CITY OF DAPHNE
1705 MAIN STREET, DAPHNE, AL
CITY COUNCIL BUSINESS MEETING AGENDA - AMENDED
April 1, 2019
6:30 P.M.

1. CALL TO ORDER

2. ROLL CALL
INVOCATION: Father Tuck Bowen, St. Stephen's Charismatic Episcopal Church
PLEDGE OF ALLEGIANCE

PUBLIC HEARING: Revision to the City of Daphne Land Use and Development Ordinance Zoning District Map

PRESENTATION: Beautification Award: DesignGallery by Swift Supply

3. APPROVE MINUTES: Council Meeting – March 18, 2019

4. REPORTS OF STANDING COMMITTEES

A. FINANCE COMMITTEE – Conaway
Minutes from the March 18, 2019 meeting are in the packet.

a. Unrestricted Fund Balance, February 2019 - $15,606,993
b. Sales Tax, January 2019 - $1,336,931.53
c. Lodging Tax, January 2019 - $76,210.018
d. Total Cash Balance - $26,399,360

MOTION to authorize the Mayor to enter in a lease through the NIPA cooperative contract to continue leasing Canon copiers.

MOTION to authorize the Mayor to enter in an agreement with Hand Arendall for Bond Counsel for the 2012 Bond Refunding.

MOTION to recommend to Council to move forward with the bidding process for the SAFE Room Project and evaluate funding after the bids are received.

B. BUILDINGS & PROPERTY COMMITTEE – Goodlin

C. PUBLIC SAFETY COMMITTEE – Scott

D. CODE ENFORCEMENT/ORDINANCE COMMITTEE – Phillips

E. PUBLIC WORKS COMMITTEE – Coleman

Review the Beautification Committee Minutes from the January and February Meetings.

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS

A. BOARD OF ZONING ADJUSTMENTS – Adrienne Jones

B. DOWNTOWN REDEVELOPMENT AUTHORITY – Conaway

C. INDUSTRIAL DEVELOPMENT BOARD - Rudicell

D. LIBRARY BOARD –Phillips

E. PLANNING COMMISSION – Scott

F. RECREATION BOARD – LeJeune

G. UTILITY BOARD – LeJeune
Review the Minutes from the February 2019 Meeting.

6. MAYOR'S REPORT

7. CITY ATTORNEY REPORT

8. DEPARTMENT HEAD REPORTS

9. CITY CLERK'S REPORT

10. PUBLIC PARTICIPATION

11. RESOLUTIONS & ORDINANCES

A. RESOLUTIONS:

2019-18 – Rock Material Bid

2019-19 – Asphalt Bid

2019-20 – Plastic Pipe Bid

2019-21 – Concrete Pipe Bid

2019-22 – Lease Authorizing FY19 Regions Bank

2019-23 – Renewal of CD – BBVA Compass

2019-24 – Disaster Debris Removal

2019-25 – Monitoring Services for Disaster Debris Removal – True North

2019-26 – ADECA VP Coastal Trails Boardwalk – Professional Engineering Services – RFQ

2019-27 – Concrete –Negotiated

2019-28 – Legislative Annexation

2019-29 – Renaissance Center – Economic Development Agreement

B. 2ND READ ORDINANCES:

2019-16 – Revisions to the Land Use Ordinance – Article 9, Lots of Record

C. 1ST READ ORDINANCES:

2019-17 – Lott Park – Additional Appropriation **-** $53,425.73

2019-18 – Lodging Tax – Joe Louis Patrick Park Additional Appropriation **-** $42,465

2019-19 – Revisions to Zoning Map

2019-20 – Amend Job Classification Schedule: Information Technology Director

12. COUNCIL COMMENTS

13. ADJOURN

MEMORANDUM

To: Office of the City Clerk

From: Adrienne D. Jones, AJ
Community Development Director

Subject: Revision to the Official City of Daphne Zoning Map

Date: February 5,2019

At the, January 24, 2019, regular meeting of the City of Daphne Planning Commission, seven members were present. The motion carried unanimously to set forth a ***favorable recommendation*** of acceptance of the above-mentioned revision to the zoning map containing annexation, zoning changes and street acceptance that were approved between June 1, 2018 and January 31, 2019.

Attached please find the appropriate documentation and action of the Daphne Planning Commission.

Upon receipt of said documentation, please prepare an ordinance for placement on the City Council agenda to set a public hearing.

Thank you,
ADJ/jv

cc: file

attachment(s)

1. Zoning Map Planning Report (Copy Attached)
2. Zoning Map (Display - Posted in Council Chambers)

Zoning and Street Map Edits: *June 1, 1018 through January 31, 2019*

Annexation by Council Action	Council Approval Date	Council Action Ordinance #		Property Size (Acres)
Danny and Donna Parks	01/07/19	2018-44		3.37ac
Prezoning	**Council Approval Date**	**Ordinance #**		**Property Size (Acres)**
Danny and Donna Parks	01/07/19	2018-43		**3.37ac**
Rezoning or Prezoning Petitions	**Council Approval Date**	**Ordinance #**	**Old/New Zoning Classification**	**Property Size (Acres)**
Victorine Nelson (Estate of) (Main & Van Ave)	07/02/18	2018-24	R-2 to B-3	1.21 ac
Alex Yeoman and Raymond Harris (Lake Front Drive)	10/01/18	2018-36	R-3 to R-7(A)	0.49 ac
Cynthia Dixon (Randall Ave)	11/05/18	2018-40	R-2 to R-6(G)	0.5 ac
Claymark Properties (Van Ave)	01/07/19	2018-42	R-2 to B-3	1.15 ac
Street Acceptances	**Approved**	**Resolution #**	**Linear Feet**	**Miles**
Winged Foot Phase 2A	08/06/18	2018-35	765	0.1448
Winged Foot Phase 2B	08/06/18	2018-36	1,079	0.2043
Diamante Phase 1	10/15/18	2018-50	4,406	0.8344
Oldfield Phase 3A	01/07/19	2019-01	1,824	0.3454

*Map changes for pre-zoned property occur after said land is officially annexed into the city limits.

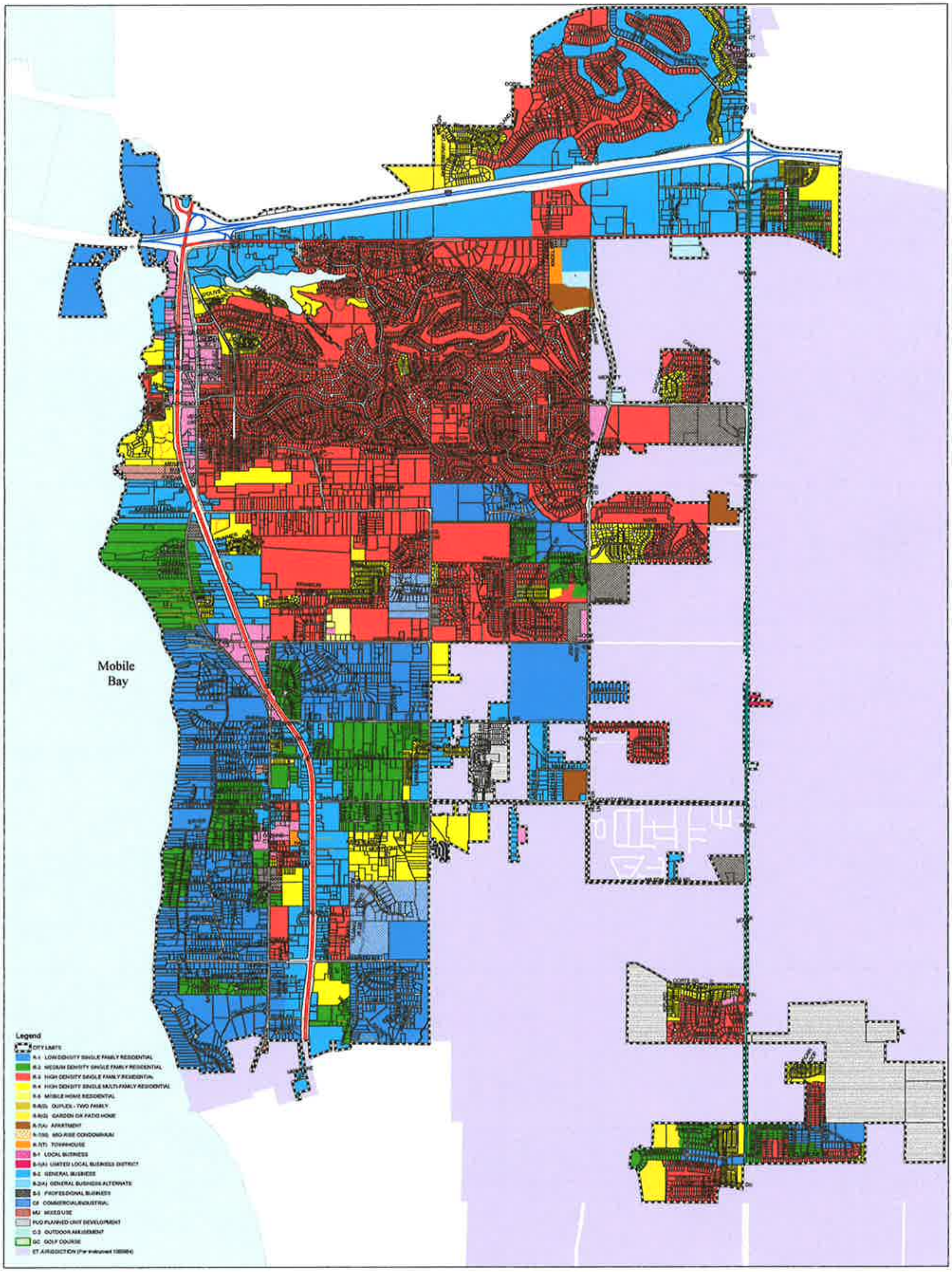
- Previously adopted Street Map 06/04/18 Resolution 2018-29
- Previously adopted Zoning Map 08/06/18 Ordinance 2018-27
- City GIS zoning, street and city limits shapefiles have been updated to include all applicable above-noted amendments; however, County parcel file updates are pending release.

Daphne
ALABAMA
The Jubilee City

City of Daphne Official Zoning Map

Exhibit A

N



1 inch = 1,500 feet

0.5 0.25 0 0.5 Miles

Maps are for graphical purposes only. They do not represent a legal survey. The information contained in the data distributed by the City of Daphne is derived from a variety of public and private sources considered to be dependable, but the accuracy, completeness and currency thereof are not guaranteed. The City of Daphne makes no warranties, expressed or implied as to the accuracy, completeness, currency, reliability, or suitability for any particular purpose of the information or data contained in or generated from the City Geographic Information System. Additionally, the City of Daphne or any agent, servant, or employee thereof assume no liability associated with the use of the data, and assume no responsibility to maintain it in any manner or form. Any questions regarding zoning or any data should be directed to the City of Daphne Department of Community Development at 251-620-1700.

City of Daphne Beautification Committee

presents this

Certificate of Recognition

to

DesignGallery by Swift Supply

for your excellence in beautifying the City of Daphne.

Awarded on this 1st day of April 2019.

Dane Haygood, Mayor

March 18, 2019
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 Rudicell called the meeting to order at 6:29 p.m.

2. ROLL CALL:

COUNCIL MEMBERS PRESENT: Tommie Conaway, Pat Rudicell, Joel Coleman, Doug Goodlin, Ron Scott, Robin LeJeune and Angie Phillips

Also Present: Jay Ross, City Attorney; Mayor Haygood; Candace Antinarella, City Clerk; Kelli Reid, Finance Director/Treasurer; Joey Wehrman, Facilities Director; Betsy Schneider, Operations Director; Adrienne Jones, Planning Director; James White, Fire Department; David Carpenter, Police Department, Jeremy Sasser, Public Works Director; Tonja Young, Library Director; and Jessica Linne, Assistant City Clerk

INVOCATION/PLEDGE OF ALLEGIANCE:

Invocation was given by Reverend Thack Dyson.

PUBLIC HEARING:
Public Hearing on Amending the Land Use and Development Ordinance, Article IX, Section 9-6, Lots of Record.

Adrienne Jones, Planning Director, presented information about the proposed amendments from the City's Planning Commission.
Councilman Rudicell asked if the section regarding open air porches was city wide. Mrs. Jones said that it only applied to lots in Olde Towne Daphne.
Councilwoman Phillips asked if existing homes could add open air porches in the designated area. Mrs. Jones said they could.

Public Participation opened at 6:36pm.

Ed Beck, 300 College Avenue, said that he is in favor of the recommendation to amend the ordinance.

Public Participation closed at 6:38pm.

RECOGNITION: Mayor Haygood recognized the Daphne High School Wrestling Team who progressed to the State Championship this year. Scott Miller is their coach. The four students represented were Isaiah Wysong, Cameron Holder, Ethan Lassere and Jared Childs.

3. APPROVE MINUTES:

The minutes of the March 4, 2019 regular meeting were approved.

4. REPORT OF STANDING COMMITTEES:

A. FINANCE COMMITTEE
Councilwoman Conaway said the Committee met that afternoon and the report will be in the next meeting's packet.

B. BUILDINGS & PROPERTY COMMITTEE
Councilman Goodlin said the Committee met last week and the next meeting will be April 8th at 5:15pm. He said the February 2019 Building Report is in the packet.

C. PUBLIC SAFETY COMMITTEE
Councilman Scott said the minutes from the February 11th meeting are in the packet. The next meeting is April 8th.

D. CODE ENFORCEMENT/ORDINANCE COMMITTEE
Councilwoman Phillips said the committee meets the first Monday of every month at 4:30pm.

E. PUBLIC WORKS COMMITTEE
Councilman Coleman said next meeting will be April 1st at 5:30pm.

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

A. Board of Zoning Adjustments
Mrs. Jones said the minutes from the March 7, 2019 meeting are in the packet. She said there was a correction on page 31. The application was "not approved" though the minutes state approved.

B. Downtown Redevelopment Authority
Councilwoman Conaway said the next meeting will be March 26th at 5:30pm.

C. Industrial Development Board
Councilman Rudicell said the Board will have a Special Called Meeting with Architects Southwest on March 19th at 3:30pm.

D. Library Board
Councilwoman Phillips said the next meeting is Thursday, April 11th at 4:00pm at the Library.

E. Planning Commission
Councilman Scott said there was no meeting in February. The next meeting will be March 28th at 5:00pm.

F. Recreation Board
Councilman LeJeune said the Board met at the new Sports Complex on March 13th. The Board meets the last Wednesday of the month.

G. Utility Board
Councilman LeJeune said the Council has requested to review tap fees for the new Sports Complex. He will present to the Utility Board a request to waive fees from the City for Daphne Utilities and then he will report back to the Council.

