00	PAID BY BCC
<b><u>CRA</u></b>		
PREBLE RISH	\$ 574.00	PAID BY BCC
<b><u>NOI</u></b>		
ADEM	\$ 1,155.00	PAID BY BCC
<b><u>ROW</u></b>		
8 PROPERTIES	\$ 182,734.02	PAID BY BCC
<b><u>DESIGN</u></b>		
PREBLE RISH	\$ 89,377.00	
SUPLAMENTAL REQ	\$ 28,603.52	
TOTAL	\$ 117,980.52	PAID BY BCC
<b><u>UTILITY RELOCATION</u></b>		
DAHPNE UTILITIES	\$ 41,001.50	
BELFOREST UTILITES	\$ 32,331.66	
SOUTHERN LIGHT	\$ 5,739.42	
RIVERIA POWER	\$ -	NO PAYMENTS TO DATE
TOTAL	\$ 79,072.58	PAID BY BCC
<b><u>UTILITY CE&amp;I</u></b>		
KBR	\$ 3,988.00	PAID BY BCC
<b><u>ROUNABOUT CONSTRUCTION</u></b>		
ALDOT (INCLUDES CONSTRUCTION CE&I)	\$ 269,804.00	PAID BY BCC
TOTAL PAID TO DATE BY BCC =	\$ 682,996.62	
50/50 WITH COD =	\$ 341,498.31	
50% OF TOTAL PAID TO DATE BY COD =	\$ 11,000.00	DAHPNE UTILITIES PE
COD BALANCE DUE =	<b>\$ 330,498.31</b>	
Payment for Engineering Fees =	(\$43,338.50)	Paid by the City of Daphne - Ord 2013-19
COD Balance Due =	<b>\$ 287,159.81</b>	

**ORDINANCE 2014-60**

**ATRIP PROJECT: ROUND-A-BOUT AT COUNTY ROADS 13 & 64 –  
INTERGOVERNMENTAL PROJECT WITH BALDWIN COUNTY**

**WHEREAS**, Ordinance 2014-44 approved and adopted the Fiscal Year 2015 Budget on September 23, 2014; and

**WHEREAS**, subsequent to the adoption of the Fiscal Year 2015 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2015 budget; and

**WHEREAS**, the Round-A-Bout at CR13 & 64 is an approved Alabama Transportation Rehabilitation and Improvement Program (ATRIP) project and grant monies are available for this project; and

**WHEREAS**, the City can entered into an agreement with Baldwin County for construction of a Round-A-Bout at CR13 & CR64 for 10 Construction /50% CE&I cost share of the match monies required by the grant; and

**WHEREAS**, the bids have been received and the cost for the City and the County is \$215,959/each; and

**WHEREAS**, Funds in the amount of \$43,338.50 for engineering were previously approved in Ordinance 2013-19 and paid from the 2012 Construction Fund (*total project cost \$1,777,041.65*); and

**WHEREAS**, the Round-A-Bout Improvements are needed for enhanced traffic flow; and

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

1. Funds in the amount of *\$215,959 from the 2012 Construction Fund* are appropriated and made a part of the Fiscal Year 2015 budget for Round-A-Bout at County Road 13 & 64
2. Total remaining project cost of \$1,690,364.65 for construction/engineering of which ALDOT will reimburse 80% construction with the County and the City's share each being 10% construction & 50% CE&I (*City's portion- \$215,959 and County's portion \$215,959*); and
3. The Mayor is hereby authorized to execute any documents required in order for the City of Daphne to participate in such intersection project.

**APPROVED AND ADOPTED** by the Mayor and City Council of the City of Daphne, Alabama, this 5<sup>th</sup> day of January, 2015.

  
Dane Haygood, Mayor

**ATTEST:**

  
Rebecca A. Hayes, City Clerk

**ORDINANCE 2013-19**

**INTERSECTION IMPROVEMENTS @ COUNTY ROAD 13 & 64 – ATRIP  
PROJECT: INTERGOVERNMENTAL PROJECT WITH BALDWIN COUNTY**

**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 Intersection Improvements at CR13 & 64 is an approved Alabama Transportation Rehabilitation and Improvement Program (ATRIP) project and grant monies are available for this project; and

**WHEREAS**, the City can entered into an agreement with Baldwin County for construction of Intersection Improvements at CR13 & CR64 for 50% cost share of the match monies required by the grant

**WHEREAS**, the estimated cost for the City and the County is \$335,838.50/each; and

**WHEREAS**, the Intersection Improvements are needed for enhanced traffic flow.

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

- Funds in the amount of \$43,338.50 for engineering from the 2012 Construction Fund are appropriated and made a part of the Fiscal Year 2013 budget for Intersection Improvements at County Road 13 & 64.
- Estimated total project cost of \$1,411,677 for construction/engineering of which ALDOT will reimburse \$740,000 (*City's portion- \$335,838.50 and County's portion \$335,838.50*).
- The Mayor is hereby authorized to execute any documents required in order for the City of Daphne to participate in such intersection project.

