



COMMITTEE OF THE WHOLE MEETING AGENDA

I. ROLL CALL

II. CONSIDERATION OF PREVIOUS MINUTES

1. Special-Called Council Meeting 08/15/17
2. Regular Council Meeting 08/15/17
3. Committee of the Whole 08/15/17
4. Special-Called Council Meeting 08/28/17

III. PUBLIC COMMENTS/AGENDA ITEMS

IV. Unfinished Business

Miscellaneous

Resolutions

Ordinances

V. New Business

Miscellaneous

1. Reschedule November 21st Council and Committee of the Whole Meetings to November 14th due to the Thanksgiving holiday. (TK)
2. Proclamation to declare September 25, 2017, as Family Day, and September 24 through September 30, 2017 as Family Week. (RE)
3. Approval of 2016 Audited Financials. (FH)
4. Discuss city funding for utility repair associated with Fire Station 2 Drainage Improvement Project. (KA)
5. Discuss 2% increase in lodgings tax. (TK)

Resolutions

1. Resolution authorizing the Mayor to execute a professional services agreement with Amec Foster Wheeler Environment & Infrastructure, Inc., for engineering services. (LS)
2. Resolution authorizing the Mayor to execute a professional services agreement with Hutchinson, Moore & Rauch, LLC, for engineering services. (KA)
3. Resolution authorizing the execution of a Task Order with Hutchinson, Moore & Rauch, LLC, for a topographic survey related to the extension of Roscoe Road sewer utilities infrastructure in an amount not to exceed \$9,000. (JH)
4. Resolution authorizing a franchise for Ride The Wave LLC. (RE)

Ordinances

1. Public hearing for an ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0802-PUD-17, GSPS Orange Beach Sales & Service PUD. (KA)
2. Ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0802-PUD-17, GSPS Orange Beach Sales & Service PUD. (KA)
3. Set a public hearing date for an ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0801-PUD-17, Gulf Stream Final PUD Approval. (Suggested date 10/3/2017) (KA)
4. Set a public hearing date for an ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0810-PUDA-17, Windward Lakes, Lot 75, Setback Variance. (Suggested date 10/3/2017) (KA)

VI. Public Comments/Community Discussion

VII. Adjourn

FOR CURRENT INFORMATION REGARDING TIMES AND DATE OF MEETINGS
OF THE COUNCIL AND COMMITTEE OF THE WHOLE, CALL 980-INFO (980-4636)
FOR A RECORDED MESSAGE or **VISIT OUR WEB SITE**
AT www.cityoforangebeach.com



**COMMITTEE OF THE WHOLE MEETING
SEPTEMBER 5, 2017**

Departments: Administration

Description of Topic:

Special-Called Council Meeting 08/15/17

Action Options/Recommendation:

Source of Funding (if applicable) :

ATTACHMENTS:

Description

- ▣ Special-Called Council Meeting 08/15/17

**MINUTES OF
SPECIAL-CALLED COUNCIL MEETING
ORANGE BEACH CITY COUNCIL
AUGUST 15, 2017 – 3:00 P.M.
ENGINEERING & ENVIRONMENTAL CONFERENCE ROOM**

I. CALL TO ORDER Mayor Tony Kennon called the meeting to order at 2:57 P.M.

II. ROLL CALL

Present: Councilmember Jeff Silvers
Councilmember Jerry Johnson
Councilmember Annette Mitchell
Councilmember Joni Blalock
Councilmember Jeff Boyd
Mayor Tony Kennon

Absent: None

There being a quorum present, the meeting was opened for the transaction of business.

III. CONSIDERATION OF AGENDA

Motion made (Mitchell/Silvers) to approve the agenda. Vote unanimous in favor.