6. MAYOR'S REPORT:

Mayor Haygood said at the Finance Meeting Councilwoman Phillips made a motion for the Council to make a motion to request the Utility Board to waive the impact meter and installation fees for the new Sports Complex in their entirety. Mayor Haygood asked if someone on the Council would make a motion to go ahead and vote on this request to have it settled before the Utility Board meets again.

City Clerk asked Councilman Rudicell if he would like to vote to suspend the rules for this motion because it was not on the evening's agenda.

MOTION by Councilman Rudicell to suspend the rules and add a motion from the Finance Committee to the agenda to be voted on that evening.

City Clerk called roll.

Councilwoman Conaway	**Aye**
Councilman Coleman	**Aye**
Councilman Goodlin	**Aye**
Councilman Scott	**Aye**
Councilman LeJeune	**Aye**
Councilwoman Phillips	**Aye**
Council President Rudicell	**Aye**

MOTION CARRIED UNANIMOUSLY.

MOTION by Councilwoman Phillips to request Daphne Utilities to waive the impact, tap and connection fees at the new Daphne Sports Complex. Seconded by Councilman Coleman.
MOTION CARRIED UNANIMOUSLY.

Mayor Haygood said that Architects Southwest will be presenting to the Council and citizens on Tuesday and Wednesday evenings. He also mentioned that Council will have Executive Session later this evening to discuss the buying and selling of property. The Mayor said that it was a busy weekend in the City with various events. He recognized the Boy Scout Troop 82 in attendance at the Council meeting.

7. CITY ATTORNEY REPORT:
City Attorney asked that after the meeting adjourns that Council could enter in an Executive Session.

8. DEPARTMENT HEAD COMMENTS:

No report from Fire Department or Police Department.

David McKelroy shared that things are up and running at the new Daphne Sports Complex. He said they had the Sunday Sunset Series there at March 17th. They will also have Brown Bag by the Bay starting on April 1st.

9. CITY CLERK'S REPORT:

MOTION by Councilman Coleman to approve the Bayside Academy Bay Affair Event on March 30, 2019 from 6:00pm – 10:00pm. Seconded by Councilwoman Phillips.
MOTION CARRIED UNANIMOUSLY.

10. PUBLIC PARTICIPATION:

Public Participation opened at 6:57pm.

Nichelle Jones, 11637 Wentwood Court, asked why her workout classes will no longer be offered at the Recreation Center beginning June 1st. Mr. McKelroy said that it was not economically feasible. Councilman Rudicell said he would like this brought up in the next Buildings and Property Meeting set for April 8th at 5:15pm.

Public Participation closed at 7:00pm.

11. RESOLUTIONS & ORDINANCES:

RESOLUTIONS:

2019-16 – Donation to Daphne High School – Two Recumbent Bikes

2019-17 – Roads and Rights of Way Acceptance – Blackstone Subdivision Phase 1 and 2

MOTION by Councilwoman Conaway to waive the reading of Resolution 2019-16 and Resolution 2019-17. Seconded by Councilman Goodlin. Councilman Coleman ABSTAINED.
MOTION CARRIED.

MOTION by Councilwoman Conaway to adopt Resolution 2019-16. Seconded by Councilman LeJeune.
MOTION CARRIED UNANIMOUSLY.

MOTION by Councilwoman Conaway to adopt Resolution 2019-17. Seconded by Councilman Scott. Councilman Coleman ABSTAINED. Councilman Scott asked Jeremy Sasser if the entrance to Corte Road still needed a top surface. He said yes and it will be paved once it is all finished. Councilman Scott asked if this has been annexed. Mayor Haygood said it was understood that at the completion of this project the City would take over maintenance.
MOTION CARRIED UNANIMOUSLY.

ORDINANCES:

2nd READ:

2019-13 – Additional Appropriation: Dispatch Recording System Upgrade - $15,033

2019-14 - Amend the Job Classifications for Building Inspector and Building Maintenance

2019-15 – Amend the Job Classification Schedule Director of Events and Marketing

MOTION by Councilman Scott to waive the reading of Ordinance 2019-13, 2019-14 and 2019-15. Seconded by Councilman LeJeune.
MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Scott to adopt Ordinance 2019-13. Seconded by Councilman LeJeune.
MOTION CARRIED UNANIMOUSLY.

MOTION by Councilman Scott to adopt Ordinance 2019-14. Seconded by Councilman Goodlin.
Aye – Conaway, Goodlin, Coleman, Scott, LeJeune, Phillips Nay - Rudicell
MOTION CARRIED.

MOTION by Councilman Scott to adopt Ordinance 2019-15. Seconded by Councilwoman Phillips.

Councilman Scott asked if adopted, will the ordinance be sent to Archer for them to put a classification, then the City will have to fund the position or will the budget need amending. The Mayor said this ordinance will combine two director level positions. Councilman LeJeune said he feels combining these two positions will harm the Recreation Department. Councilman Scott said he's willing to try it and if found after that it doesn't work, then there is nothing stopping creating a separate position. Mayor Haygood said there is a strong operational team at each facility. Councilman LeJeune said he doesn't feel this is a right step with the amount of growth that has recently happened with Recreation.
Aye – Conaway, Goodlin, Coleman, Scott, Phillips Nay – Rudicell, LeJeune
MOTION CARRIED.

<u>1st READ</u>:

2019-16 – Revisions to the Land Use Ordinance – Article 9, Lots of Record

12. <u>COUNCIL COMMENTS</u>:

City Attorney said as an attorney licensed and in good standing to practice law in the state of Alabama he certified that there was a valid reason to enter in to Executive Session in compliance with the Alabama Open Meetings Act specifically to discuss the buying and selling of real property. He asked for a roll call vote and a motion to state the purpose. He asked if Council President would state if the Council would reconvene and the approximate time they would return. He said that the Council should not have to take any action and that it should take about 20 minutes.

MOTION by Councilman Scott to enter into Executive Session. Seconded by Councilwoman Phillips. MOTION CARRIED UNANIMOUSLY.

City Clerk called roll.

Councilwoman Conaway	**Aye**
Councilman Coleman	**Aye**
Councilman Goodlin	**Aye**
Councilman Scott	**Aye**
Councilman LeJeune	**Aye**
Councilwoman Phillips	**Aye**
Council President Rudicell	**Aye**

MOTION CARRIED UNANIMOUSLY.

Councilman Scott thanked the Boy Scouts for coming out this evening.

Councilwoman Conaway thanked Mr. Sasser for setting up Saturday morning for the Lupus Walk.

Councilman Rudicell thanked the Council and thanked Councilman LeJeune for covering meetings.

The Council moved to Executive Session at 7:16pm.

13. <u>ADJOURN</u>:

The Council returned from Executive Session at 7:45pm.

THERE BEING NO FURTHER BUSINESS TO DISCUSS, THE MEETING ADJOURNED AT 7:46 P.M.

Respectfully submitted by,	Certification of Presiding Officer
______________________________	______________________________
Candace G. Antinarella, City Clerk	Robin LeJeune, Council Pro Tem

CITY OF DAPHNE
FINANCE COMMITTEE MINUTES
MARCH 18, 2019
4:30 P.M.

I. CALL TO ORDER/ROLL CALL

The meeting was called to order at 4:30 p.m.

Present were:

Chairman Mr. Pat Rudicell
Councilwoman Mrs. Tommie Conaway
Councilman Mr. Joel Coleman
Councilman Mr. Doug Goodlin
Councilman Mr. Ron Scott
Councilman Mr. Robin LeJeune
Councilman Mrs. Angie Phillips

Also Present: Mayor Dane Haygood, Finance Director Mrs. Kelli Reid, Senior Accountant Mrs. Suzânne Henson, Public Works Director Mr. Jeremy Sasser, Operations Director Mrs. Betsy Schneider, Facility Director Joey Wehrman, City Clerk Mrs. Candace Antinarella, Building Inspector Mr. Richard Merchant, City Attorney Mr. Patrick Dungan, and City Attorney Mr. Jay Ross. Also attending were Engineer Mr. Scott Hutchinson, HMR, and Engineer Mr. Andy Bobe, Dewberry.

II. PUBLIC PARTICIPATION

There was no public participation.

III. APPROVE MINUTES FOR THE PREVIOUS MEETING

The previous minutes were approved.

IV. HUMAN RESOURCES BUSINESS

A. Update on Human Resources Department Activity

Mrs. Henson stated that Mrs. Vickie Hinman is at an Employment Law conference but has included the Human Resource Report for review:

- Posted positions – 0
- Reviewing/Testing/Interviewing/Background check - 5
- Promotion/Internal Transfer - 0
- New Hires – 5
- Open positions - 0

Mrs. Henson noted that the HR Report, Safety Committee meeting topics discussed and other Human Resource projects and events were included in the HR Report in the packet.

Other HR projects/meetings/events:

- RSA Employer Self-Service: Testing Phase. Go-Live est. 04/01/2019
- Applicant Tracking System: 03/18/2019 Implementation
- Job description for Events & Marketing Director
- Employment Law Conference – (3/17-3/20)

Mr. Rudicell asked if the administrative position at the Civic Center, where the employee recently retired, was still open. Mrs. Reid explained that that position was still funded and that the new position the Mayor was requesting would be created by combining two director positions: Recreation Director and Civic Center/Tourism Director.

B. Overtime Report and Special Events Overtime Recap Report

Mrs. Reid reviewed the Overtime Report and the Special Events Overtime Recap Report. Mrs. Reid noted that the Mardi Gras parades cost an estimated $11,000-$12,000 per parade. Discussion continued on the Special Events Recap report.

V. BUSINESS LICENSE REPORT

A. Report: New Business Licenses – February, 2019

Mrs. Coleman reviewed the following reports and information:

- Code enforcement issued 38 warnings resulting in businesses becoming compliant and $8,441.88 in revenue
- New Businesses with a physical location in Daphne - 15
- Simplified Sellers Use Tax collections - $11,715.34 and YTD collections - $35,200.37

BUSINESS LICENSE COUNT through 02/28/2019	
NEW Licenses	**79**
RENEWAL Licenses **(2019)**	**1272**
PRIOR YEAR Licenses **(2018 and Prior)**	11
Total Issued THIS MONTH	**1362**
Total Issued THIS MONTH - PREVIOUS YEAR	1460
Net Gain/-Loss Current VS Previous Yr MONTH	**-98**
Total Issued YTD 2019	**3,639**
Total Issued YTD - PREVIOUS YEAR	3,522
Net Gain/-Loss Current VS Previous Yr YTD +	**117**

Business License Fee Historical Comparison - 2018 / 2019				
	FY 18	**FY 19**	**+/- Previous Year**	**Budget 2018 * $2,215,000**
October	$5,258.84	$7,486.91	$2,228.07	($2,207,513.09)
November	$8,566.59	$3,983.03	($4,583.56)	($2,203,530.06)
December	$41,564.84	$2,614.81	($38,950.03)	($2,200,915.25)
January	$1,420,279.64	$1,409,468.98	($10,810.66)	($791,446.27)
February	$603,134.76	$698,411.44	$95,276.68	($93,034.83)
Year to Date	$2,078,804.67	$2,121,965.17	**$43,160.50**	**($28,034.83)**
*** Amounts include penalty and interest.**				

VI. SALES & LODGING TAX REPORT

A. Sales and Use Taxes: January, 2019

Mrs. Henson reviewed the Sales & Use Tax Reports and Graphs: $1,336,931.53 was collected for January, 2019 which was up $88,864.86 from January 2018's collections: :

- YTD Variance over Budget - $36,844.86

B. Lodging Tax Collections, January, 2019

Mrs. Henson reviewed the Lodging Tax Collections Report and noted the collections for January, 2019 were $76,210.18 which is down ($2,661.11) from January 2018's collections .

- YTD Variance over Budget: $ 27,417.68

C. Lodging Tax Fund : Statement of Rev over Exp, February, 2019

Mrs. Henson reviewed the Lodging Tax Statement of Revenues over Expenditure report for February, 2019.

- Unreserved balance for Bayfront related purchases - $1,397,879.69
- Recreation related purchases - $ 804,090.31

Mrs. Henson noted that recent expenditures for each of the line items listed with annual activity including the Community Contribution to MBNEP ($50,000) *are* reflected in the report.

VII. FINANCIAL SCHEDULES & REPORTS

A. Financial Reports

1. Treasurer's Report: February, 2019

Mrs. Reid reviewed the Treasurer's Report:

TREASURER'S REPORT As of February 28, 2019					
Account Type/Title	2/28/2019	1/31/2019	Increase (Decrease) from last Month	2/28/2018	Increase (Decrease) from Last Year
GENERAL FUND & ENTERPRISE FUNDS	$ 9,645,512	$ 9,310,451	$ 335,061	$ 11,974,926	$ (2,329,414)
CERTIFICATE OF DEPOSIT	506,407	506,407	-	-	506,407
INVESTMENT FUND	5,432,725	5,420,549	12,176	5,298,261	134,464
CREDIT CARD ACCOUNT	22,349	9,322	13,027	6,645	15,704
Total Unrestricted Cash Balance	15,606,993	15,246,729	360,264	17,279,832	(1,672,839)
SPECIAL REVENUE FUNDS					
AGENCY FUNDS					
	3,486,633	3,605,417	(118,783)	3,493,764	(7,131)
CAPITAL PROJECT FUNDS					
CAPITAL RESERVE	4,820,524	4,852,626	(32,103)	1,668,543	3,151,981
2016 CAPITAL IMPROVEMENTS	-	212,932	(212,932)	845,559	(845,559)
2017 CONSTRUCTION	1,899,322	2,641,226	(741,904)	9,356,004	(7,456,682)
	6,719,846	7,706,784	(986,938)	11,870,106	(5,150,260)
DEBT SERVICE FUNDS					
DEBT SERVICE	585,888	2,340,329	(1,754,441)	570,968	14,920
Total Restricted Cash Balance	10,792,367	13,652,530	(2,860,163)	15,934,838	(5,142,471)
Total City Cash Balance	$ 26,399,360	$ 28,899,259	$ (2,499,899)	$ 33,214,670	$ (6,815,310)
	Encumbrance Total as of		2/28/2019	$ 743,557.36	

Mrs. Reid noted that most of the decrease in restricted cash balance was spending from the 2017 construction Fund. Mrs. Reid noted that the 2016 Capital Improvement account has been fully spent and closed. Part of the decrease in cash balance is that there is a significant decrease in Lodging tax which includes a $50,000 contribution to MBNEP and paying of the Trione fencing project.

The Treasurer's Report as of* FEBRUARY*, 2019 Total Unrestricted Cash Balance - $15,606,993 and Total City Cash Balance - $26,399,360 was presented to be filed for audit.

2. Encumbrance Report

- Encumbrance balance is - $743,557.36 as of **February,** 2019.