**APPROVED AND ADOPTED** by the Mayor and City Council of the City of Daphne, Alabama, this 1<sup>st</sup> day of April, 2013.

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

**ATTEST:**  
  
Rebecca A. Hayes, City Clerk

## INTERGOVERNMENTAL SERVICE AGREEMENT

This Intergovernmental Service Agreement (“Agreement”) is entered into by and between the Baldwin County Commission (hereinafter “County”) and the City of Daphne, Alabama (hereinafter “City”), as follows:

### RECITALS

**Whereas**, County is the duly formed governing body in and for Baldwin County, Alabama, and City is an incorporated municipality of the State of Alabama; and

**Whereas**, County and City are authorized under Alabama law to control, manage, supervise, regulate, repair, maintain, and improve (hereinafter collectively “control”) certain public roads inside their respective jurisdictions; and

**Whereas**, County and City acknowledge and agree County maintains County Road 64 east from County Road 13 and City maintains County Road 64 west from County Road 13, County Road 13 south from County Road 64 and County Road 13 north from County Road 64; and

**Whereas**, County has been approved by the Alabama Department of Transportation for an Alabama Transportation Rehabilitation and Improvement Program (ATRIP) grant that will help fund construction of a roundabout, at County Road 64 and County Road 13; and

**Whereas**, County has requested that the City assist the County in its efforts to fund the preliminary engineering and matching costs for the intersection at County Road 64 and County Road 13 ATRIP project; and

**Whereas**, City agrees in FY 2013 to pay the County 50% of matching cost for preliminary engineering, and 50% of any overruns and/or unknowns associated with preliminary engineering. Preliminary estimates set matching cost at \$43,338.00 for the intersection improvements at County Road 64 and County Road 13 ATRIP project; and

**Whereas**, City agrees in Fiscal Year 2014 to fund 50% of the matching construction cost, 50% of the construction engineering & inspection, utilities, and right-of-way acquisition cost, and 50% of any overruns during construction. Preliminary estimates set matching cost at \$335,839.00 for the intersection improvements at County Road 64 and County Road 13 ATRIP project; and

**Whereas**, City agrees to accept maintenance of Country Road 64 from County Road 13 east to AL Hwy 181 (approximately 1.00 miles); and

**Whereas**, County and City now wish to enter into this Agreement to provide for their joint cooperation to fund the preliminary engineering, matching costs and overruns for the intersection improvements at County Road 64 and County Road 13 ATRIP project.

**NOW, THEREFORE**, in consideration of the premises and the mutual covenants contained herein, the sufficiency of which being hereby acknowledged, County and City do hereby agree as follows:

1. **Recitals:** The recitals set out above are incorporated into this Agreement, as though the same were set out in full in this paragraph.

1 of 5

2. **Purpose:** The parties acknowledge and agree that the purpose of this Agreement is to fund the preliminary engineering, matching costs and overruns for the intersection improvements at County Road 64 and County Road 13 ATRIP project.
3. **City Remains Owner of Right-of-Way:** The City, at all times including during the effective term of this Agreement and thereafter, shall retain exclusive responsibility for and control over County Road 64 . The County obtains no rights, responsibilities or control for the subject road and rights-of-way as a result of the duties and/or obligations contained anywhere herein either during or following the effective term of this Agreement.
4. **No Joint Ownership of Property:** The parties acknowledge and agree that they will not jointly acquire, own, or otherwise come into joint or common possession of any property as a result of or in relation to this Agreement.
5. **Financing and Budgeting:** Each party shall be responsible for financing the obligations undertaken by that party hereunder, and shall not be responsible for financing, or in any other manner contributing to the actual costs or expenses of the obligations undertaken by the other party unless expressly identified herein.
6. **Approval and Effective Date:** This Agreement shall become effective upon the date of full execution by both parties (“Effective Date”).
7. **Term:** The term of this Agreement shall be for twenty-four (24) months from its Effective Date. This document may be amended only upon written approval by the Parties hereto, and any such amendment shall be approved by the same method by which this original Agreement has been approved by the Parties.
8. **Services to be Performed by County (the Project):**
  - A. Comply with all necessary local, State and Federal rules, regulations and laws applicable to this Agreement and the ATRIP grant.
  - B. Construct the improvements in accordance with the ATRIP grant.
9. **Services to be Performed by City:**
  - A. Assist the County by funding \$335,839.00 (50% of the local sponsor required match) for the intersection improvements at County Road 64 and County Road 13 ATRIP project; and
  - B. Accept maintenance of County Road 64 from County Road 13 east to AL Hwy 181 (approximately 1.00 miles).
10. **Termination and Notice:** Notwithstanding the foregoing, either party may terminate this Agreement, with or without cause, upon written notice to the other party. A party’s said notice shall be deemed effective, and the Agreement deemed terminated, thirty (30) days after the date such notice is mailed by certified mail to the other party. In the event of termination by either party, the City shall be responsible for all actual costs incurred by the County through the date of receipt of the requisite termination notice. All notices provided for herein shall be sent as follows:

To City: City of Daphne  
P.O. Box 400  
Daphne, Alabama 36526

To County: Baldwin County Commission  
312 Courthouse Square, Suite 12  
Bay Minette, Alabama 36507

11. **Indemnity:** City accepts the improvement, work, property, product, funds and services of the County as a result of the Project in its “WHERE IS”, “AS IS”, condition and acknowledges that the County has made no representation or warranty to City as to, and has no obligation for the condition of the improvements, work, property, product, funds and services of the County. However, nothing contained herein shall prevent either party from good faith performance of the services to be performed under the terms of this agreement including without limitation the remediation or correction of any work or services performed by either party hereunder. City assumes the risk of any latent or patent defects or problems that are or may be contained in the improvements, work, property, product, funds and services of the County or City. City agrees that the County shall not be liable for any injury, loss or damage on account of any such defects or problems. City for itself and City Representatives waive and release the County from any claims for injury to persons or damage to the personal property by reason of the condition of the improvements, work, property, product, funds and services of the County or otherwise.

Furthermore, City shall defend, indemnify, and hold County harmless from and against all demands, actions, and claims of any description whatsoever, for property damage, personal injury (including death), actions in trespass, and all other claimed loss, injury or damage, including, but not limited to, attorneys' fees and costs, arising out of, relating to, or resulting from any and all acts or omissions in relation to the obligations hereunder.

The above provisions contained in this Section 11 shall not apply to any private contractor or subcontractor performing improvements or work on behalf of the County and, to the extent not exclusive of the County, the City shall be entitled to the benefit of all warranties, representations and legal or equitable rights available to it, or available to the County, under Alabama law or pursuant to the terms of all agreements between such private contractor or subcontractor and the County.

All guarantees, duties, representations, assurances, without limitation, contained within this Agreement shall survive and exist beyond the date of termination or expiration of this Agreement, and time, or the lapse thereof, shall not be used for, or argued as a defense for the City, against the same.

Nothing contained herein shall be construed to limit or modify the laws of Alabama as the same may apply to the County or City or in any way diminish any immunity, absolute or qualified, to which the County and City are otherwise entitled by law.

12. **Entire Agreement:** This Agreement represents the entire and integrated agreement between County and City and supersedes all prior negotiations, representations, or agreements, either written or oral. This Agreement may be amended only by written instrument signed by the parties.
  
13. **Both Parties Contributed Equally to the Agreement.** This Agreement shall not be construed more strictly against one party than against the other merely by virtue of the fact that it may have been prepared by counsel for one of the parties, it being recognized that both County and City have contributed substantially and materially to the preparation of this Agreement.
  
14. **Failure to Strictly Enforce Performance:** The failure of either party to insist upon the strict performance of any of the terms, covenants, agreements and conditions of this Agreement shall not constitute a default or be construed as a waiver or relinquishment of the right of a party to thereafter enforce any such term, covenant, agreement, or condition, but the same shall continue in full force and effect.
  
15. **Assignment:** Neither this Agreement nor any interest herein shall be assigned, transferred or otherwise encumbered without a prior written agreement providing for such assignment, transfer, or other encumbrance, signed by the parties.
  
16. **Choice of Law:** The parties acknowledge and agree that this Agreement shall in all respects be governed by the laws of the state of Alabama, including without limitation all issues relating to capacity, formation, interpretation, and available remedies, without regard to Alabama conflict of law principles.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date of full execution below.