IV. NEW BUSINESS

1. Executive session to discuss preliminary negotiations involving a proposed economic development project for the City of Orange Beach. **Motion made (Silvers/Blalock) to enter into executive session.** Councilmember Johnson stated that discussions would have a detrimental effect upon parties if disclosed outside of executive session. The City Attorney has issued a written declaration advising Mayor and Council that the stated purpose of the Executive Session is authorized by Alabama's Open Meetings Act and all required procedures have been followed. Vote unanimous in favor to enter into executive session.

Time in: 3:00 P.M.

The meeting reconvened at 4:47 P.M.

V. ADJOURN

Motion made (Blalock/Silvers) to adjourn. Vote unanimous in favor.

Time: 4:47 P.M.

APPROVED this 19th day of September, 2017.

Renee Eberly
City Clerk



**COMMITTEE OF THE WHOLE MEETING
SEPTEMBER 5, 2017**

Departments: Administration

Description of Topic:

Regular Council Meeting 08/15/17

Action Options/Recommendation:

Source of Funding (if applicable) :



**COMMITTEE OF THE WHOLE MEETING
SEPTEMBER 5, 2017**

Departments: Administration

Description of Topic:

Committee of the Whole 08/15/17

Action Options/Recommendation:

Source of Funding (if applicable) :



**COMMITTEE OF THE WHOLE MEETING
SEPTEMBER 5, 2017**

Departments: Administration

Description of Topic:

Special-Called Council Meeting 08/28/17

Action Options/Recommendation:

Source of Funding (if applicable) :

ATTACHMENTS:

Description

- ▣ Special-Called Council Meeting 08/28/17

**MINUTES OF
SPECIAL-CALLED COUNCIL MEETING
ORANGE BEACH CITY COUNCIL
AUGUST 28, 2017 – 10:00 A.M.
CITY HALL – COUNCIL CHAMBERS**

I. CALL TO ORDER Mayor Tony Kennon called the meeting to order at 10:00 A.M.

II. ROLL CALL

Present: Councilmember Jeff Silvers
Councilmember Jerry Johnson
Councilmember Annette Mitchell
Councilmember Joni Blalock
Councilmember Jeff Boyd
Mayor Tony Kennon

Absent: None

There being a quorum present, the meeting was opened for the transaction of business.

III. CONSIDERATION OF AGENDA

Motion made (Silvers/Johnson) to approve the agenda with the following addition:

1. Resolution establishing fees for wireless telecommunications facilities.

Vote unanimous in favor.

IV. NEW BUSINESS

Public Hearing

1. Public hearing for a proposed economic development project with CenturyLink to construct, install, and place fiber optic facilities within the City of Orange Beach.

Councilmember Johnson introduced the CenturyLink proposal.

Cecil Young, resident, stated he would hold his questions until the Mayor's Advisory Committee Meeting on Wednesday, August 30, 2017.

Troy Blaschka, resident, asked if Baldwin EMC would be willing to provide fiber connectivity like the electric cooperative does in Chattanooga, TN. Councilmember Johnson responded that Baldwin EMC has not entered this arena at this time, and that the situation in Orange Beach is different from Chattanooga in that Orange Beach's density is much lower which means there is a higher barrier to entry for service providers when it comes to the cost of infrastructure. Mr. Blaschka asked if any federal funding was involved. Trey Lutrick, Director of Corporate Strategy & Business Development for CenturyLink, responded that there is no federal funding for the proposed project.

Pete Peterson, resident, stated concerns regarding the resiliency of CenturyLink's infrastructure in storm events, citing issues he has had with CenturyLink's service since Hurricane Ivan in 2004. Mayor Kennon explained that CenturyLink's current copper-based system is in a state of disrepair, and that many area providers have been unwilling to invest in upgrading existing infrastructure. Mayor Kennon stated that CenturyLink has been strongly warned about the hurdles that must be overcome regarding public perception based on past poor performance and service. Councilmember Johnson further explained that current service is limited by the dated copper-based system, and a fiber infrastructure should equate to better performance and service along with providing the capacity for future growth.

Mr. Blaschka asked about how RV parks are calculated into CenturyLink's proposal. Kit Alexander, Engineering and Environmental Director, explained that residences in RV parks or condos may be "packaged" or they may be individually owned lots with individual addresses.