Mrs. Reid reviewed the Encumbrance Report and noted that Fire Station #2 furnishings has been cleared out and anticipated Well Road Boardwalk and the Welcome sign would soon be cleared out.

3. Outstanding Appropriations

Mrs. Reid noted there are a lot of projects going on. Mrs. Reid stated that the Nicholson Center Roofing project has been paid as well as the fencing project at Trione. Mrs. Reid noted that all bills for Lott Park are now being paid through Capital Reserve Fund.

4. Financial Overview: Debt Summaries & Monthly Financial Statements, January, 2019

Mrs. Reid reviewed the following Financial Statements:

- Debt Summary Schedules (General & Enterprise Funds), **February,** 2019
  - o Jubilee Square: Debt payments are currently fully paid through December 2017 thus 14 months in arrears. Arrearage includes $880,193 in principal and $190,680 in interest

Monthly Financial Statements – January 2019 YTD Financial Highlights
General Fund:

	FY 2019	FY 2018	Change
• YTD Budgetary Net Income:	$2,229,325	$ 4,315,408	$ (2,086,083)

- Total sales, use, and luxury tax collected for the year is approximately $201,000 over prior year and $37,000 over budgeted income

- Investment and interest earnings are approximately $195,000 over prior year to date collections
- January is historically the largest month in net income due to the collection of business licenses and the final collection of ad valorem taxes
- The annual workers compensation bill in the amount of $260,998 was paid in January
- Unassigned Fund Balance: $15,422,779
- Outstanding Encumbrances: $770,299

Debt Service Fund/Outstanding Debt:

- Outstanding Warrant Balance as of January 31, 2019: $38,222,529
- Outstanding Note Payable Balance as of January 31, 2019: $779,102
- Outstanding Capital Lease Balance as of January 31, 2019:
  - General Fund: $1,139,697
  - Enterprise Funds: $434,224

Capital Project Funds (Capital Reserve, 2016 Construction, and 2017 Construction):

- YTD Park Improvements Expenditures: $5,046,566
- YTD Corte Road Paving Expenditures: $103,785

Special Revenue Funds (11 separate funds):

- Lodging Tax Fund –
  - Bayfront Unreserved Fund Balance: $1,456,451.26
  - Recreation Unreserved Fund Balance: $844,913.41
  - Total lodging tax collected was $27,000 over budgeted income and prior year to date income.

Enterprise Funds (Solid Waste, Civic Center, and Bayfront):

- Year to date transfers for each of the enterprise funds were as follows:

	FY 2019	FY 2018	Change
Solid Waste Fund	$ 45,253	$ 56,412	$ (11,159)
Civic Center Fund	$ 10,709	$ 76,353	$ (65,644)
Bayfront Park Fund	$ 37,277	$ 47,104	$ (9,827)

5. Unfunded Future Projects Expenditure Summary

Mr. Scott asked about the Bayfront Master Plan project and asked if the report name could be changed to include "no appropriation authorized". Mrs. Reid stated she would update that report title. Discussion continued on future projects.

8. Summary of Budgetary Amendments

Mrs. Reid reviewed the General Fund budgetary amendments made to the FY2019 Budget.

- Total Appropriations Year to Date – ($2,723,956)
- Adjusted Expenses over Revenue – ($2,662,556)

B. Bills Paid Reports – February, 2019

The Bills Paid Report was presented in the packet.

VIII. BIDS *(Resolution)*

A. 2019-E-Rock – Vulcan Materials Company

B. 2019-F-Asphalt – H. O. Weaver and Sons

C. 2019-K-Plastic Pipe – Construction Materials

D. 2019-L-Concrete Pipe – Alabama Pipe & Supply Inc.

Mrs. Henson stated that the Rock, Asphalt, Plastic Pipe, and Concrete Pipe are all annual bid. Mrs. Henson noted that the minutes for each bid are all in the packet and also include the previous contract cost for comparison and evaluation purposes. Mr. Sasser noted he had submitted letters recommending to award to the low bidder for unit cost as bid for each bidder as listed above.

MOTION BY Mrs. Phillips to recommend to Council to award the* following bids to the low bidder for unit cost *bid as follows:

1. 2019-E-Rock - Vulcan Materials Company

2. 2019-F-Asphalt – H. O. Weaver and Sons

***3. 2019-K-Plastic Pipe –* Construction Materials**

***4. 2019-L-Concrete Pipe -* Alabama Pipe & Supply Inc.**

Seconded by Mr. Goodlin. ***MOTION CARRIED UNANIMOUSLY***

E. 2019-G-Concrete Material (negotiated)

Mrs. Henson stated that only one bidder submitted a bid for concrete, Ready Mix USA. Mr. Sasser negotiated the concrete contract since the bid was high and negotiating is allowed by State law when only one bidder responds. Mrs. Henson noted that the negotiated cost information is included in the packet. Mr. Sasser reviewed that the negotiated costs are very close to the previous contract costs Mr. Sasser noted that another increase is anticipated in the near future so we are entering into a new contract at a good time.

MOTION BY Mrs. Phillips to recommend to Council to award the negotiated 2019-G-Concrete Material bid to Ready Mix USA for the negotiated unit cost as bid. Seconded by Mr. Goodlin.

MOTION CARRIED UNANIMOUSLY

F. 2019-H-Disaster Debris Removal

Mrs. Henson stated that the bid minutes and recommendation letter are included in the packet. Mr. Sasser reviewed the bids submitted and the recommendation to award the Disaster Debris Removal bid to Crowder Gulf. Mr. Sasser noted the current contract was with Crowder Gulf and they have an office in the Theodore area.

MOTION BY Mr. Scott to recommend to Council to award the 2019-H-Disaster Debris Removal bid for unit cost as bid to Crowder Gulf. Seconded by Mrs. Phillips.

MOTION CARRIED UNANIMOUSLY

G. 2019-I-Monitoring Services for Disaster Debris Removal

Mrs. Henson stated that the bid minutes and recommendation letter are included in the packet. Mr. Sasser reviewed the bids submitted and the recommendation to award the Monitoring Services for Disaster Debris Removal bid to True North Emergency Management LLC. Discussion continued on the three vendors that submitted bids. Mrs. Henson reviewed the multiple categories that are included in the evaluation including bid price, expertise/experience of personnel comprising crew(s), type of equipment used, number of personnel available from each bidder, technical approach, and past performance. Mr. Sasser noted that one of the vendors did not submit some information that was critical in the evaluation process and another vendor did not rate as high in all the categories that were included in the specs as evaluation categories. Discussion continued on further evaluation of the recommended bidder for award and sending the information to Council to review before the final award is made.

MOTION BY Mrs. Phillips to recommend to Council to award the 2019-I-Monitoring Services for Disaster Debris Removal for unit cost as bid to True North Emergency Management LLC. Seconded by Mr. Goodlin.

MOTION CARRIED UNANIMOUSLY

H. 2019-RFQ-Engineering Services-ADECA-Recreational Trails Program (RTP)-Village Point Park Coastal Marsh Boardwalk

Mrs. Henson noted the minutes were included in the packet and the recommendation is to award the bid to Dewberry Engineers Inc.. Discussion continued that the Grant amount awarded was $210,206 and that the City's match of $52,522 was appropriated in Ordinance 2018-45. Discussion continued that the grant caps the grant funds available for engineering services at $23,870.62 *(ADECA rule states engineering including C E & I cannot exceed 10% of project cost).* Mr. Bobe discussed the engineering of the project.

MOTION BY Mr. Scott to recommend to Council to award the 2019-RFQ-Engineering Services-ADECA-Recreational Trails Program (RTP)-Village Point Park Coastal Marsh Boardwalk be awarded to Dewberry Engineers Inc. as bid. Seconded by Mr. Coleman.

MOTION CARRIED UNANIMOUSLY

IX. APPROPRIATION REQUESTS: *(Ordinance)*

A. Lott Park Tennis Facility – Additional Appropriation –Lighting - $53,426

Mrs. Reid reviewed the project and noted that the Lott Park Tennis Facility repair to the current lighting for the ballfields. Mr. Sasser said the appropriation also includes aid to construction and permanent lighting for parking lot. Mrs. Reid stated these items were not included in the bid specs so an additional appropriation of $53,426 is needed. Mr. Sasser discussed the lighting projects. Mrs. Reid asked the committee what fund they would like the funds to come from. The recommendation was to take the funds from the Lodging Tax Fund.

MOTION BY Mrs. Phillips to recommend to Council to adopt the Ordinance amending the budget to appropriate $53,426 from the Lodging Tax Fund for the Lott Park Tennis Facility additional appropriation for lighting for the parking lot and repair of the old ballpark lighting. Seconded by Mr. Scott.

MOTION CARRIED UNANIMOUSLY

X. NEW BUSINESS

A. Reauthorization of Canon Copier lease – NIPA Coop contract (Motion)

Mrs. Reid discussed that the Canon copiers are being requested to be leased under the cooperative NIPA contract which is the same as the previous lease.

MOTION BY Mrs. Phillips to recommend to authorize the Mayor to entered in a lease through the NIPA cooperative contract to continue leasing Canon copiers. Seconded by Mr. Goodlin.

MOTION CARRIED UNANIMOUSLY

B. Approval of FY19 Capital Budget Leases-Regions (Resolution)

Mrs. Reid stated that rates were obtained from three banks for the FY2019 equipment leases with Regions having the lowest interest rate. Mrs. Henson noted Regions rate was 2.82%. A resolution is in the packet and is required to authorize the Mayor to enter into the lease for the Street Sweeper and two mowers.

MOTION BY Mr. Scott to recommend to Council to adopt a resolution authorizing the Mayor to enter into a lease for a Street Sweeper and two mowers with Regions Equipment Finance Corporation. Seconded by Mrs. Phillips.

MOTION CARRIED UNANIMOUSLY

C. Reauthorization of Certificate of Deposit - $500,000 (Resolution)

Mrs. Reid discussed that the timeframe of the current Certificate of Deposit will expire the end of March and a motion will be needed if any changes are needed for the investing of the $500,000. Mrs. Reid stated the CD will mature with a balance of $508,521.21 Current terms allows the investment to continue automatically for an additional 12-month term at the interest rate in effect at that time. The new maturity date will be March 19, 2020. Funds can also be added to the investment. Mrs. Reid reviewed the CD Rate Renewal Options for a:

- 6 Month option: BBVA Compass-2.21%, Regions-2.18%, and Trustmark-1.71%.
- 12 Month option: BBVA Compass-2.35%, Regions-2.18%, and Trustmark-1.78%.

Mrs. Reid recommended the investment be moved to BBVA Compass for a period of 12 months.

MOTION BY Mr. Scott to recommend to Council to adopt a resolution authorizing the Mayor to enter into an agreement to continue to invest $500,000 in a Certificate of Deposit (CD) through BBVA Compass for a twelve month period at an interest rate of 2.35%. Seconded by Mrs. Phillips.

MOTION CARRIED UNANIMOUSLY

XI. OLD BUSINESS

A. Selection of Bond Counsel - 2012 Bond Refunding

Mrs. Reid reviewed the summary sheet in the packet for the three quotes received for the 2012 Bond Refunding. Mr. Walter Lewis that did the presentation on the bond refunding reached out to obtain several bond counsel quotes which is included in the packet. Mrs. Reid stated that Hand Arendall is the low quote. Mrs. Reid stated that Mr. Walter is ready to start the bond refinancing process. Mrs. Reid stated her recommendation was to go with Hand Arendall.

MOTION BY Mr. Scott to recommend to authorize the Mayor to entered in an agreement with Hand Arendall for Bond Council for the 2012 Bond Refunding . Seconded by Mrs. Phillips.

MOTION CARRIED UNANIMOUSLY

B. Daphne Utilities Tap Fees / Waiving Right of Way Permit Fees

Mr. LeJeune noted that waiving all City ROW fees charged to the Daphne Utility Board and the Utility Board waiving all connection fees was discussed at the last Council Work Session. Mrs. Phillips and Mr. Scott discussed the waiving of the fees and upcoming City projects that would require a new connection for water/sewer services. Discussion continued on the waiving of the fees. Mayor Haygood stated the Utilities Board's financial health is good and continued discussing the request for the tap/connection fees to be waived.

MOTION BY Mrs. Phillips to recommend to Council to request Daphne Utility Board waive all fees associated with tap/connection fees for City projects. Seconded by Mr. Goodlin.

MOTION CARRIED UNANIMOUSLY

C. SAFE Room Grant Award

Mrs. Reid stated she had spoken with Mrs. Cara Stallman, the City's grant consultant, concerning the project being over the grant awarded budget. Mrs. Stallman will be researching if additional monies are available. Discussion continued on moving forward with the bidding of the project and requesting more grant funds from FEMA if the bids received exceed the grant awarded monies. Mayor Haygood discussed other options for locations to construct the SAFE Room.

MOTION BY Mrs. Phillips to recommend to Council to move forward with the bidding process for the SAFE Room project and evaluate funding after the bids are received. Seconded by Mr. Goodlin.

MOTION CARRIED UNANIMOUSLY

D. Agreement w/DRA – Additional Phases on Lighting

Mr. Rudicell discussed that the Downtown Redevelopment Authority (DRA) had requested to donate some monies for the City's lighting projects. Mr. LeJeune noted that DRA wants some assurance that the lighting for new projects matches the current lighting. Mr. Taylor Wilkins, DRA asked about which projects needed the contribution. Discussion continued on Lott Park lighting and Mayday Park lighting projects and which phases to move forward with. It was determined that the DRA would not provide a donation for the new lighting on Bayfront Drive but would continue with Phase II and III of the lighting on Main Street then move to Mayday Park. Discussion continued that $30,000 would be needed from DRA to complete all projects and for the DRA to come back to Council toward the end of the projects when the $30,000 is needed. Mayor Haygood stated that a memorandum of understanding could be prepared between the City and DRA.

E. Building Permit Fee Increase

Mr. Richard Merchant reviewed the International Code Council (ICC) Table in the packet and his recommendation to increase the Building Permit Fees to be calculated at 80% of the current ICC Table and increase each time a new ICC Table is published. Discussion continued that the fee would change after the new ICC Table was published each February.

MOTION BY Mr. Scott to recommend to Council to adopt an Ordinance to repeal the current Building Fees Ordinance and increase the fees to be 80% of the current ICC Table. Building Fees will automatically be updated each time the ICC publishes new rate. Fees will take effect on March 1st of each year.
Seconded by Mr. Goodlin.

MOTION CARRIED UNANIMOUSLY

XII. ADJOURN The meeting adjourned at 5:57p.m.

Beautification Committee Minutes
January 2, 2019

A. Daphne Beautification Committee called to order at 10 AM. In attendance: Mimi Boxx Dist. 4, BJ Eringman, Emma Harris, Vicki Hinman, Dist. 4, Victoria Phelps, Dist. 6, Kelli Reed, Betsy Schneider, Troy Strunk, Selena Vaughn, Dist. 3, Bob Wagner, Dist. 4, & Kara Wilbourn. Guest: Ann Hostrander

B. December minutes approved.

C. Committee Reports

Arbor Day / Selena: Kara emailing flyer. Graham finalizing tree order. Selena working with schools on state poster contest & getting Master Gardener volunteers. Volunteer/exhibits being lined up through Kara.