**COUNTY:**  
BALDWIN COUNTY

**ATTEST:**

BY: \_\_\_\_\_ /  
J. Tucker Dorsey /Date  
Chairman

\_\_\_\_\_/\_\_\_\_\_  
David A. Z. Brewer / Date  
County Administrator

CITY:  
THE CITY OF DAPHNE

ATTEST:

BY: *Dane Haygood* 14/2/13  
Dane Haygood /Date  
Mayor

*Rebecca A. Hayes* 4/2/13  
Rebecca A. Hayes /Date  
City Clerk

State of Alabama )  
County of Baldwin )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that J. TUCKER DORSEY, as Chairman of the Baldwin County Commission, and DAVID A. Z. BREWER, County Administrator of the Baldwin County Commission, are signed to the foregoing instrument and who are known to me, acknowledged before me on this day that, being informed of the contents of the Agreement, they, as such officers and with full authority, executed the same voluntarily for and as the act of said Baldwin County Commission.

Given under my hand and official seal, this the \_\_\_\_ day of \_\_\_\_\_, 2013.

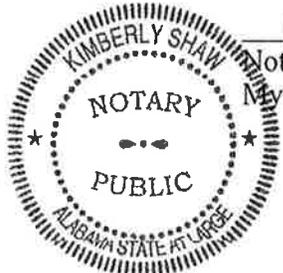
\_\_\_\_\_  
Notary Public  
My Commission Expires: \_\_\_\_\_

State of Alabama )  
County of \_\_\_\_\_ )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Dane Haygood, as Mayor of the City of Daphne, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the Agreement, he, as such officer and with full authority, executed the same voluntarily for and as the act of said City of Daphne.

Given under my hand and official seal, this the 2nd day of April, 2013.

*Kimberly Shaw*  
Notary Public  
My Commission Expires: Sept. 12, 2016



5 of 5

**CITY OF DAPHNE**

**ORDINANCE 2015-30**

**Sidewalk Improvements for FY2015**

**WHEREAS**, Ordinance 2014-44 approved and adopted the Fiscal Year 2015 Budget on September 23, 2014; and

**WHEREAS**, subsequent to the adoption of the Fiscal Year 2015 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2015 budget; and

**WHEREAS**, certain sidewalk installations are needed for safe passage along City streets including the following location:

- Wilson Avenue- Watts Lane to Pollard Rd-  $\frac{3}{4}$  of a mile

**NOW, THEREFORE**, BE IT ORDAINED by the City Council of the City of Daphne, Alabama, that funds in the amount of \$50,000 from the General Fund are hereby appropriated and made a part of the Fiscal Year 2015 budget for Sidewalk Improvements.

**APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS \_\_\_\_\_ day of \_\_\_\_\_, 2015.**

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

**ATTEST:**

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

Dane Haygood  
Mayor



Richard D. Johnson, PE  
Public Works Director

*\*PW Committee - 5-4-15*

To: Councilman Robin LeJeune, Chairman of Public Works Committee

Cc: Mayor's Office; Finance; File

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

A handwritten signature in black ink that reads "Richard D. Johnson".

Date: April 28, 2015

**RE: FY2014 & FY2015 – Sidewalk Project Funding**

Mr. Chairman:

The current sidewalk projects we are working on are actually FY2014 Sidewalk Projects. However, we have been unknowingly billing against the FY2015 budget. In FY2014 PW Sidewalk Projects was funded at \$65,000.00. We only used \$11,670.00 of the funds and apparently returned \$53,330.00 to the General Fund. I wrongly assumed that we had encumbered those funds. If you recall I had no issue with reducing FY2015 to half (\$32,500.00) because we still hadn't moved on the majority of the FY2014 projects which were then still fully funded.

I failed to convey the need for encumbrance, it is my fault. With that said we are over on the FY2015 Sidewalk Fund by \$7,000.00 and rising. The good news is that the Lake Forest Project is nearly complete. The bad news we were going to move directly to Wilson Avenue sidewalks for which we have no available funds.

I bear the accountability for this oversight. At the current rate of progress, all sidewalk projects (FY2014 and FY2015) should be completed by summer's end. I don't want to shut projects down, go dormant and lose our momentum. I would like to submit a request to re-activate the remainder of the FY2014 Sidewalk Funds – rounded down to \$50,000.00. \*

Public Works has been proceeding in arrears until funding catches up with the project costs. If the Council chooses not to appropriate the needed funds, we will curtail projects at the immediate stopping point and transfer from like Streets material accounts – asphalt, rock, pipe, concrete, etc...