Ken Grimes, City Administrator, clarified that the purpose of today's vote is to approve the economic development initiative which allows the City to move forward to partner with CenturyLink.

There being no further comments, the public hearing adjourned.

Resolutions

1. Resolution authorizing fiber optic broadband project. **Motion made (Mitchell/Silvers) to adopt the resolution.** City Attorney Wanda Cochran stated that because this item is of a permanent nature, the Council must vote to suspend the rules for immediate

consideration. **Motion made (Mitchell/Silvers) to amend their motion to suspend the rules for immediate consideration of this resolution.** Vote unanimous in favor. **Motion made (Blalock/Silvers) to adopt the resolution.** Roll call vote revealed: Silvers, aye; Johnson, aye; Mitchell, aye; Blalock, aye; Boyd, aye; Kennon, aye. **Passed. (6-0).**

2. ADDITION: Resolution establishing fees for wireless telecommunications facilities. Kit Alexander, Engineering and Environmental Director, presented the request to amend the current \$2,000 flat fee to fees that are more accurately reflective of staff time related to the application review process. Motion made (Mitchell/Blalock) to suspend the rules for immediate consideration of this resolution. Roll call vote revealed: Silvers, aye; Johnson, aye; Mitchell, aye; Blalock, aye; Boyd, aye; Kennon, aye. **Passed. (6-0).** **Motion made (Johnson/Boyd) to adopt the resolution.** Vote unanimous in favor.

V. ADJOURN

Motion made (Mitchell/Blalock) to adjourn. Vote unanimous in favor.

Time: 10:42 A.M.

APPROVED this 19th day of September, 2017.

Renee Eberly
City Clerk

ITEM 1.



**COMMITTEE OF THE WHOLE MEETING
SEPTEMBER 5, 2017**

Departments: No Department Selected

Description of Topic:

Reschedule November 21st Council and Committee of the Whole Meetings to November 14th due to the Thanksgiving holiday. (TK)

Action Options/Recommendation:

Source of Funding (if applicable) :



**COMMITTEE OF THE WHOLE MEETING
SEPTEMBER 5, 2017**

Departments: Administration

Description of Topic:

Proclamation to declare September 25, 2017, as Family Day, and September 24 through September 30, 2017 as Family Week. (RE)

Action Options/Recommendation:

Source of Funding (if applicable) :

ATTACHMENTS:

Description

- ▣ Proclamation

From the Governing Body of the
CITY OF ORANGE BEACH, ALABAMA



Proclamation

- Whereas,** children are our future, and committed families shape and guide children by preparing them for obstacles and encouraging them to overcome life's demanding challenges; and
- Whereas,** children who spend time with parents show lower risks of suicide, school dropout, teenage pregnancy, prison time, and drug abuse; and
- Whereas,** simple daily activities, like sharing a meal, a conversation, or a book, can have an enormous impact on the spirit of a child; and
- Whereas,** it is our duty as concerned family and community members to help create a strong base for the future health and happiness of all children; and
- Whereas,** Family Day has grown to promote the importance of family interaction and connecting with children throughout the day, to stress that children need active parents, and to honor the devotion of parents and acknowledge their critical role in teaching children positive and healthy behaviors; and
- Whereas,** we encourage everyone to visit CASAFamilyDay.org for information on talking with kids about the dangers of drug use, and we call on the community and state leadership to support shared parenting because of its benefits for children; and

Now, therefore, be it proclaimed by the Orange Beach City Council and Mayor that September 25, 2017, is

FAMILY DAY

And September 24 through September 30, 2017, is

FAMILY WEEK



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Seal of the City of Orange Beach, Alabama, this 19th day of September, 2017.

Tony Kennon

Tony Kennon, Mayor

ITEM 3.