Church Volunteers / Judie & Dorothy Absent: CTK will be choosing a project

Daphne Improvements / Victoria: Highway 98 mast arms still in the works. Lamp post still missing at Pollard roundabout. Mentioned at Dec. meeting but left out of minutes. Sidewalks for Windsor will require removal of old, poor condition Japanese oaks & this is approved by LFPOA with hopes of replacement with new ornamental trees & landscaping. Suggestion made to consider continuing sidewalk from Main onto Windsor at either side instead of center median due to pedestrian safety. Note made that holiday decoration was done at 64 roundabout but skipped at Whispering Pines. Lakeview Loop median was just serviced and is now on the ongoing work list. Bayview entrance into Lake Forest as mentioned last month, has been identified to Public Works as to which area is their responsibility and is looking good. Another adjacent property owner is being contacted and code enforcement will work to keep the lot maintained. Main Street hotel curve is still being cleaned by Judie's volunteers. Looking better. Plan to re-landscape curve needed. Kara asked about the sidewalk continuation on 13 to Whispering Pines and a Brookhaven crosswalk and BJ reviewed plans to completed there. Victoria explained the ALDOT Tap grant for Pollard was approved and in the engineering/design stage.

Daphne Middle Wetlands / Mimi: Mimi submitted detailed typed report recapped here. Fish & Wildlife are on board to work on the site. 1st Eagle Scout project for the site is approved and includes picnic tables, butterfly garden & exhibit. There are plans for events and speakers in the future. Brandon Hargraves relocates bees professionally and will speak on bees at the pavilion. Date TBD. No dumping signs have been posted and Daphne police & Code enforcement have given their support. Concern about the huge number of golf balls being hit into the wetlands from the open field to the north sparked discussion. Mimi working with the faculty to inspire them to work on this project.

Beautification Award sign needs to be printed to fit a framed sign holder.

D. Public Works Update / BJ: Christmas Tree Drop Off coming to a close on 11th. City does not currently have a chipper so trees not recycled. Wording on signs at drop offs being changed out. Question on lack of street sweeping answered that new street sweeper coming. Mimi asked that non working lamp posts at Trione be fixed. Mimi also mentioned that tailgating at Trione has sometimes evolved into camping. Are there signs or enforcement available?

E. Closing Comments: Victoria announced new GM at LFPOA is Eric Tanner. Bob asked again for volunteers to email their hours monthly to him. Discussion of the new attractive banners going up after being absent some years. Kara asked about getting name badge/lanyards for DBC members when working in the community on committee projects.

Meeting adjourned 10:58
Selena Vaughn, Secretary

Beautification Committee Minutes
February 6, 2019

A. Daphne Beautification Committee called to order at 10 AM. In attendance: Mimi Boxx, Dist. 4, Emma Harris, Dist. 4, Dorothy Morrison, Dist. 1, Victoria Phelps, Dist. 6, Kelli Reed, Judie Swan, Dist. 4, Selena Vaughn, Dist. 3, Bob Wagner, Dist. 4, Guest: Ann Hostrander, Ty Sturtevant

B. January & February minutes to be approved at March meeting.

C. Mimi did a PowerPoint presentation the wetlands project at Daphne Middle School. The faculty is on board and excited at all the educational, environmental and recreational prospects associated with this. It is closed to the public during school hours. Mimi has worked with many professional and volunteer people to get this off the ground. Support is coming in many forms from many directions including from within the school.

D. Committee Reports:

Arbor Day / Selena: Graham finalizing tree order & supplies. 5th Grade posters were sent in to the state competition. Kara is handling PR and vendor set up tables. Now recruiting volunteers to bag trees.

Daphne Improvements: Victoria mentioned that Lakeview Loop median was back on the city's radar and improving. She asked Judie if and when we could do another clean up day at the dam. Much needed work there and Victoria could help recruit volunteers from within Lake Forest. Complimented the nice clean up achieved at 90 and Bayview entrance. Need to keep our momentum there and follow up with the owner of the private lot on the west side. We are working with Home Depot to limb up their area. Still working with Troy on missing lamp post at Whispering Pines roundabout. Need a solution to the continual cars that don't make the turns there. Judie mentioned that the North Main Street crew continues to work in front of the hotels. Troy asked that we trench along the curb on the south edge. Dorothy asked about the uneven hedge tops there and Judie has volunteers going back multiple times to work on the area. Judie also mentioned a group soon going to 181 exit to clean the azalea areas and straw.

Church Volunteers: Schedule on the table. Need to forward to council too. Facebook page will soon include this info and solicit more volunteers and contributions.

E. Motion and approval to create Project Liaison Committee with Judie as chair.
F. Beautification Award / Design Gallery chose. Kara getting new signs printed and Selena will get this on the council agenda and contact the winner.
G. School Report/ Judie rattled off a slew of contributors to the various school projects. Site One, Flowerwood and Scotland Yard have been generous with the demonstration garden going in at Daphne Elementary. Flowerwood donated to the ongoing Daphne East beautification project. Judie hopes the city will help cut back the encroaching woods that are surrounding all the schools in the city.
H. Motion and approval to create Wetlands Outdoor Classroom liaison—Mimi Boxx.
I. Motion and approval to submit Ann, District 4 for council approval as a new DBC member.
J. Dawn is working to help find DBC members from all districts.
K. Motion and approval to create Bylaws Review Committee with Dorothy as chair.
L. Announcements/Discussion: This Saturday, 8-11 at Daphne Museum fifteen 13 year olds will be working with Judie. Any ATT boxes in poor condition, report to Judie. Concern over butchering of Deer Avenue edges by crews and poor lighting concern. Judie will call about this. Dorothy brought up the storm drain on Daphne Avenue near bank / NW side needs attention. Dorothy to look for old park maintenance schedule to give Judie. Emma asked again about the lights out Trione Park. Kelly will check on that. Someone mentioned potholes in the city and Judie reminded the group of the "report a concern' on the website. Future discussion to include a site visit to the Wetland Classroom Project.

Meeting adjourned 11:00
Selena Vaughn, Secretary

Arbor Day Report

Kara—handling all the vendors/suppliers with tables
-PR

Poster Winner ? I didn't see on the website if a winner had been named

THe library has displayed the posters and will have activites and a reading list for Saturday's event

DU - no hot dogs but handing out environmental info and wildflower seeds

MGs will man a table and help hand out trees

Graham ordered the trees and bagging supplies

- took

24 x 3 hours Mon AM = 72
12 x 3 hours Mon PM = 36
12 x 3 hours Tues AM =36
8 X 3 hours Wed AM = 24
168 man hours / 170 man hours easy

- ran short on twist ties and too short
- Not enough name tags for trees
- Nearly ran out of clear bags—had some from last year we dug into
- Ran short on moisture material– Graham bought more locally
- Not enough tubs—bought bags

- ask him if photos & inofo for each tree to be posted????????

Accepted by:

Chairman, Daphne Utilities

DAPHNE UTILITIES
WATER • NATURAL GAS • SEWER

APPROVED MINUTES

Utilities Board Meeting

Council Chambers, Daphne City Hall ◈ February 27, 2019 ◈ 5:00 p.m.

I. Call to Order

The regular February 2019 Board meeting for the Utilities Board of the City of Daphne was held on February 27, 2019 at 5:00 p.m. in the Council Chambers at Daphne City Hall and called to order by Vice Chairman Billy Mayhand, proceeded by the Roll Call:

II. Roll Call

Members Present:
Billy Mayhand, Vice Chairman
Robin LeJeune, Board Member
Selena Vaughn, Secretary/Treasurer
Mayor Dane Haygood, Board Member

Members Absent:
Randy Fry, Chairman

Others Present:
Jerry Speegle – Board Attorney
Danny Lyndall – General Manager
Bobby Purvis – Operations Manager
Drew Klumpp – Administrative Services Manager
Teresa Logiotatos – Finance Manager
Samantha Coppels – Communications Manager
Lori May-Wilson – Executive Assistant
Melinda Immel – Volkert & Associates
Ray Moore – HMR
Joe Asarisi – Asarisi & Associates

Others Absent:

III. Pledge of Allegiance

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

IV. Approval of Minutes

A. Utilities Board Meeting Minutes January 30, 2019

With no additions deletions or corrections, the Vice Chairman declared that the submitted January 30, 2019 Minutes would stand approved.

V. OLD BUSINESS – None

A. Water Quality Monitoring Website Update

Danny Lyndall notified the Board that the website was live and demonstrated the navigation to the website. He offered to answer any questions the Board may have and gave kudos to Daphne's Environmental Program Manager, Ashley Campbell, on the hard work she accomplished for this website.

VI. **NEW BUSINESS –**

A. Volkert - Recommendation for Bid Award for: 2018/2019 Annual Contract for Right-of-Way Clearing – Volkert Project #408206 (Board Action: MOTION)

Danny Lyndall detailed the project as clearing the brush from the 20-plus miles of right-of-ways in areas of Daphne Utilities' sewer lines to make accessible.

MOTION by Mayor Dane Haygood to award the 2018/2019 Annual Contract for Right-of-Way Clearing- Volkert Project #408206 to McElhenney Construction Company LLC in the amount of $166,820.11; Seconded by Robin LeJeune.

AYE: *Haygood, LeJeune, Mayhand, Vaughn* NAY: ABSENT: *Fry* ABSTAIN: **MOTION CARRIED**

B. Requisition R41L-021219 for Windscape Lift Station Improvements

Danny Lyndall announced that although he was pulling this topic from the agenda, he would give the Board an update on this subject and advised that this requisition involved upgrades to this critical Windscape lift station increasing the capacity of the pumps to push more flow back to the WRF. He informed the Board that the subject was being pulled from the agenda due to issues with the justification form and would be an agenda item a later point in time. He then answered questions from the Board members.

VII. **BOARD ATTORNEY'S REPORT**

Mr. Speegle had nothing to add to the submitted report.

VIII. **FINANCIAL REPORT**

Teresa Logiotatos reviewed with the Board the figures for the net income and budgeted year end income, the days of cash on hand chart – with Danny Lyndall noting the aggressiveness of project undertaking within the submitted budget. Mrs. Logiotatos concluded by highlighting a few checks in the check history report and offered to answer Board questions.

IX. **GENERAL MANAGER'S REPORT**

A. GM Report

Danny Lyndall updated the Board on the Water Reclamation Facility outfall repair, advising of the placement of the barge in the Blakeley River and work details. Mr. Lyndall then spoke about the letter received from Park City Water Authority notifying Daphne Utilities of their belief that the new Daphne Sports Complex on Park Drive is within their services territory. Mr. Lyndall advised that although the driveway entrance to the new sportspark is within their service area, the actual complex itself is with the Daphne Utilities service area. He noted the response letter he sent, after a legal review. He reaffirmed this position to Mayor Haygood's inquiry of Daphne Utilities providing services to this sports complex. Mr. Speegle gave a legal clarification as to Park City's territory and expressed his opinion that this should not be an problem with Daphne Utilities providing services to this property. Mayor Haygood conveyed his concerns about connections and services for the complex. Mr. Lyndall acknowledged the concerns and informed the Board that he too was looking forward to the park's opening. A brief discussion took place regarding meters that may have already been installed.

B. Operations Report

Bobby Purvis updated the Board members about ongoing projects, specifically CityWorks, MoC Software, Bull Run Sewer project; he then announced that the National Gas department had their State audit with no violations and gave praise to the staff.

Danny Lyndall invited Drew Klumpp to inform the Board regarding administrative fee increases. Mr. Klumpp highlighted the fee comparisons to similar utility companies, in particular the tampering and theft of services fee noting that it is has been brought to light due to the FlexNet system. He answered questions from the Board regarding current procedures before assessing fees, fee refund process, and customer payment agreements. Danny Lyndall concluded informing the Board that this topic will be forthcoming for Board approval.

C. Engineering & Consulting Reports
Melinda Immel with Volkert had nothing further to add to her report.

Ray Moore with HMR had nothing further to add to his report. Mr. Moore did, however, give testimony to the helpful calls Daphne Utilities' customer service makes to advise customers of suspiciously high water usage.

Joe Asarisi with Asarisi & Associates had nothing further to add to his report except to say that he brought contracts for signature.

X. BOARD ACTION – Previously addressed under New Business

XI. PUBLIC PARTICIPATION – the Vice Chairman opened Public Participation at 5:37 pm. With no participation, Public Participation was closed.

XII. BOARD COMMENTS – None

XIII. EXECUTIVE SESSION – if needed

XIV. ADJOURNMENT

With no further business, Vice Chairman Mayhand declared the meeting adjourned.

The meeting adjourned at 5:37pm.

Preceding minutes submitted to the Daphne Utilities Board by:

Lori Wilson

Lori Wilson, Executive Assistant, Daphne Utilities

CITY OF DAPHNE
RESOLUTION 2019-18

2019-E-ROCK MATERIAL

WHEREAS, The City of Daphne is required under section 41-16-20 of the Code of Alabama to secure competitive bids for items in excess of $15,000; and

WHEREAS, The City of Daphne acknowledges that the cost for the ROCK MATERIAL will exceed this amount; and

WHEREAS, Staff has reviewed the bids for the ROCK MATERIAL and determined that the bid as presented is reasonable; and

WHEREAS, Staff recommends the bid for the ROCK MATERIAL be awarded to Vulcan Materials Company.

NOW, THEREFORE BE IT RESOLVED, AND IT IS HEREBY RESOLVED, THAT THE CITY COUNCIL OF THE CITY OF DAPHNE, hereby accept the bid of Vulcan Materials Company for unit cost (delivered) as follows:

Materials	Cost Per Ton
Crushed Aggregate 825-A	$ 34.50
Crushed Aggregate 825-B	$ 33.50
#57 Limestone	$35.50/washed - $34.50/unwashed
#78 Pea Gravel	No Bid
Rip Rap-Class I	$ 55.50
Rip Rap-Class II	$ 55.50

as specified in BID SPECIFICATION NO. 2019-E-ROCK MATERIAL.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS _________day of __________, 2019.

____
Dane Haygood, Mayor

ATTEST:

____
Candace G. Antinarella, City Clerk

CITY OF DAPHNE
RESOLUTION 2019-19

2019-F-ASPHALT

WHEREAS, The City of Daphne is required under section 41-16-20 of the Code of Alabama to secure competitive bids for items in excess of $15,000; and

WHEREAS, The City of Daphne acknowledges that the cost for ASPHALT will exceed this amount; and

WHEREAS, Staff has reviewed the bids for ASPHALT and determined that the bid as presented is reasonable; and

WHEREAS, Staff recommends the bid for ASPHALT be awarded to H.O. Weaver & Sons, Inc..