Yours,

RDJ

Public Works Department  
26435 Public Works Road P.O. Box 400 Daphne, Alabama 36526  
Phone: (251) 621-3182 Fax: (251) 621-3189

**CITY OF DAPHNE**

**ORDINANCE 2015-31**

**2014 Assistance to Firefighters Grant (AFG):  
(19) Self-Contained Breathing Apparatus**

**WHEREAS**, Ordinance 2014-44 approved and adopted the Fiscal Year 2015 Budget on September 23, 2014; and

**WHEREAS**, subsequent to the adoption of the Fiscal Year 2015 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2015 budget; and

**WHEREAS**, the City of Daphne has applied and been awarded a 2014 Assistance to Firefighters Grant to receive funding to purchase 19 Self-Contained Breathing Apparatus; and

**WHEREAS**, the City needs to purchase new apparatus to replace older outdated models that are nearing their hydrostatic service life; and

**WHEREAS**, the total Grant award is \$113,145 (*Federal share - \$102,860, City's match - \$10,285*); and

**NOW, THEREFORE**, BE IT ORDAINED by the City Council of the City of Daphne, Alabama, that: the Fiscal Year 2015 Budget is hereby amended to include a General Fund appropriation for \$10,285 for the required match for the AFG Grant and the Mayor is hereby authorized to execute any and all documents relative to this grant project.

**APPROVED AND ADOPTED** by the City Council of the City of Daphne this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

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

**ATTEST:**

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

## Suzanne Henson

---

**Subject:** FW: Grant Award for Fire Department

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**From:** Dane Haygood  
**Sent:** Friday, May 01, 2015 8:38 AM  
**To:** Kenneth Hanak  
**Cc:** Christine Ciancetta; Suzanne Henson; mayorsoffice; Chief White  
**Subject:** Re: Grant Award for Fire Department

That is great news. Absolutely you have my permission to move this forward to the finance committee.

Great job and please pass my appreciation on to all that were involved in the grant process.

Mayor Haygood

Sent from my iPhone

**From:** Chief White [mailto:jwhite@daphnefire.org]  
**Sent:** Friday, May 01, 2015 8:38 AM  
**To:** 'Kenneth Hanak'; Christine Ciancetta; Suzanne Henson; Dane Haygood; mayorsoffice  
**Subject:** RE: Grant Award for Fire Department

The new self contained breathing apparatus are to replace some of our older outdated models that are nearing their hydrostatic service life.

On May 1, 2015, at 6:46 AM, "Kenneth Hanak" <[khanak864@yahoo.com](mailto:khanak864@yahoo.com)> wrote:

I received award notification from FEMA this morning for the 2014 Assistance to Firefighters Grant in the amount of \$102,860.00. The grant is for 19 self contained breathing apparatus. The required match is 10% or \$10,285.00. A copy of the award package is attached. We would like to be placed on the agenda for the next finance committee meeting to request appropriation of the required matching funds.

Kenneth B. Hanak, MPA, EFO  
Battalion Chief  
Daphne Fire Department  
28280 N. Main St  
Daphne, AL 36526  
(251) 583-3215

<EMW-2014-FO-04113 Daphne Fire Dept Award Package.pdf>



**Dane Haygood**  
Mayor  
mayor@daphneal.com  
City of Daphne, Alabama - "The Jubilee City"  
Phone: 251-621-9000 Web: [www.daphneal.com](http://www.daphneal.com)

**FEDERAL EMERGENCY MANAGEMENT AGENCY  
OBLIGATING DOCUMENT FOR AWARD/AMENDMENT**

<b>1a. AGREEMENT NO.</b> EMW-2014-FO-04113	<b>2. AMENDMENT NO.</b> 0	<b>3. RECIPIENT NO.</b> 63-0478139	<b>4. TYPE OF ACTION</b> AWARD	<b>5. CONTROL NO.</b> W494333N
<b>6. RECIPIENT NAME AND ADDRESS</b> Daphne Fire Department 28280 North Main Street Daphne Alabama, 36526-7604	<b>7. ISSUING OFFICE AND ADDRESS</b> Grant Programs Directorate 500 C Street, S.W. Washington DC, 20528-7000 POC: Andrea Day		<b>8. PAYMENT OFFICE AND ADDRESS</b> FEMA, Financial Services Branch 500 C Street, S.W., Room 723 Washington DC, 20472	
<b>9. NAME OF RECIPIENT PROJECT OFFICER</b> Kenneth B. Hanak	<b>PHONE NO.</b> 2516212836	<b>10. NAME OF PROJECT COORDINATOR</b> Catherine Patterson	<b>PHONE NO.</b> 1-866-274-0960	
<b>11. EFFECTIVE DATE OF THIS ACTION</b> 21-APR-15	<b>12. METHOD OF PAYMENT</b> SF-270	<b>13. ASSISTANCE ARRANGEMENT</b> Cost Sharing	<b>14. PERFORMANCE PERIOD</b> From:21-APR-15 To:20-APR-16  Budget Period From:23-JAN-15 To:30-SEP-15	