COMMITTEE OF THE WHOLE MEETING SEPTEMBER 5, 2017

Departments: Finance

Description of Topic:

Approval of 2016 Audited Financials. (FH)

Action Options/Recommendation:

Approve as City received an unqualified audit opinion. That is, the auditors opinion is that the financial statements are presented fairly, appropriately, and in accordance with Generally Accepted Accounting Principles.

Source of Funding (if applicable) :

ATTACHMENTS:

Description

- ▣ 2016 Audited Financial Report

THE CITY OF ORANGE BEACH, ALABAMA
FINANCIAL STATEMENTS
DECEMBER 31, 2016

THE CITY OF ORANGE BEACH, ALABAMA
NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2016

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THE CITY OF ORANGE BEACH, ALABAMA
NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2016

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GRANT, SANDERS & TAYLOR, P.C.

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INDEPENDENT AUDITOR'S REPORT

To the Honorable Mayor and Members of the City Council
Orange Beach, Alabama

Report on the Financial Statements

We have audited the accompanying financial statements of the governmental activities, business-type activities, each major fund, and the aggregate remaining fund information of the City of Orange Beach, Alabama, as of and for the year ended December 31, 2016, and the related notes to the financial statements, which collectively comprise the City's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Opinions

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, business-type activities, each major fund, and the aggregate remaining fund information of the City of Orange Beach, Alabama, as of December 31, 2016, and the respective changes in financial position and cash flows, where applicable, thereof for the year then ended in accordance with accounting principles generally accepted in the United State of America.

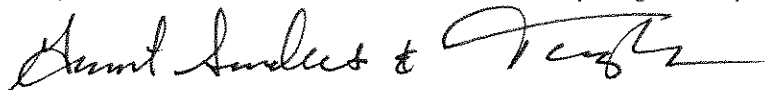
Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis, budgetary comparison information, schedule of employer contributions, and schedule of changes in the net pension liability on pages 3 through 8 and 45 through 50 be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Reporting Required by *Government Auditing Standards*

In accordance with *Government Auditing Standards*, we have also issued our report dated June 23, 2017 on our consideration of the City of Orange Beach, Alabama's internal control over financial reporting and on our test of its compliance with certain provisions of laws, regulations, contracts and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the City of Orange Beach, Alabama's internal control over financial reporting and compliance.

A handwritten signature in black ink, appearing to read "David S. Smith & Company", written in a cursive style.

Gulf Shores, Alabama
June 23, 2017

MANAGEMENT'S DISCUSSION AND ANALYSIS
(MD&A)

Management's Discussion and Analysis

Overview of the Financial Statements

The City's basic financial statements are comprised of three components:

- (1) Government-wide Financial Statements
- (2) Fund Financial Statements
- (3) Notes to the Financial Statements

This Financial Report also contains other supplementary information in addition to the basic financial statements.

Government-wide Financial Statements

The Government-wide financial statements provide a broad overview of the City of Orange Beach's finances. The presentation is in a manner similar to a private-sector business.

The Statement of Net Position provides information on all the City's assets and liabilities. The difference between the two is reported as net position. Over time, changes (increases or decreases) in net position may provide a useful indicator of the City's overall financial condition.

The Statement of Activities provides information on how the City's net position changed during the fiscal year.

Fund Financial Statements

A fund is a group of related accounts used to maintain control over resources that have been segregated for specific objectives or activities. The City of Orange Beach uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements. Fund Financial Statements report the City's operations in more detail than the Government-wide Financial Statements. All of the funds of the City are governmental or proprietary.

Governmental Funds

Governmental Funds provide information, which may be useful in evaluating and determining a government's near-term financing requirements. The financial statements focus on near-term inflows and outflows of spendable resources. Readers of the financial statements may better understand the long-term impact of the government's near-term financial decisions.

Proprietary Funds

The City of Orange Beach maintains five enterprise funds: Refuse Fund, Sewer Fund, Event Center Fund, Arts Center Fund and the Baldwin County Bridge Company Fund. Enterprise funds report the same functions presented in business-type activities in the Government-wide financial statements.