NOW, THEREFORE BE IT RESOLVED, AND IT IS HEREBY RESOLVED, BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, hereby accept the bid of H. O. Weaver & Sons, Inc. for unit cost as follows:

ASPHALT MATERIAL	COST - $
424A-336 Superpave Bituminous Concrete Wearing Surface Layer, 3/8" Maximum Aggregate Size Mix, ESAL Range "A/B" **Furnished only (picked up) per ton**	$58.00
424A-336 Superpave Bituminous Concrete Wearing Surface Layer 3/8" Maximum Aggregate Size Mix, ESAL Range "A/B" **Furnished and delivered per ton**	$63.00
424A-340 Superpave Bituminous Concrete Wearing Surface Layer, 1/2" Maximum Aggregate Size Mix, ESAL Range "A/B" **Furnished only (picked up) per ton**	$55.00
424A-340 Superpave Bituminous Concrete Wearing Surface Layer, 1/2" Maximum Aggregate Size Mix, ESAL Range "A/B" **Furnished and delivered per ton**	$60.00
424A-341 Superpave Bituminous Concrete Wearing Surface Layer, 3/4" Maximum Aggregate Size Mix, ESAL Range "A/B" **Furnished only (picked up) per ton**	$53.00
424A-341 Superpave Bituminous Concrete Wearing Surface Layer, 3/4" Maximum Aggregate Size Mix, ESAL Range "A/B" **Furnished and delivered per ton**	$58.00
424B-635 Superpave Bituminous Concrete Upper Binder Layer, 3/4" Maximum Aggregate Size Mix, ESAL Range "A/B" **Furnished only (picked up) per ton**	$51.00
424B-635 Superpave Bituminous Concrete Upper Binder Layer, 3/4" Maximum Aggregate Size Mix, ESAL Range "A/B" **Furnished and delivered per ton**	$56.00

424B-636 Superpave Bituminous Concrete Upper Binder Layer, 1" Maximum Aggregate Size Mix, ESAL Range "A/B" **Furnished only (picked up) per ton**	$48.00
424B-636 Superpave Bituminous Concrete Upper Binder Layer, 1" Maximum Aggregate Size Mix, ESAL Range "A/B" **Furnished and delivered per ton**	$53.00
424B-637 Superpave Bituminous Concrete Upper Binder Layer, 1 1/2" Maximum Aggregate Size Mix, ESAL Range "A/B" **Furnished only (picked up) per ton**	$47.00
424B-637 Superpave Bituminous Concrete Upper Binder Layer, 1 1/2" Maximum Aggregate Size Mix, ESAL Range "A/B" **Furnished and delivered per ton**	$52.00
Cold Mix Asphalt (patch) **Furnished only (picked up) 35 lb. bag**	- **NO BID**
Cold Mix Asphalt (patch) **Furnished only (picked up) 50 lb. bag**	-

as specified in BID SPECIFICATION NO. 2019-F-ASPHALT.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS _______ day of ________, 2019.

____
Dane Haygood, Mayor

ATTEST:

____
Candace G. Antinarella, City Clerk

CITY OF DAPHNE
RESOLUTION 2019-20

2019-K-PLASTIC PIPE

WHEREAS, The City of Daphne is required under section 41-16-20 of the Code of Alabama to secure competitive bids for items in excess of $15,000; and

WHEREAS, The City of Daphne acknowledges that the cost for the PLASTIC PIPE will exceed this amount; and

WHEREAS, Staff has reviewed the bids for the PLASTIC PIPE and determined that the bid as presented is reasonable; and

WHEREAS, Staff recommends the bid for the PLASTIC PIPE be awarded to Construction Materials.

NOW, THEREFORE BE IT RESOLVED, AND IT IS HEREBY RESOLVED, BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, hereby accept the bid of Construction Materials. for unit cost listed in BID SPECIFICATION NO. 2019-K-PLASTIC PIPE.

Size - *(Pipe Unit Cost by the Foot)*	Unit Cost $
8" HDPE	3.49
10" HDPE	4.68
12" HDPE	5.72
15" HDPE	7.35
18" HDPE	9.07
24" HDPE	15.42
30" HDPE	22.18
36" HDPE	29.38
42" HDPE	38.79
48" HDPE	45.88
60" HDPE	87.72
12" HPPP	7.56
15" HPPP	8.53
18" HPPP	11.50
24" HPPP	20.05
30" HPPP	31.76
36" HPPP	34.90
42" HPPP	40.16
48" HPPP	55.54
60" HPPP	94.49
Geotech Filter Cloth, Heavyweight, 15’ x 300’ / Roll	359.00
Straw-Coconut Erosion Control Standard Blanket, 8’x113’/Roll	56.25
Anchor Staples, 11 gauge, 500 per box	15.00

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS ________ day of ________________, 2019

____
Dane Haygood, Mayor

ATTEST:

____
Candace G. Antinarella, City Clerk

CITY OF DAPHNE
RESOLUTION 2019-21

2019-L-CONCRETE PIPE

WHEREAS, The City of Daphne is required under section 41-16-20 of the Code of Alabama to secure competitive bids for items in excess of $15,000; and

WHEREAS, The City of Daphne acknowledges that the cost for the CONCRETE PIPE will exceed this amount; and

WHEREAS, Staff has reviewed the bids for the CONCRETE PIPE and determined that the bid as presented is reasonable; and

WHEREAS, Staff recommends the bid for the CONCRETE PIPE be awarded to Alabama Pipe & Supply, Inc.

NOW, THEREFORE BE IT RESOLVED, AND IT IS HEREBY RESOLVED, THAT THE CITY COUNCIL OF THE CITY OF DAPHNE, hereby accept the bid of Alabama Pipe & Supply, Inc. for unit cost (delivered) as follows:

Description	Price per linear foot
15" T & G C-3	13.40
18" T & G C-3	15.57
24" T & G C-3	21.54
30" T & G C-3	31.30
36" T & G C-3	43.40
42" T & G C-3	60.97
48" T & G C-3	81.61
54" T & G C-3	No Bid
60" T & G C-3	122.53
72" T & G C-3	180.25
84" T & G C-3	No Bid
96" T & G C-3	330.13
18" X 11" T & G C-3 ARCH	19.89
22" X 13" T & G C-3 ARCH	21.79
29" X 18" T & G C-3 ARCH	33.23

Description	Price per linear foot
36" X 23" T & G C-3 ARCH	42.30
44" X 27" T & G C-3 ARCH	57.72
51" X 31" T & G C-3 ARCH	72.48
58" X 36" T & G C-3 ARCH	94.56
65" X 40" T & G C-3 ARCH	110.79
73" X 45" T & G C-3 ARCH	138.89
88" X 54" T & G C-3 ARCH	No Bid
4' X 4'	462.00
6' X 4'	576.00
8' X 4'	691.00
6' X 5'	680.00
8' X 5'	765.00

as specified in BID SPECIFICATION NO. 2019-L-CONCRETE PIPE.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS ______ day of ___________, 2019.

____

Dane Haygood, Mayor

ATTEST:

____

Candace G. Antinarella, City Clerk

CITY OF DAPHNE

RESOLUTION 2019-22

AUTHORIZING RESOLUTION:
FY2019 CAPITAL EQUIPMENT AGREEMENT (REGIONS BANK: REGIONS EQUIPMENT FINANCE CORPORATION) –
2019 FREIGHTLINER TYMCO 600 STREET SWEEPER & TWO (2) JOHN DEERE 1575 MOWERS

A RESOLUTION OF THE CITY COUNCIL, THE GOVERNING BODY ("THE COUNCIL") OF CITY OF DAPHNE, ALABAMA (THE "PAYEE"), FINDING IT NECESSARY TO ACQUIRE CERTAIN EQUIPMENT FOR GOVERNMENTAL PURPOSES AUTHORIZED BY LAW: FINDING THAT IT WOULD BE IN THE PUBLIC INTEREST TO ACQUIRE SUCH EQUIPMENT UNDER THE TERMS OF A EQUIPMENT LOAN THE CITY FO DAPHNE WILL ACQUIRE SUCH EQUIPMENT AND BE REIMBURSED FOR THE COST OF SUCH EQUIPMENT. FINDING THAT SUCH PROPOSAL IS IN THE INTEREST OF THE PAYEE AND AUTHORIZING AND DIRECTING THE AUTHORIZED OFFICERS (AS HEREINAFTER DEFINED) TO EXECUTE A EQUIPMENT LOAN AND SUPPORTING SCHEDULES AND ATTACHMENTS INCLUDING, BUT NOT LIMITED TO, ASSIGNMENTS OF TITLE TO THE EQUIPMENT TO REGIONS BANK TO THE END THAT THE EQUIPMENT SHALL BE ACQUIRED BY SUCH BANK AND FINANCED FOR THE PAYEE ON THE TERMS AND CONDITIONS EXPRESSED IN SUCH AGREEMENT.

WHEREAS, the Council has determined that it is necessary to acquire the below items of Equipment (the "Equipment") for use by the Payee for purposes authorized by law:

- One (1) 2019 Freightliner Tymco 600 Street Sweeper - $209,283.64
- Two (2) 2019 John Deere 1575 Mowers - $75,942.38

WHEREAS, the referenced equipment shall be financed on a Loan Purchase Agreements with Mayor and City Clerk to execute the Loan Purchase Agreements; and

WHEREAS, the Council has determined that it would be in the public interest to acquire such equipment through an Equipment Loan Agreement as provided under Section 41-16A-1 *et seq*. of the Code of Alabama, 1975; and

WHEREAS, to the best knowledge and belief of the Council, this Agreement qualifies as a qualified project bond within the meaning of the Tax Reform Act of 1986; and

WHEREAS, REGIONS BANK: REGIONS EQUIPMENT FINANCE CORPORATION has proposed to offer the City an Equipment Loan to acquire the equipment at the offered price at the rate of 2.82% per annum; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA AS FOLLOWS:

SECTION 1: The Mayor and City Clerk (hereinafter the "Authorized Officers") be and are hereby authorized and directed to execute an Equipment Loan (also referred to as a "Governmental Equipment Loan"), either reference being the "Agreement", and all attachments thereto. Such Agreements shall be in substantially the form attached hereto with such appropriate variations, omissions and insertions as are permitted or required by this Resolution and as are consented to by the Payee's representatives (the "Authorized Officers") executing the Agreement, such consent being evidenced by their signatures.

SECTION 2: Upon delivery and acceptance by the Payee of the Equipment, the Authorized Officers are authorized and directed to execute a Certificate of Acceptance of such Equipment and the term shall commence on the date of acceptance.

SECTION 3: The Authorized Officers are further authorized and directed to execute on behalf of the Payee a Financing Statement and all other documents as provided for in the agreement to establish and maintain the security interest of REGIONS BANK: REGIONS EQUIPMENT FINANCE CORPORATION in such Equipment.

SECTION 4: The Payee and the Council acknowledges that the Agreements ("Provisions Regarding Insurance") agrees to provide property damage and liability insurance in accordance with the terms of the Agreement.

The motion was approved after a full discussion, the same was put to vote with the following results:

Doug Goodlin	Voted: _______
Tommie Conaway	Voted: _______
Joel Coleman	Voted: _______
Pat Rudicell	Voted: _______
Ron Scott	Voted: _______
Robin LeJeune	Voted: _______
Angie Phillips	Voted: _______

ADOPTED AND APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA ON THIS THE _____ DAY OF __________________, 2019.

____
Dane Haygood, Mayor

ATTEST:

____
Candace Antinarella, City Clerk

CITY OF DAPHNE
RESOLUTION 2019-23

Renewal of Certificate Of Deposit

WHEREAS, section 11-81-21 of the Code of Alabama authorizes and legislates the types of obligations municipalities may invest in; and

WHEREAS, the City of Daphne is currently maximizing its earnings by investing a portion of the unrestricted funds in a Certificate of Deposit (CD) held at a bank that participates in the State of Alabama SAFE *(Security for Alabama Funds Enhancement)* Program meeting the investment requirements in accordance with the Code of Alabama Title 41, Chapter 14A, Code of Alabama; and

WHEREAS, the City of Daphne's current CD is set to mature on March 19, 2019; and

WHEREAS, the City of Daphne has and has determined that continuing to invest in a CD is the best way to maximize its earnings and has evaluated current CD investment rates at various local banks.

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

1) Authorizes the Mayor and Finance Director to take all the steps necessary to upon maturity of the CD, invest in a new CD with BBVA Compass Bank for a period of April 2, 2019 through March 31, 2020 at the interest rate of 2.35*%;* and
2) The Mayor and is hereby authorized to execute such application and any and all additional documents necessary to carry out the purpose of investing these funds on behalf of the City of Daphne.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS _______ day of ________, 2019.

____
Dane Haygood, Mayor

ATTEST:

____
Candace G. Antinarella, City Clerk

CITY OF DAPHNE
RESOLUTION 2019-24

2019-H-DISASTER DEBRIS REMOVAL & DISPOSAL SERVICES

WHEREAS, the City of Daphne is required under section 39-1-1(E) of the Code of Alabama to secure competitive bids for public works contracts in excess of $ 50,000; and

WHEREAS, the City of Daphne acknowledges that in the event of a natural disaster the cost for the DISASTER DEBRIS REMOVAL & DISPOSAL will exceed $ 50,000; and

WHEREAS, the City of Daphne did receive and review bids for the DISASTER DEBRIS REMOVAL & DISPOSAL and has determined that the bid as presented is reasonable; and

WHEREAS, the City of Daphne acknowledges that in the event of a declared emergency disaster that FEMA Eligibility requirements will have to be met to receive any type of reimbursement and these requirements must be followed by the City and the awarded Contractor and his subcontractors; and

WHEREAS, staff recommends the bid for DISASTER DEBRIS REMOVAL & DISPOSAL be awarded to Crowder Gulf LLC

NOW, THEREFORE BE IT RESOLVED, AND IT IS HEREBY RESOLVED, THAT THE CITY COUNCIL OF THE CITY OF DAPHNE, hereby accept the bid of Crowder Gulf LLC for unit cost as attached herein and made a part hereof for BID SPECIFICATION NO. 2019-H-DISASTER DEBRIS REMOVAL & DISPOSAL SERVICES and the Mayor is hereby authorized to sign and execute the contract for the Disaster Debris Removal & Disposal services.

APPROVED AND ADOPTED by the City Council of the City of Daphne, Alabama, this ____ day of __________ , 2019.