**15. DESCRIPTION OF ACTION**

a. (Indicate funding data for awards or financial changes)

PROGRAM NAME ACRONYM	CFDA NO.	ACCOUNTING DATA (ACCS CODE) XXXX-XXX-XXXXX-XXXX- XXXX-XXXX-X	PRIOR TOTAL AWARD	AMOUNT AWARDED THIS ACTION + OR (-)	CURRENT TOTAL AWARD	CUMULATIVE NON- FEDERAL COMMITMENT
AFG	97.044	2015-F4- C111-P4310000-4101-D	\$0.00	\$102,860.00	\$102,860.00	\$10,285.00
<b>TOTALS</b>			\$0.00	\$102,860.00	\$102,860.00	\$10,285.00

b. To describe changes other than funding data or financial changes, attach schedule and check here.

N/A

**16a. FOR NON-DISASTER PROGRAMS: RECIPIENT IS REQUIRED TO SIGN AND RETURN THREE (3) COPIES OF THIS DOCUMENT TO FEMA (See Block 7 for address)**

Assistance to Firefighters Grant recipients are not required to sign and return copies of this document. However, recipients should print and keep a copy of this document for their records.

**16b. FOR DISASTER PROGRAMS: RECIPIENT IS NOT REQUIRED TO SIGN**

This assistance is subject to terms and conditions attached to this award notice or by incorporated reference in program legislation cited above.

**17. RECIPIENT SIGNATORY OFFICIAL (Name and Title)**

N/A

DATE

N/A

**18. FEMA SIGNATORY OFFICIAL (Name and Title)**

Andrea Day

DATE

14-APR-15

[Go Back](#)

U.S. Department of Homeland Security  
Washington, D.C. 20472



# FEMA

Mr. Kenneth B. Hanak  
Daphne Fire Department  
P. O. Box 400  
Daphne, Alabama 36526-0400

Re: Award No.EMW-2014-FO-04113

Dear Mr. Hanak:

Congratulations, on behalf of the Department of Homeland Security, your application for financial assistance submitted under the Fiscal Year (FY) 2014 Assistance to Firefighters Grant has been approved in the amount of \$102,860.00. As a condition of this award, you are required to contribute a cost match in the amount of \$10,285.00 of non-Federal funds, or 10 percent of the Federal contribution of \$102,860.00.

**Before you request and receive any of the Federal funds awarded to you, you must establish acceptance of the award through the Assistance to Firefighters Grant Programs' e-grant system.** By accepting this award, you acknowledge that the terms of the following documents are incorporated into the terms of your award:

- Summary Award Memo
- Agreement Articles (attached to this Award Letter)
- Obligating Document (attached to this Award Letter)
- FY 2014 Assistance to Firefighters Grant Funding Opportunity Announcement.

Please make sure you read, understand, and maintain a copy of these documents in your official file for this award.

**Prior to requesting Federal funds, all recipients are required to register in the System for Award Management (SAM.gov).**

As the recipient, you must register and maintain current information in SAM.gov until you submit the final financial report required under this award or receive the final payment, whichever is later. This requires that the recipient review and update the information annually after the initial registration, and more frequently for changes in your information. There is no charge to register in SAM.gov. Your registration must be completed on-line at <https://www.sam.gov/portal/public/SAM/>. It is your entity's responsibility to have a valid DUNS number at the time of registration.

In order to establish acceptance of the award and its terms, please follow these instructions:

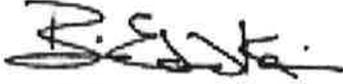
**Step 1:** Please go to <https://portal.fema.gov> to accept or decline your award. This will take you to the Assistance to Firefighters eGrants system. Enter your User Name and Password as requested on the login screen. Your User Name and Password are the same as those used to complete the application on-line.

Once you are in the system, the Status page will be the first screen you see. On the right side of the Status screen, you will see a column entitled Action. In this column, please select the View Award Package from the drop down menu. Click Go to view your award package and indicate your acceptance or declination of award. PLEASE NOTE: your period of performance has begun. If you wish to accept your grant, you should do so immediately. When you have finished, we recommend printing your award package for your records.