Notes to the Basic Financial Statements

The notes provide additional information and are essential to the full understanding of the data in the Government-wide and Fund Financial Statements.

Government-wide Financial Analysis

As previously noted, over time, net position may serve as a useful indicator of a government's financial condition. At the close of Fiscal Year 2016 on December 31, 2016, the City of Orange Beach assets exceeded its liabilities by \$118,737,253 whereas at the close of Fiscal Year 2015 on December 31, 2015, the City of Orange Beach assets exceeded its liabilities by \$99,928,923. The largest portion of the City's net position reflects its investment in capital assets (property, plant and equipment), less debt outstanding that was used for acquisition. These assets are used to provide services to the citizens and are not available for future spending. Since the capital assets cannot be used to liquidate the outstanding debt, resources needed to repay the debt must be provided from other sources.

Table 1 below represents the City's Condensed Statement of Net Position as of December 31, 2016 and December 31, 2015, and is derived from the Government-wide Statement of Net Position.

Table 1 – Condensed Statement of Net Position

	Governmental Activities		Business-Type Activities		Total Primary Government	
	2016	2015	2016	2015	2016	2015
Current and Other Assets	\$ 58,720,543	\$ 42,341,169	\$ 7,517,514	\$ 15,010,474	\$ 66,238,057	\$ 57,351,643
Capital Assets	74,034,491	74,595,534	28,907,971	28,789,489	102,942,462	103,385,023
Total Assets	<u>\$ 132,755,034</u>	<u>\$ 116,936,703</u>	<u>\$ 36,425,485</u>	<u>\$ 43,799,963</u>	<u>\$ 169,180,519</u>	<u>\$ 160,736,666</u>
Deferred Outflow of Resources	\$ 3,414,413	\$ 2,744,014	\$ 2,460,669	\$ 2,651,965	\$ 5,875,082	\$ 5,395,979
Other Liabilities	\$ 7,346,062	\$ 1,951,946	\$ 2,536,140	\$ 568,821	\$ 9,882,202	\$ 2,520,767
Long-term Liabilities	21,366,354	29,196,197	24,438,444	33,947,327	45,804,798	63,143,524
Total Liabilities	<u>\$ 28,712,416</u>	<u>\$ 31,148,143</u>	<u>\$ 26,974,584</u>	<u>\$ 34,516,148</u>	<u>\$ 55,687,000</u>	<u>\$ 65,664,291</u>
Deferred Inflow of Resources	\$ 586,326	\$ 497,615	\$ 45,022	\$ 41,816	\$ 631,348	\$ 539,431
Net Position	<u>\$ 106,870,705</u>	<u>\$ 88,034,959</u>	<u>\$ 11,866,548</u>	<u>\$ 11,893,964</u>	<u>\$ 118,737,253</u>	<u>\$ 99,928,923</u>
Invested in Capital Assets						
Net of Related Debt	\$ 53,822,418	\$ 50,183,833	\$ 5,224,324	\$ 5,245,643	\$ 59,046,742	\$ 55,429,476
Restricted	13,386,879	13,248,040	-	-	13,386,879	13,248,040
Unrestricted	39,661,408	24,603,086	6,642,224	6,648,321	46,303,632	31,251,407
Total Net Position	<u>\$ 106,870,705</u>	<u>\$ 88,034,959</u>	<u>\$ 11,866,548</u>	<u>\$ 11,893,964</u>	<u>\$ 118,737,253</u>	<u>\$ 99,928,923</u>

Overall Analysis

Financial highlights for the City of Orange Beach as a whole during the fiscal year ended December 31, 2016 and December 31, 2015, include the following:

The assets of the City exceeded its liabilities (net assets) at the close of the fiscal year ended December 31, 2016, by \$106,870,705 and at the close of the fiscal year ended December 31, 2015, by \$88,034,959 for Governmental Activities and by \$11,866,548 and \$11,893,964 (respectively for each year end) for Business-type Activities (See Table 1-Condensed Statement of Net Assets).