____
Dane Haygood, Mayor

ATTEST:

____
Candace G. Antinarella, City Clerk

CITY OF DAPHNE
RESOLUTION 2019-25

2019-I-MONITORING SERVICES FOR DISASTER DEBRIS REMOVAL

WHEREAS, the City of Daphne is required under section 39-1-1(E) of the Code of Alabama to secure competitive bids for public works contracts in excess of $ 50,000; and

WHEREAS, the City of Daphne acknowledges that in the event of a natural disaster the cost for the MONITORING SERVCIES FOR DISASTER DEBRIS REMOVAL is anticipated to exceed $ 50,000; and

WHEREAS, the City of Daphne did receive and review bids for the MONITORING SERVCIES FOR DISASTER DEBRIS REMOVAL and has determined that the bid as presented is reasonable and City attorney has advised on FEMA requirements and indemnity language required in the bid specifications; and

WHEREAS, the City of Daphne acknowledges that in the event of a declared emergency disaster that FEMA Eligibility requirements will have to be met to receive any type of reimbursement and these requirements must be followed by the City and the awarded Contractor and his subcontractors; and

WHEREAS, the bid submittals were evaluated on the following criteria:

EVALUATION FACTORS	%
1. Past Performance	20%
2. Financial Capability	20%
3. Qualifications of the Contractor and Staff	15%
4. Price Structure: Reasonableness of Service Fees	20%
5. Corporate Offices	10%
6. Technical Approach	5%
7. Equipment Inventory (Capability)	5%
8. Subcontractor Placement: Certified M/WBE Firms	5%

WHEREAS, based on the evaluation of the above listed criteria staff recommends the bid for MONITORING SERVCIES FOR DISASTER DEBRIS REMOVAL DISPOSAL be awarded to True North Emergency Management, LLC..

NOW, THEREFORE BE IT RESOLVED, AND IT IS HEREBY RESOLVED, THAT THE CITY COUNCIL OF THE CITY OF DAPHNE, hereby

1. Accept the bid of True North Emergency Management, LLC. as specified in the Bid Submittal for BID NO. 2019-I-MONITORING SERVCIES FOR DISASTER DEBRIS REMOVAL:

2. The Mayor is hereby authorized to sign and execute any documents required by the bid contract for Monitoring Services for Disaster Debris Removal.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS ______day of _________, 2019.

____

Dane Haygood, Mayor

ATTEST:

____

Candace G. Antinarella, City Clerk

CITY OF DAPHNE
BID OPENING MINUTES
BID DOCUMENT NO: 2019-I-MONITORING SERVICES FOR DISASTER DEBRIS REMOVAL
MARCH 13, 2019 - 11:30 A.M.@ CITY HALL

Those present were as follows:

Ms. Suzanne Henson	**Senior Accountant**
Mr. Jeremy Sasser	**Public Works Director**
Mrs. Denise Penry	**PW Accountant/ EMA**

Mr. Sasser opened the bids presented and the bids were read aloud as follows:

VENDOR SUBMITTALS FROM:

VOLKERT

GMC – GOODWIN MILLS CAWOOD

TRUE NORTH EMERGENCY MANAGEMENT

EVALUATION FACTORS	%
1. Past Performance	20%
2. Financial Capability	20%
3. Qualifications of the Contractor and Staff	15%
4. Price Structure: Reasonableness of Service Fees	20%
5. Corporate Offices	10%
6. Technical Approach	5%
7. Equipment Inventory (Capability)	5%
8. Subcontractor Placement: Certified M/WBE Firms	5%

Bids were tabulated by: ***William Eringman, PW Deputy Director and Densie Penry, PW Accountant/EMA***
Bid Tabulation reviewed/verified by: ***Jeremy Sasser, PW Director***

CITY OF DAPHNE
RESOLUTION 2019-26

2019-RFQ: Project Engineering Services for the Alabama Department of Economic and Community Affairs (ADECA)
Recreational Trails Program (RTP) - Village Point Park Coastal Marsh Boardwalk
18-RTP-54-05

WHEREAS, the City of Daphne has received grant from the Alabama Department of Economic and Community Affairs (ADECA) Recreational Trails Program (RTP) to construct a walking trail at Village Point Preserve; and

WHEREAS, grant funds in the amount of $210,206 were awarded with a required city match of $52,552; and

WHEREAS, this project will require a qualified engineering firm to develop bid specifications and oversee construction, and

WHEREAS, the City of Daphne developed and advertised a request for Qualifications (RFQ) for such engineering work and proposals; and

WHEREAS, an interdisciplinary team of professionals reviewed the submitted proposal based on the qualifications and found the proposal meets the requirements of the RFQ; and

WHEREAS, the payment for services will be a flat fee not to exceed $23,870.62 as established in the grant terms; and

WHEREAS, Ordinance #2018-45 was adopted on December 17, 2018 and appropriated the $52,522 matching funds required from the General Fund.

NOW, THEREFORE IT BE RESOLVED, by the Mayor and the City Council of the City of Daphne, Alabama, that:

1. The Request For Qualifications (RFQ) for Engineering Services for the ADECA Recreational Trails Program - Village Point Park Coastal Marsh Boardwalk 18-RTP-54-05 be awarded to Dewberry Engineers Inc.
2. Engineering fees are a flat fee not to exceed $23,870.62 and will be reimbursed by grant funds.
3. The Mayor is hereby authorized to enter into a contract with Dewberry Engineers Inc for project engineering services.

APPROVED AND ADOPTED by the City Council of the City of Daphne, Alabama, this ___ day of ____________ , 2019.

____
Dane Haygood, Mayor

ATTEST:

____
Candace G. Antinarella, City Clerk

CITY OF DAPHNE
RESOLUTION 2019-27

2019-G-CONCRETE MATERIAL

WHEREAS, The City of Daphne is required under section 41-16-20 of the Code of Alabama to secure competitive bids for items in excess of $15,000; and

WHEREAS, The City of Daphne acknowledges that the cost for the CONCRETE MATERIAL will exceed this amount; and

WHEREAS, Only one bid was received and therefore can be negotiated; and

WHEREAS, Staff has reviewed the negotiated bid for the CONCRETE MATERIAL and determined that the bid as presented is reasonable; and

WHEREAS, Staff recommends the negotiated bid for the CONCRETE MATERIAL be awarded to Ready Mix USA, LLC.

NOW, THEREFORE BE IT RESOLVED, AND IT IS HEREBY RESOLVED, BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, hereby accept the bid of Ready Mix USA, LLC.for unit cost as follows:

Materials	Unit	Ready Mix USA Cost Per CY- Negotiated Cost
Type 1 - Mix "A". Minimum PSI strength at 28 days 3,000 Lbs. concrete.		
Short Load + $150/fee	0-5 CY	$ 100.00
Regular Load	5-10 CY	$ 100.00
Large Project (100+CY)	100-300 CY	$ 100.00
Large Project (300+CY)	300-500 CY	$ 100.00
Large Project (500+CY)	500+ CY	$ 100.00
Pervious 4,000 PSI Mix – Minimum PSI strength at 28 days 4,000 Lbs.		
Short Load + $150/fee	0-5 CY	$ 180.00
Regular Load	5-10 CY	$ 180.00
Large Project (100+CY)	100-300 CY	$ 180.00
Large Project (300+CY)	300-500 CY	$ 180.00
Large Project (500+CY)	500+ CY	$ 180.00
ADDITIONAL OPTIONS:		
Additional Fiber Reinforcement Surcharge	CY	$ 8.00
COLORS:		
Candy Apple, Straw, Khaki, Mint or other colors w/ 5lbs / CY	CY	Price based on freight of lbs per order per CY
Dove Gray, Canyo Dove Gra Dove Gray, Canyon Rust, Camel or other colors w/ 10lb	CY	Price based on freight of lbs per order per CY
Augusta Gold, Da Augusta Augusta Gold, Dark Alabama Ochre or other colors w/	CY	Price based on freight of lbs per order per CY
Aztec Red, Old Br Aztec Re Aztec Red, Old Brick, Charcoal, Chocolate Lab or colors	CY	Price based on freight of lbs per order per CY
Augusta Gold, Da Augusta Augusta Gold, Dark Alabama Ochre or other colors w/	CY	Price based on freight of lbs per order per CY

Delivery is included in CY cost bid

as specified in the Negotiated BID SPECIFICATION NO. 2019-G-CONCRETE MATERIAL.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS _______ day of _________, 2019.

____
Dane Haygood, Mayor

ATTEST:

____
Candace G. Antinarella, City Clerk

CITY OF DAPHNE
RESOLUTION 2019- 28

RESOLUTION CONSENTING TO ANNEXATION OF CERTAIN PARCELS OF REAL PROPERTY INTO THE CORPORATE LIMITS OF THE CITY OF DAPHNE

WHEREAS, the City Council deems it wise, expedient, and economical to apply for the annexation of certain parcels of real property to the corporate limits of the City of Daphne by the passage of a Local Law in the Legislature of Alabama; and

WHEREAS, the City Council has caused to be prepared a Bill for introduction in the Legislature of Alabama, accurately describing said parcels of real property, to accomplish the annexation of said parcels of real property into the corporate limits of the City of Daphne; and

WHEREAS, the City Council wishes that certain hereinafter described parcels of real property be annexed into the City of Daphne by an Act of the next session of the Legislature of Alabama; and

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA AS FOLLOWS:

1. That the Mayor of the City of Daphne be and hereby is directed to cause the following notice to be published in the Courier, a newspaper of general circulation published in Baldwin County, Alabama, once a week for four consecutive weeks, commencing April 17, 2019 and each week thereafter as required by Alabama law.

"LEGAL NOTICE"

STATE OF ALABAMA

COUNTY OF BALDWIN

NOTICE is hereby given that a bill substantially as follows will be introduced in the next session of the Legislature of Alabama commencing after the fourth consecutive week of publication of this notice, and application for its passage and enactment will be made:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange, and extend the boundary lines and corporate limits of the City of Daphne in Baldwin County. BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The boundary lines and corporate limits of the City of Daphne in Baldwin County are altered, rearranged, and extended to include within the corporate limits of the city, in addition to the lands now included, all of the following territory:

PARCEL 1

Commence at the “locally accepted” Northwest corner of Section 17, Township 5 South, Range 3

East, Saint Stephens Meridian for the point of beginning; run thence South 00 degrees 02 minutes 04 seconds East, a distance of 675.29 feet to a point on the North margin of Baldwin County Highway Number 64; run thence North 72 degrees 35 minutes 16 seconds East, a distance of 62.87 feet to a point on said Highway #64; run thence North 00 degrees 02 minutes 04 seconds West, a distance of 656.13 feet; thence run North 89 degrees 39 minutes 45 seconds West, a distance of 60.0 feet to the point of beginning, containing 0.92 acres more or less.

Instrument #1023877 – Vesting Deed from Stapletons into East Fish River, LLC

PARCEL 2

The South 60.0 feet of the East one half of the Southeast Quarter of Section 7, Township 5 South, Range 3 East, Saint Stephens Meridian containing 1.84 acres, more or less.

Instrument #1023314 – Vesting Deed from Louis Lazzari into East Fish River, LLC

PARCEL 3

A strip of land 60-feet wide, within the northwest corner of the east half of the southeast quarter of Section 7, Township 5 South, Range 3 East, extending from the end of the county maintained Pursley Road, westwardly to the East line of the West one-half of the Southeast Quarter of Section 7, Township 5 South, Range 3 East, St. Stephens Meridian, Baldwin County, Alabama.

Instrument #996983 – Vesting Deed from Louis Lazzari to East Fish River, LLC

PARCEL 4

The Southwest Quarter and the West Half of the Southeast Quarter of Section 7, Township 5 South, Range 3 East.

See Instrument #999185 – for Vesting Deed from Tristan A. Lazzari to East Fish River, LLC

PARCEL 5

Beginning at a capped rebar marker in an old fence corner at the Northwest corner of Section 18, Township 5 South, Range 3 East, said point also being the Southeast corner of Section 12, Township 5 South, Range 2 East, Baldwin County Alabama; run thence South 89 degrees 44 minutes 55 seconds East, along the line of an old fence, 1342.93 feet to a capped rebar marker in an old fence corner; run thence South 00 degrees 28 minutes 39 seconds West, along the line of an old fence, 2647.30 feet to a capped rebar marker; run thence North 89 degrees 51 minutes 26 seconds East, along the line of an old fence, 697.40 feet to a capped rebar marker; run thence South 00 degrees 06 minutes 02 seconds East, along the line of an old fence 2191.34 feet to a capped rebar marker on the North right-of-way line of Baldwin County Highway No. 64, (80 foot right-of-way); run thence Southwestwardly, along said right-of-way line, following a curve to the right having a radius of 1853.82 feet, an arc distance of 1226.33 feet (chord: South 70 degrees 54 minutes 35 seconds West; 1204.09 feet) to a capped rebar marker; run thence South 89 degrees 49 minutes 59 seconds West, along said right-of-way line, 470.53 feet to a point on the centerline of Fish River; run thence Northwardly, along said centerline of Fish River and following the meanders thereof, for a distance of 12,236 feet, more or less, to a point on the Westward extension of the line of an old fence, run thence North 87 degrees 10 minutes 45 seconds East, along the line of said old fence, 815.97 feet to a capped rebar marker; run thence South 00 degrees 01 minutes 06 seconds West, along the line of an old fence 2646.66 feet to the point of beginning; containing 268.95 acres, more or less.

See Instrument #994331 – for Vesting Deed from Mancis into
East Fish River, LLC

Section 2. In accordance with Section 11-42-6(b) of the Code of Alabama 1975, a map showing what territory is proposed to be annexed to the City of Daphne is on file in the office of the Judge of Probate in Baldwin County, Alabama, and the map is open to the inspection of the public.

Section 3. This act shall become effective on the first day of the third month following its passage and approval by the Governor, or its otherwise becoming law.

*

2. That the City Clerk be and she hereby is directed to prepare the necessary copies of the above-mentioned Bill for introduction in the Legislature of Alabama; and that immediately after the fourth publication of the notice prescribed in Paragraph 1 above she shall pay the cost of such publication and procure from said publisher an affidavit regarding the same.

3. The City Clerk is further directed to deliver the prepared Bill together with the publisher's affidavit to the Honorable Matt Simpson, Representative to the legislature of Alabama from Baldwin County, and respectfully request that he cause the same to be introduced in the Legislature of Alabama.

ADOPTED AND APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA ON THIS THE ____ DAY OF APRIL, 2019.