**Step 2:** If you accept your award, you will see a link on the left side of the screen that says "Update 1199A" in the Action column. Click this link. This link will take you to the SF-1199A, Direct Deposit Sign-up Form. Please complete the SF-1199A on-line if you have not done so already. When you have finished, you must submit the form electronically. Then, using the Print 1199A Button, print a copy and take it to your bank to have the bottom portion completed. Make sure your application number is on the form. After your bank has filled out their portion of the form, you must fax a copy of the form to FEMA's SF-1199 Processing Staff at

301-998-8699. You should keep the original form in your grant files. After the faxed version of your SF 1199A has been reviewed you will receive an email indicating the form is approved. Once approved you will be able to request payments online. If you have any questions or concerns regarding your 1199A, or the process to request your funds, please call (866) 274-0960.

Sincerely,

A handwritten signature in black ink, appearing to read "B. E. Kamoie".

Brian E. Kamoie  
Assistant Administrator for Grant Programs

## Summary Award Memo

**SUMMARY OF ASSISTANCE ACTION  
ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM  
Application**

**INSTRUMENT:** GRANT  
**AGREEMENT NUMBER:** EMW-2014-FO-04113  
**GRANTEE:** Daphne Fire Department  
**DUNS NUMBER:** 800059230  
**AMOUNT:** \$113,145.00, Operations and Safety

**Project Description**

The purpose of the Assistance to Firefighters Program is to protect the health and safety of the public and firefighting personnel against fire and fire-related hazards.

After careful consideration, FEMA has determined that the recipient's project or projects submitted as part of the recipient's application, and detailed in the project narrative as well as the request details section of the application - including budget information - was consistent with the Assistance to Firefighters Grant program's purpose and worthy of award. The projects approved for funding are indicated by the budget or negotiation comments below. The recipient shall perform the work described in the grant application for the recipient's approved project or projects as itemized in the request details section of the application and further described in the grant application narrative. The content of the approved portions of the application - along with any documents submitted with the recipient's application - are incorporated by reference into the terms of the recipient's award. The recipient may not change or make any material deviations from the approved scope of work outlined in the above referenced sections of the application without prior written approval, via amendment request, from FEMA.

**Period of Performance**

21-APR-15 to 20-APR-16

**Amount Awarded**

The amount of the award is detailed in the attached Obligating Document for Award. The following are the budgeted estimates for object classes for this grant (including Federal share plus recipient match):

Personnel:	\$0.00
Fringe Benefits	\$0.00
Travel	\$0.00
Equipment	\$113,145.00
Supplies	\$0.00
Contractual	\$0.00
Construction	\$0.00
Other	\$0.00
Indirect Charges	\$0.00
State Taxes	\$0.00
Total	\$113,145.00

**NEGOTIATION COMMENTS IF APPLICABLE (max 8000 characters)**

Any questions pertaining to your award package, please contact your GPD Grants Management Specialist: Marie Rogers at Marie.Rogers@dhs.gov.

**FEMA Officials**

**Program Officer:** The Program Specialist is responsible for the technical monitoring of the stages of work and technical performance of the activities described in the approved grant application. If you have any programmatic questions regarding your grant, please call the AFG Help Desk at 866-274-0960 to be directed to a program specialist.

**Grants Assistance Officer:** The Assistance Officer is the Federal official responsible for negotiating, administering, and executing all grant business matters. The Officer conducts the final business review of all grant awards and permits the obligation of federal funds. If you have any questions regarding your grant please call ASK-GMD at 866-927-5646 to be directed to a Grants Management Specialist.

**Grants Operations POC:** The Grants Management Specialist shall be contacted to address all financial and administrative grant business matters for this grant award. If you have any questions regarding your grant please call ASK-GMD at 866-927-5646 to be directed to a specialist.

**ADDITIONAL REQUIREMENTS (IF APPLICABLE) (max 8000 characters)**

Any questions pertaining to your award package, please contact your GPD Grants Management Specialist: Marie Rogers at Marie.Rogers@dhs.gov.

**CITY OF DAPHNE**

**ORDINANCE 2015-32**

**Lodging Tax Appropriation  
Bayfront Park Drive Improvements: Water Line Installation**

**WHEREAS**, Ordinance 2014-44 approved and adopted the Fiscal Year 2015 Budget on September 23, 2014; and

**WHEREAS**, subsequent to the adoption of the Fiscal Year 2015 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2015 budget; and

**WHEREAS**, Lodging Tax funds may be used for the purchase, development, and maintenance of waterfront property; and

**WHEREAS**, it has been determined that that the current water main is no longer serviceable and is inadequate to meet the required level of demand for this area along Bayfront Park Drive and an upgrade replacement main water supply is warranted; and

**NOW, THEREFORE**, BE IT ORDAINED by the City Council of the City of Daphne, Alabama, that the Fiscal Year 2015 Budget is hereby amended to include an additional Lodging Tax appropriation in the amount of \$6,863 to install a new water line along Bayfront Park Drive.