Table 2 on the next page represents the City's Condensed Statement of Activities as of December 31, 2016 and December 31, 2015 and is derived from the Statement of Activities.

Table 2 – Condensed Statement of Activities

	Governmental Activities		Business-Type Activities		Total Primary Government	
	2016	2015	2016	2015	2016	2015
PRIMARY GOVERNMENT:						
Revenues						
Charges for Services	\$ 6,220,940	\$ 5,770,625	\$ 9,832,448	\$ 10,427,642	\$ 16,053,388	\$ 16,198,267
Operating grants and Contributions	381,938	206,186	-	-	381,938	206,186
Capital grants and Contributions	51,817	151,819	2,800	-	54,617	151,819
General Revenues:						
Taxes	31,037,852	28,896,604	-	-	31,037,852	28,896,604
Investment Earnings	47,807	30,334	7,747	6,687	55,554	37,021
Reimbursed Expense	72,994	91,384	-	-	72,994	91,384
Settlement proceeds	12,000,000	-	-	-	12,000,000	-
Miscellaneous	137,991	122,121	61,600	33,854	199,591	155,975
Gain (Loss) on Disposal of Assets	32,852	32,488	-	44,900	32,852	77,388
Total Revenues	<u>\$ 49,984,191</u>	<u>\$ 35,301,561</u>	<u>\$ 9,904,595</u>	<u>\$ 10,513,083</u>	<u>\$ 59,888,786</u>	<u>\$ 45,814,644</u>
Expenses:						
General Government	\$ 5,631,862	\$ 2,783,199	\$ -	\$ -	\$ 5,631,862	\$ 2,783,199
Municipal Court	409,819	368,784	-	-	409,819	368,784
Finance	745,294	779,662	-	-	745,294	779,662
Engineering Coastal	2,817,735	1,802,403	-	-	2,817,735	1,802,403
Police	6,022,029	4,954,086	-	-	6,022,029	4,954,086
Corrections	597,442	545,430	-	-	597,442	545,430
Communication	499,892	464,599	-	-	499,892	464,599
Fire	5,468,176	5,562,464	-	-	5,468,176	5,562,464
Public Works	3,686,288	4,093,206	-	-	3,686,288	4,093,206
Landscape	1,488,258	1,428,159	-	-	1,488,258	1,428,159
Parks & Recreation	3,029,977	3,364,048	-	-	3,029,977	3,364,048
Library	754,086	680,048	-	-	754,086	680,048
BP Oil Spill	84,768	59,137	-	-	84,768	59,137
Interest on Long-Term Debt	702,042	809,293	-	-	702,042	809,293
Sewer Fund	-	-	5,703,893	5,876,581	5,703,893	5,876,581
Refuse Fund	-	-	2,445,490	2,513,721	2,445,490	2,513,721
Events Center	-	-	473,704	373,570	473,704	373,570
Baldwin County Bridge Fund	-	-	148,699	203,193	148,699	203,193
Arts Center	-	-	467,402	501,015	467,402	501,015
Total Expenses	<u>\$ 31,937,668</u>	<u>\$ 27,694,518</u>	<u>\$ 9,239,188</u>	<u>\$ 9,468,080</u>	<u>\$ 41,176,856</u>	<u>\$ 37,162,598</u>
Increase (Decrease) in Net Position						
Before Transfers	18,046,523	7,607,043	665,407	1,045,003	18,711,930	8,652,046
Transfers	692,823	696,468	(692,823)	(696,468)	-	-
Change in Net Position	18,739,346	8,303,511	(27,416)	348,535	18,711,930	8,652,046
Net Position - Beginning	88,034,959	82,476,286	11,893,964	11,545,429	99,928,923	94,021,715
Prior period adjustment	96,400	(2,744,838)	-	-	96,400	(2,744,838)
Net Position - Ending	<u>\$ 106,870,705</u>	<u>\$ 88,034,959</u>	<u>\$ 11,866,548</u>	<u>\$ 11,893,964</u>	<u>\$ 118,737,253</u>	<u>\$ 99,928,923</u>

The City's total net position increased during the current year by \$18,808,330 and during the previous year by \$5,907,208. Net position of Governmental Activities increased by \$18,835,746 during fiscal year 2016 and increased by \$5,558,673 during fiscal year 2015 while the net position of Business-type Activities decreased by \$27,416 during fiscal year 2016 and increased by \$348,535 during fiscal year 2015.