____
Dane Haygood, Mayor

ATTEST:

____
Candace Antinarella, City Clerk

CITY OF DAPHNE
RESOLUTION 2019-29

A RESOLUTION AUTHORIZING AND APPROVING AN AMENDMENT TO AN ECONOMIC DEVELOPMENT AGREEMENT AMONG THE CITY OF DAPHNE, ALABAMA, RENAISSANCE IMPROVEMENT DISTRICT AND RENAISSANCE COOPERATIVE DISTRICT

WHEREAS, Renaissance Cooperative District, a public corporation organized under the laws of the State of Alabama (the "Issuer"), has heretofore issued its Special Obligation Revenue Bonds (Renaissance Center Project), Series 2008 (the "Series 2008 Bonds") for the purpose of financing the acquisition and construction of certain public infrastructure improvements (the "Bond Financed Facilities") for use of the general public, including patrons of the Renaissance Center, a retail and commercial development (the "Development") located within the corporate limits of the City of Daphne, Alabama (the "City");

WHEREAS, the Issuer has determined that it is in the public interest to refund the Series 2008 Bonds in order to realize certain present value interest savings;

WHEREAS, the Issuer will issue its Special Obligation Revenue Bonds (Renaissance Center Project), Series 2019A (the "Series 2019A Bonds") for the purposes of (i) refunding the Refunded Bonds, (ii) funding certain reserves, and (iii) paying the costs of issuing the Series 2019A Bonds;

WHEREAS, the Series 2019A Bonds will be issued pursuant to a financing agreement (the "Financing Agreement") between the Issuer and Sunflower Public Finance, LLC (the "Bondholder");

WHEREAS, the City, pursuant to its Resolution 2007-83 adopted on December 3, 2007, previously has entered into an Economic Development Agreement dated December 3, 2007 (the "Original Development Agreement"), among Renaissance Center, LLC, an Alabama limited liability company (the "Developer"), the City, the Improvement District, and the Issuer, pursuant to which the City agreed to make a continuing grant to the Issuer in an amount based on tax revenues from the area within the boundaries of the Issuer;

WHEREAS, in connection with issuance of the Series 2019A Bonds, the City, the Improvement District, and the Issuer will amend the Original Development Agreement pursuant to an amendment and estoppel instrument (the "First Amendment to Development Agreement");

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL, that the Council President is hereby authorized to execute and deliver, on behalf of the City the First Amendment to Development Agreement in substantially the form attached hereto as Exhibit "A", and the Clerk of the City is hereby authorized to attest to the same, with the addition of any exhibits called for

CITY OF DAPHNE
RESOLUTION 2019-29

A RESOLUTION AUTHORIZING AND APPROVING AN AMENDMENT TO AN ECONOMIC DEVELOPMENT AGREEMENT AMONG THE CITY OF DAPHNE, ALABAMA, RENAISSANCE IMPROVEMENT DISTRICT AND RENAISSANCE COOPERATIVE DISTRICT

WHEREAS, Renaissance Cooperative District, a public corporation organized under the laws of the State of Alabama (the “Issuer”), has heretofore issued its Special Obligation Revenue Bonds (Renaissance Center Project), Series 2008 (the “Series 2008 Bonds”) for the purpose of financing the acquisition and construction of certain public infrastructure improvements (the “Bond Financed Facilities”) for use of the general public, including patrons of the Renaissance Center, a retail and commercial development (the “Development”) located within the corporate limits of the City of Daphne, Alabama (the “City”);

WHEREAS, the Issuer has determined that it is in the public interest to refund the Series 2008 Bonds in order to realize certain present value interest savings;

WHEREAS, the Issuer will issue its Special Obligation Revenue Bonds (Renaissance Center Project), Series 2019A (the “Series 2019A Bonds”) for the purposes of (i) refunding the Refunded Bonds, (ii) funding certain reserves, and (iii) paying the costs of issuing the Series 2019A Bonds;

WHEREAS, the Series 2019A Bonds will be issued pursuant to a financing agreement (the “Financing Agreement”) between the Issuer and Sunflower Public Finance, LLC (the “Bondholder”);

WHEREAS, the City, pursuant to its Resolution 2007-83 adopted on December 3, 2007, previously has entered into an Economic Development Agreement dated December 3, 2007 (the “Original Development Agreement”), among Renaissance Center, LLC, an Alabama limited liability company (the “Developer”), the City, the Improvement District, and the Issuer, pursuant to which the City agreed to make a continuing grant to the Issuer in an amount based on tax revenues from the area within the boundaries of the Issuer;

WHEREAS, in connection with issuance of the Series 2019A Bonds, the City, the Improvement District, and the Issuer will amend the Original Development Agreement pursuant to an amendment and estoppel instrument (the “First Amendment to Development Agreement”);

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL, that the Council President is hereby authorized to execute and deliver, on behalf of the City the First Amendment to Development Agreement in substantially the form attached hereto as Exhibit “A”, and the Clerk of the City is hereby authorized to attest to the same, with the addition of any exhibits called for and with such minor changes as shall be approved by the Council President, such approval to be evidenced by the execution of such First Amendment to Development Agreement by the Council President.

ADOPTED this ___ day of April, 2019.

____
PAT RUDICELL,
COUNCIL PRESIDENT
Date & Time Signed: ____________

ATTEST:

____
CANDACE G. ANTINARELLA,
CITY CLERK

AMENDMENT AND ESTOPPEL INSTRUMENT

This Amendment and Estoppel Instrument (this “Instrument”) is delivered as of ________ ___, 2019 (the “Effective Date”), by CITY OF DAPHNE, an Alabama municipal corporation, having an address at Daphne City Hall, 1705 Main Street, Daphne, Alabama 36526 (“City”).

Renaissance Cooperative District, an Alabama public corporation (“Issuer”), has heretofore issued its Special Obligation Revenue Bonds (Renaissance Center Project), Series 2008 (the “Series 2008 Bonds”) for the purpose of financing the acquisition and construction of certain public infrastructure improvements (the “Bond-Financed Facilities”) for use of the general public, including patrons of the Renaissance Center, a retail and commercial development located in the City of Daphne, Alabama (the “Development”). The governing body of Issuer has determined that it is in the public interest to refund the Series 2008 Bonds and issue its Special Obligation Revenue Bonds (Renaissance Center Project), Series 2019A (the “Series 2019A Bonds”) pursuant to the terms of that certain Financing Agreement _______, 2019 by and between the Issuer and Sunflower Public Finance, LLC, a Colorado limited liability company (“Bondholder”).

In connection with the issuance of the Series 2008 Bonds, City entered into an Economic Development Agreement dated December 3, 2007 (the “Development Agreement”), among Renaissance Center, LLC, an Alabama limited liability company (“Developer”), City, Renaissance Improvement District, an Alabama public corporation (“Improvement District”), and Issuer. A copy of the Development Agreement is attached hereto as Exhibit A.

City hereby covenants, agrees, certifies, and represents, as of the Effective Date, to Bondholder, Issuer, Improvement District, and their successors and assigns, who in material reliance on the covenants, agreements, certifications, and representations included in this Instrument are causing the Series 2019A Bonds to be issued, that:

1. Exhibit A sets forth a true and complete copy of the Development Agreement. The Development Agreement is in full force and effect and has not been modified, changed, altered, or amended in any respect. The Development Agreement represents the entire agreement between the parties thereto with respect to the matters addressed therein.

2. The term of the Development Agreement commenced on December 3, 2007 and terminates on May 1, 2038, unless sooner terminated pursuant to the terms of the Development Agreement or extended pursuant to the terms of the Development Agreement.

3. Although, in Section 1.1 of the Development Agreement, the term “Bonds” is defined to mean the “Special Obligation Revenue Bonds (Renaissance Center Project), Series 2007” issued by Issuer, the intent of the parties is that the term “Bonds” mean the Series 2008 Bonds, the Series 2019A Bonds, and any bonds or obligations refunding the Series 2008 Bonds or the Series 2019A Bonds. Hence, the definition of “Bonds” in Section 1.1 of the Development Agreement is hereby amended and restated in its entirety to read as follows: “”Bonds” means the Cooperative District’s Special Obligation Revenue Bonds (Renaissance Center Project), Series 2008, the Cooperative District’s Special Obligation Revenue Bonds (Renaissance Center Project), Series 2019A, and any bonds or obligations refunding the Series 2008 Bonds or the Series 2019A Bonds, which such Bonds may be issued in one or more series with separate security for each such series.”

4. The definition of “Bond Counsel” in Section 1.1 of the Development Agreement is hereby amended and restated in its entirety to read as follows: “”Bond Counsel” means Hand Arendall L.L.C., Mobile, Alabama, in its role as Bond Counsel to the Cooperative District, or any other law firm

(including Maynard, Cooper & Gale, P.C. , Mobile, Alabama) acting as Bond Counsel to the Cooperative District."

5. Section 7.8 of the Development Agreement is hereby amended and restated in its entirety to read as follows: "Except as set forth herein, this agreement is intended only for the benefit of the signing parties hereto, the Underwriter, and Sunflower Public Finance, LLC (as purchaser of the Cooperative District's Special Obligation Revenue Bonds (Renaissance Center Project), Series 2019A), nor any of the rights, interest or obligations hereunder, is intended for the benefit of any person other than those so stated."

6. As of the date hereof:

(a) there are no defaults existing under the Development Agreement on the part of Developer, Issuer or Improvement District and, to City's knowledge, no events have occurred that, with the passage of time or the giving of notice, or both, would constitute a default by Developer, Issuer, or Improvement District under the Development Agreement;

(b) there is no existing basis for City to cancel or terminate the Development Agreement; and

(c) there are no defenses, offsets, credits, or claims of City pursuant to any of the agreements, terms, covenants, or conditions of the Development Agreement.

7. As of the date hereof:

(a) there are no defaults existing under the Development Agreement on the part of City and, to City's knowledge, no events have occurred that, with the passage to time or the giving of notice, or both, would constitute a material default by City under the Development Agreement;

(b) there is no existing basis for Developer, Issuer, or Improvement District to cancel or terminate the Development Agreement; and

(c) to City's knowledge, there exist no defenses, offsets, credits, or claims of Developer, Issuer, or Improvement District against the enforcement of any of the agreements, terms, covenants, or conditions of the Development Agreement.

8. To City's knowledge, there are no actions, whether voluntary or otherwise, pending against City under the bankruptcy laws of the United States or any state thereof.

9. City has read this Instrument and acknowledges and understands the covenants, agreements, certifications, and representations made herein. The undersigned signatory represents and warrants that he/she is duly authorized to execute this Instrument on behalf of City. This Instrument is executed by City, intending reliance hereon by Lenders and their successors and assigns.

[SIGNATURE PAGES FOLLOW]

IN WITNESS WHEREOF, the undersigned, intending to be legally bound hereby, has duly executed and delivered this Instrument as of the day and year first above written.

CITY OF DAPHNE

By:___________________________________

Name:_________________________________

Title:__________________________________

Attest:

____

Its City Clerk

ACKNOWLEDGMENT

STATE OF ALABAMA

BALDWIN COUNTY

I, ________________________________, a Notary Public in and for said County in said State, hereby certify that Patrick Rudicell, whose name as Council President of City of Daphne, an Alabama municipal corporation, 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 said instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand this the _____________ day of ____________, 2019.

____

Notary Public

[NOTARIAL SEAL]

My commission expires:__________________________

Agreed and accepted as of the first date set forth below.

RENAISSANCE COOPERATIVE DISTRICT

By:____________________________________

Name:__________________________________

Title:__________________________________

Attest:

____

Its Secretary

ACKNOWLEDGMENT

STATE OF ALABAMA

BALDWIN COUNTY

I, ________________________________, a Notary Public in and for said County in said State, hereby certify that __________________________________, whose name as _____________________ of Renaissance Cooperative District, an Alabama public corporation, 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 said instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand this the _____________ day of ____________, 2019.

____

Notary Public

[NOTARIAL SEAL]

My commission expires:__________________________

Agreed and accepted as of the first date set forth below.

RENAISSANCE IMPROVEMENT DISTRICT

By:____________________________________

Name:__________________________________

Title:___________________________________

Attest:

____

Its Secretary

ACKNOWLEDGMENT

STATE OF ALABAMA

BALDWIN COUNTY

I, _________________________________, a Notary Public in and for said County in said State, hereby certify that ___________________________________, whose name as ______________________ of Renaissance Improvement District, an Alabama public corporation, 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 said instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand this the _____________ day of ____________, 2019.

____

Notary Public

[NOTARIAL SEAL]

My commission expires:__________________________

<u>Exhibit A</u>

Development Agreement

See attached.

CITY CLERK'S CERTIFICATE

I, Candace G. Antinarella, as City Clerk of the CITY OF DAPHNE, ALABAMA, hereby certify that the attached Resolution No. 2019-29 constitutes a true and correct copy of Resolution No. 2007-___ adopted by the City Council of the City of Daphne at its regular meeting held on April 1, 2019, which meeting was called and assembled and was open to the public and at which a quorum was present and acting throughout, and that the original of said resolution appears of record in the minute books of the City Council of Daphne, Alabama, which are in my custody and control.

WITNESS my signature as said City Clerk, under the seal of the City of Daphne, Alabama, this the ____ day of April, 2019.

(S E A L)

____
As City Clerk of the CITY OF DAPHNE, ALABAMA

CITY OF DAPHNE
ORDINANCE NO. 2019-16

AN ORDINANCE AMENDING THE CITY OF DAPHNE, ALABAMA LAND USE AND DEVELOPMENT ORDINANCE 2011-54, AS ADOPTED BY THE CITY COUNCIL ON JULY 18, 2011

ARTICLE IX, SECTION 9-6, LOTS OF RECORD

WHEREAS, the City Council of the City of Daphne, after due consideration believes that certain revisions to the City of Daphne Land Use & Development Ordinance are necessary for the proper administration of said Ordinance; and,

WHEREAS, at the City of Daphne Planning Commission regular meeting on January 25, 2019 the Commission considered certain proposed amendments to the City of Daphne Land Use & Development Ordinance, Ordinance 2011-54, and any amendments to the same and set forth a unanimous favorable recommendation to the City Council of the City of Daphne; and,

WHEREAS, due notice of said proposed amendment has been provided to the public as required by law through publication and open display at the Daphne Public Library and City Hall, a public hearing was held before the City Council on March 18, 2019; and,

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

SECTION I: THIS SECTION HEREBY AMENDS THE LAND USE AND DEVELOPMENT ORDINANCE TO REPEAL ARTICLE IX, SECTION 9-6, LOTS OF RECORD AND REPLACE SAID SECTION AS FOLLOWS:

ARTICLE IX

DISTRICT PROVISIONS

Except as hereinafter provided, the following shall generally apply:

9-6 LOTS OF RECORD

(1) General

Where the owner of a lot of record or his successor to the title thereto does not own sufficient land to enable him to conform to the dimensional requirements of this Ordinance, the following exceptions may be allowed:

(a) Where a lot, tract, or parcel of land has an area or width which does not conform to the requirements of the district in which it is located, said lot may be used for a single family dwelling in any residential district, provided the lot to be used has a minimum area of four thousand (4,000) square feet and a minimum lot width at the building line of forty (40) feet and is connected to public sewer. In Commercial/Industrial Districts, uses compatible with the district may be allowed by the Planning Commission.