**APPROVED AND ADOPTED** by the Mayor and City Council of the City of Daphne, Alabama, this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

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

**ATTEST:**

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

**Suzanne Henson**

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**From:** Michele Hanson  
**Sent:** Tuesday, May 05, 2015 10:18 AM  
**To:** Suzanne Henson  
**Subject:** Bayfront Drive Quotes  
**Attachments:** ~~CNG RES.pdf~~

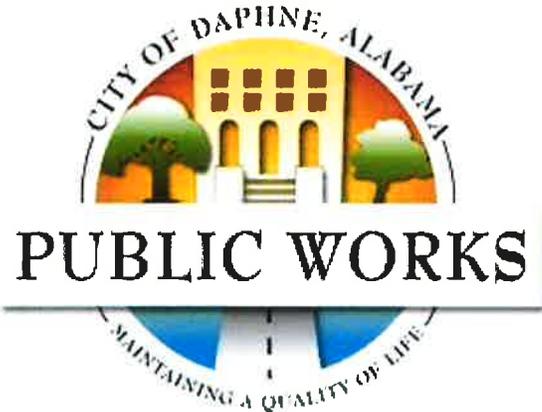
Suzanne,

Please place on the May Finance Committee Agenda.

*Motion by Ron Scott, seconded by John Lake* to favorably recommend to the Finance Committee to be funded by the lodging tax. *Motion carried.*

**Michele T. Hanson**

Assistant to the Public Works Director  
City of Daphne  
Post Office Box 400  
251-621-3182  
251-621-3189 fax



Like Us On Facebook - <https://www.facebook.com/CityofDaphne>



**Michele Hanson**  
Administrative Assistant  
mthanson@daphneal.com  
City of Daphne, Alabama - "The Jubilee City"  
Phone: 251-621-3182 Web: [www.daphneal.com](http://www.daphneal.com)



FEI-LOXLEY WATERWORKS #1715  
 30085 STATE HWY 59  
 'INSIDE CITY LIMITS'  
 LOXLEY, AL 36551-0000

Deliver To: clint.robinson@ferguson.com  
 From: Clint Robinson  
 Comments:

10:11:08 FEB 09 2015

FEI-SANTA ROSA WW #1204

Price Quotation

Page # 1

Phone : 251-964-8330

Fax : 251-964-8334

Bid No.....: B237099

Bid Date....: 02/09/15

Quoted By.: CER

Cust 251-338-7514

Terms.....: NET 10TH PROX

Customer: UTILITIES BD OF DAPHNE  
 PO BOX 2550  
 DAPHNE, AL 36526

Ship To: UTILITIES BD OF DAPHNE  
 PO BOX 2550  
 DAPHNE, AL 36526

Cust PO#...: BAY FRONT DRIVE

Job Name: MARTIN

Item	Description	Quantity	Net Price	UM	Total
AFCB84BLAOLM	5-1/4 VO B84B HYD 3'0 BURY OL L/A	1	1305.000	EA	1305.00
DR18BPU	6 C800 DR18 PVC GJ BLUE PIPE	1400	3.970	FT	5558.00

Net Total: \$6863.00  
 Tax: \$0.00  
 Freight: \$0.00  
 Total: \$6863.00

Quoted prices are based upon receipt of the total quantity for immediate shipment (48 hours). SHIPMENTS BEYOND 48 HOURS SHALL BE AT THE PRICE IN EFFECT AT TIME OF SHIPMENT UNLESS NOTED OTHERWISE. Seller not responsible for delays, lack of product or increase of pricing due to causes beyond our control, and/or based upon Local, State and Federal laws governing type of products that can be sold or put into commerce. This quote is offered contingent upon the buyer's acceptance of Seller's terms and conditions, which are incorporated by reference and found either following this document, or on the web at [http://wolselley.com/terms\\_conditionsSale.html](http://wolselley.com/terms_conditionsSale.html).  
 Govt Buyers: All items are open market unless noted otherwise.

LEAD LAW WARNING: It is illegal to install products that are not "lead free" in accordance with US Federal or other applicable law in potable water systems anticipated for human consumption. Products with "NP" in the description are NOT lead free and can only be installed in non-potable applications. Buyer is solely responsible for product selection.