(b) When two or more adjoining lots with a continuous frontage are in a single ownership at the time of the application, and such lots have a frontage or lot area less than is required by the zoning district in which they are located, such lots shall be platted or reparcelled to create one or more lots which conform to the minimum frontage and area requirements of the zoning district.

Notwithstanding the foregoing paragraph, when two or more adjoining lots with a contiguous frontage are in a single ownership at the time of application, and such lots have a frontage or lot area less than is required by the zoning district in which they are located, such lots may be platted or reparcelled to create fewer total nonconforming lots so long as each resulting lot is closer to conforming with the dimensional requirements of this Ordinance than it was before being replatted or reparcelled.

No lot or parcel, even though it may consist of one or more adjacent lots of record, shall be reduced in size so the lot width, depth, front, side, rear yard, inner or outer courts, or lot area or other requirements of this Ordinance are not maintained. This section shall not apply when a portion of a lot is acquired for public use.

(c) Buildings or structures located on substandard lots of record may be improved only when the addition of adequate plumbing is required by the laws and ordinances of the City of Daphne.

(2) Single Family Residential Lots, Parcels and Land in the Olde Towne Area

The Olde Towne Daphne area represents the area of original colonization of the Daphne community. As such, the area represents unique, historical character. This uniqueness and charm is demonstrated by the subdivisions of land in Olde Towne area since the city's formal incorporation in 1927. The subdivision of land in Olde Towne Daphne has resulted in unique lot sizes, configuration and a lack of uniformity within the Olde Towne residential areas.

Upon the City's establishment of zoning in 1987, the residential area within what is now known as the Olde Towne residential area was blanket zoned R-1 and R-2. In an effort to provide relief from city-wide setback standards that were not created with the uniqueness of existing Olde Towne area lots in mind, the provisions of this section shall apply to vacant, undeveloped, existing lots of record and parcels of land located within or west of the Olde Towne Daphne District zoned R-1, R-2, or R-3.

a) <u>Residential lots or parcels which are between 5,000 and 7,500 square feet in area</u>

Maximum Building Coverage shall be thirty-eight percent (38%)
Minimum Building Setbacks shall be as follows:
Front and Rear = 25 feet
Interior Side = 6 feet
Corner Side = 20 feet

b) <u>Residential lots or parcels which are between 7,501 and 12,000 square feet in area</u>

Maximum Building Coverage shall be thirty-eight percent (38%)
Minimum Building Setback shall be as follows:
Front and Rear = 30 feet
Interior Side = 10 feet
Corner Side = 20 feet

c) In an effort to encourage a sense of community, the city shall allow the construction of covered open air front porches. Said open air porch may encroach into the front yard setback, however this encroachment shall not exceed five feet.

SECTION II: CONFLICT WITH OTHER ORDINANCES

That any Ordinance heretofore adopted by the City Council of Daphne, Alabama, which is in conflict with this Ordinance, be and is hereby replaced to the extent of such conflict.

SECTION III: SEVERABILITY

The provisions of this Ordinance are severable. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

SECTION IV: EFFECTIVE DATE

This Ordinance shall take effect and be in force from and after the date of its approval by the City Council of the City of Daphne and publication as required by law.

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS ____ DAY OF _____________, 2019.

AN ALABAMA MUNICIPAL CORPORATION

Attest: ________________________________
Dane Haygood, Mayor

____
Candace G. Antinarella, City Clerk

CITY OF DAPHNE, ALABAMA
ORDINANCE 2019-17

Additional Appropriation: Lott Park Tennis Facility

WHEREAS, Ordinance 2018-35 approved and adopted the Fiscal Year 2019 Budget on October 1, 2018; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2019 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2019 budget; and

WHEREAS, renovation of the Lott Park Tennis Facility has been bid and awarded; and

WHEREAS, Ordinance 2018-38 was adopted to approve the funds needed for the Lott Park Tennis Facility renovations; and

WHEREAS, further additional changes are needed for the Lott Park Tennis facility in order to repair the current lighting system for the ball fields and to provide for permanent lighting in the parking lot; and

WHEREAS, an additional appropriation of $53,425.73 is immediately needed for said work to progress on improvements to the park;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, that

1) The following additions will be needed to complete the Lott Park Tennis Facility Renovations:
- Repair of current lighting system for ball fields: $14,132.01
- Aid to Construction and permanent lighting for parking lot: $39,293.72

2) Funds in the amount of **$53,425.73** from the **Lodging Tax Fund** are appropriated and made a part of the Fiscal Year 2019 budget for additional improvements for the Lott Park Tennis Facility.

3) The Mayor is hereby authorized to execute any and all documents required for these additions.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS ________ DAY OF____________, 2019.

____
Dane Haygood, Mayor

ATTEST:

____
Candace G. Antinarella, City Clerk

CITY OF DAPHNE, ALABAMA
ORDINANCE 2019-18

ADDITIONAL APPROPRIATION FOR JOE LOUIS PATRICK PARK

WHEREAS, Ordinance 2018-35 approved and adopted the Fiscal Year 2019 Budget on October 1, 2018; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2019 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2019 budget; and

WHEREAS, Ordinance 2012-48 sets forth an allocation of Lodging Tax proceeds that may be used for Bayfront grounds/property improvements; and

WHEREAS, the improvements at Joe Louis Patrick Park meet such criteria; and

WHEREAS, monies were previously appropriated in the FY 2018 and FY 2019 Budget in the amount of $79,535 for improvements at the Joe Louis Patrick Park. Quotes for improvements at the Park have been received and the estimated amount of improvements is expected to total $122,000 and therefore, additional money is needed; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, that

1. The Fiscal Year 2019 Budget is hereby amended to include an additional appropriation in the amount of **$42,465** from the **Lodging Tax Fund** for additional improvements at Joe Louis Patrick Park.

2. The Mayor is hereby authorized to execute all documents associated with the described project.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE ALABAMA this ____ day of __________, 2019.

____
Dane Haygood, Mayor

ATTEST:

____
Candace G. Antinarella, City Clerk

CITY OF DAPHNE, ALABAMA
ORDINANCE NO. 2019-19

Zoning District Map
Revision to the City of Daphne Land Use and Development Ordinance

WHEREAS, the Planning Commission of the City of Daphne, Alabama at their regular meeting held on January 24, 2019, favorably recommended to the City Council of the City of Daphne certain amendments to the Daphne Land Use and Development Ordinance / Zoning District Map approved and adopted by Ordinance No. 2011-54, referenced in Appendix H “Exhibit A” thereof, and amended by Ordinance No. 2016-69, Ordinance No. 2017-49, Ordinance No. 2018-02 and Ordinance 2018-27; and

WHEREAS, said amendments are necessary due to various rezoning and annexation requests which have been approved since the adoption of Ordinance No. 2018-27; and

WHEREAS, due notice of said proposed zoning map amendments has been provided to the public as required by law through publication and open display at the City of Daphne Public Library and City Hall; and

WHEREAS, a public hearing regarding the proposed Zoning District Map amendments was held by the City Council on April 1, 2019; and

WHEREAS, the City Council of the City of Daphne after due consideration and upon recommendation of the Planning Commission believe it in the best interest of the health, safety and welfare of the citizens of the City of Daphne to amend said Zoning District Map as recommended; and

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

SECTION I: ZONING DISTRICT MAP

The Zoning District Map referenced hereto as Exhibit “A” shall be the official zoning map of the City of Daphne, Alabama and shall be further designated in Appendix H of the City of Daphne Land Use and Development Ordinance, as set forth in Ordinance No. 2011-54 and its amendments.

SECTION II: REPEALER

Ordinance No. 2011-54, Appendix H “Exhibit A”, Ordinance No. 2016-69, Ordinance No. 2017-49, Ordinance No. 2018-02 and Ordinance 2018-27 are hereby repealed, and any Ordinance(s), parts of Ordinance(s) or Resolution(s) conflicting with the provisions of this Ordinance are hereby repealed insofar as they conflict.

SECTION III: EFFECTIVE DATE

This Ordinance shall take effect and be in force from and after the date of its approval by the City of Daphne City Council and publication as required by law.

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA ON THIS _____ DAY OF _____________, 2019.

____
Dane Haygood, Mayor

ATTEST:

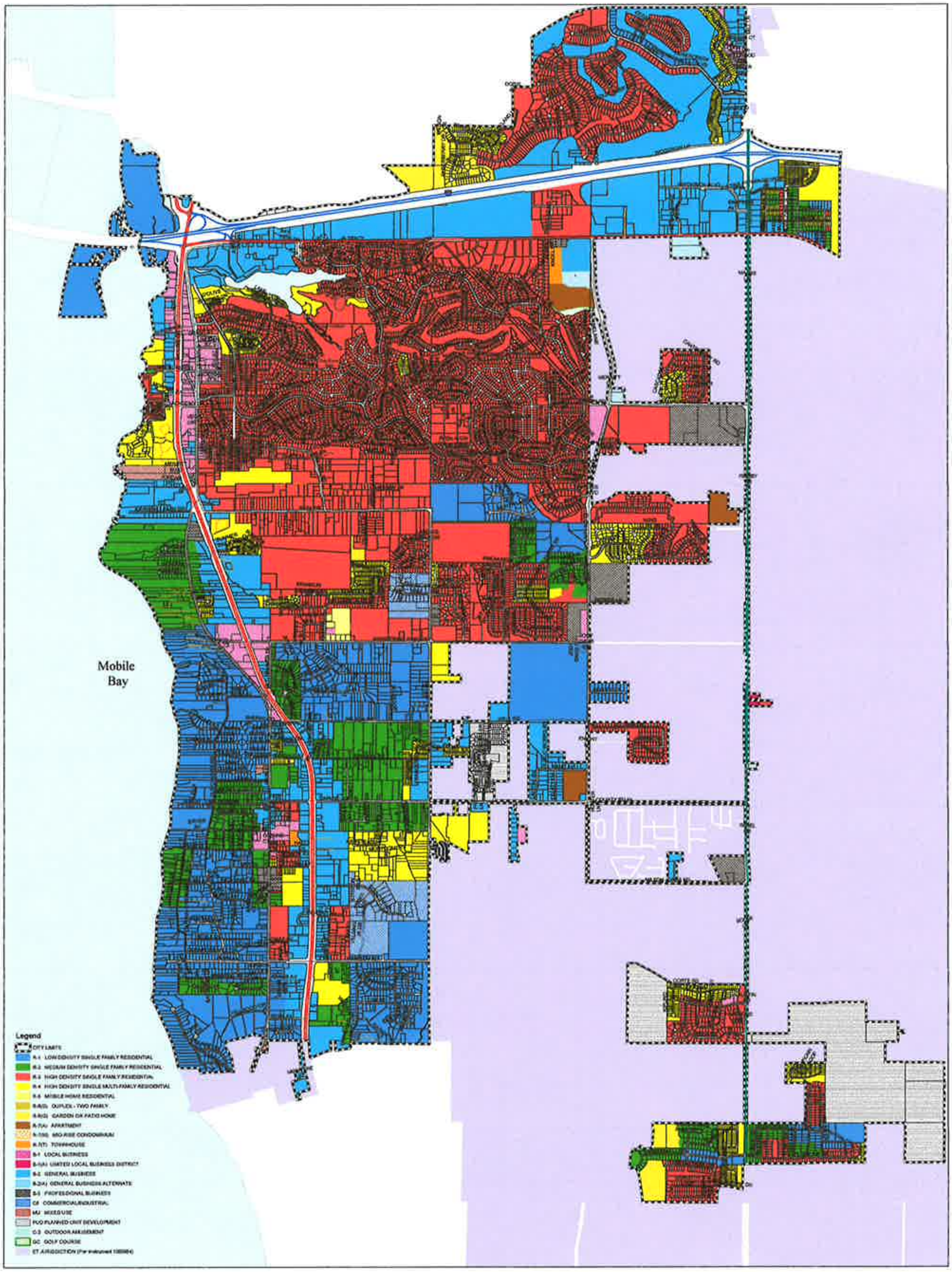
____
Candace G. Antinarella, City Clerk

Daphne
ALABAMA
The Jubilee City

City of Daphne Official Zoning Map

Exhibit A

N



1 inch = 1,500 feet

0.5 0.25 0 0.5 Miles

Maps are for graphical purposes only. They do not represent a legal survey. The information contained in the data distributed by the City of Daphne is derived from a variety of public and private sources considered to be dependable, but the accuracy, completeness and currency thereof are not guaranteed. The City of Daphne makes no warranties, expressed or implied as to the accuracy, completeness, currency, reliability, or suitability for any particular purpose of the information or data contained in or generated from the City Geographic Information System. Additionally, the City of Daphne or any agent, servant, or employee thereof assume no liability associated with the use of the data, and assume no responsibility to maintain it in any manner or form. Any questions regarding zoning or any data should be directed to the City of Daphne Department of Community Development at 251-620-1700.

CITY OF DAPHNE, ALABAMA
ORDINANCE 2019 - 20

Amend Job Classification Schedule: Information Technology Director

WHEREAS, Ordinance 2004-52 approved and adopted January 3, 2005 established the City of Daphne Job Classification Schedule; and

WHEREAS, the City of Daphne is the most populous city in Baldwin County in an society which has an ever expanding reliance on information technology in the increasing digital age; and

WHEREAS, the City of Daphne currently employs 302 part time and full time employees spread over thirteen office locations, fifteen departments and numerous other city facilities which stretch the demand on our IT infrastructure and support systems; and

WHEREAS, the City of Daphne IT Department has been traditionally composed of two employees – an IT Coordinator and an IT Technician; and

WHEREAS, in 2014 the City of Daphne previously recognized the need to explore adding a director level position to lead the City of Daphne's Information Technology (IT) efforts and created a job description for an IT Director position; and

WHEREAS, at the time the job description was created, The Archer Company reviewed the job description and recommended the position be classified as a Grade 36 in the City of Daphne Job Classification Schedule; and

WHEREAS, the City's IT Coordinator resigned to pursue other opportunities in January of 2019 and the City is currently operating with an IT Staff of one combined with the continued use of outside vendors; and

WHEREAS, the City finds it desirous to pursue hiring an IT Director by upgrading the existing IT Coordinator position to an Information Technology (IT) Director;

WHEREAS, due to the vacancies in the IT Department during FY19, an additional appropriation will not be necessary for the City to upgrade the IT Coordinator position to an IT Director position; and

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

1. The following is hereby incorporated into the City of Daphne Job Classification Schedule:

Grade 36: Information Technology Director

2. The City will pursue hiring an IT Director by upgrading the IT Coordinator position to an IT Director position.

3. In the event that the hiring process for an IT Director does not produce a viable candidate, the City may revert the IT Director position to the IT Coordinator position.

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS _____ day of ________, 2019.

____
Dane Haygood, Mayor

ATTEST:

____
Candace G. Antinarella, City Clerk