Financial Analysis of the Government's Funds

The City of Orange Beach uses fund accounting to ensure and demonstrate compliance with finance related requirements. Funds that experienced significant changes in Fund Balance during the year are as follows:

Governmental Funds

At the close of the current fiscal year, the City's Governmental Funds showed a combined ending fund balance of \$55,546,168 compared to \$40,078,705 at the end of the previous fiscal year with \$42,224,671 unassigned compared to \$26,858,481 reported as unassigned fund balance in the prior year. The remaining reserved amount of \$13,321,497 for fiscal year end 2016, is \$179,041 nonspendable, \$3,815,934 restricted, \$9,040,980 committed, and \$285,542 assigned as compared to the fiscal year ended 2015 amount of \$13,220,224 (\$177,788 nonspendable, \$3,731,996 restricted, \$9,026,900 committed, and \$283,540 assigned).

Proprietary Funds

As of the close of the current fiscal year the City's Proprietary Funds reported total net assets of \$11,866,548 compared to \$11,893,964 at the end of fiscal 2015.

Budget Variances in the General Fund

The City Council did not revise the original adopted General Fund budget. The actual expenditures of the General Fund were \$3,639,803 over the budgeted amounts. This mainly results from the City not budgeting capital projects, but evaluating and approving each on a case by case basis. Actual revenues were \$20,299,262 over the final budgeted amounts. \$10,000,000 of that revenue was from the BP settlement in 2016. Local taxes exceeded budget by \$7,297,015 as the Council continued to budget conservatively, yet tourist numbers continued to exceed expectations.. Refer to the budgetary comparison schedule for the General Fund in the other RSI section of the Financial Report.

Capital Asset and Long-term Debt Activity

Capital Asset Activity

At December 31, 2016, the City of Orange Beach reported net capital assets of \$74,034,491 from governmental activities and net capital asset of \$28,907,971 from business-type activities. At December 31, 2015, the City of Orange Beach reported net capital assets of \$74,595,534 from governmental activities and net capital asset of \$28,789,489 from business-type activities.

GASB No 34 requires the City to report and depreciate new infrastructure assets effective with the beginning of the fiscal year ending September 30, 2003. Infrastructure assets include roads, bridges, underground pipes (other than utilities), traffic signals, etc. The City's capitalization threshold for infrastructure is \$500,000. The City of Orange Beach, Alabama does not have infrastructure that exceeds the capitalization threshold.

Refer to **Note 11** to the financial statements for additional information on capital assets.

Long-term Debt Activity

As of year-end, the City had \$46,092,670 in debt outstanding compared to \$58,281,926 last year. Refer to **Note 5** to the financial statements for additional information on long-term debt activity.

Future Events Impacting the City's Financial Condition

The City of Orange Beach faces several factors that will impact the City's financial and fiscal condition next year and beyond:

- 1) The City has entered into a 30 year option to purchase the Foley Beach Express Bridge. The City made annual \$1.2 million payments to the bridge company from 2003-2013. The 2013 payment ended the 10 year outlay. In exchange, the City receives a per car royalty for thirty (30) years. If the City does not exercise the option to purchase in year thirty (30), the per car royalty payment extends for a second thirty (30) year period.
- 2) In 2004, the City entered into a fifteen year agreement with AIG Baker for the development of "The Wharf", a mixed-use commercial development on Canal Road. The City has committed one-half of the sales and lodging taxes collected from the project for public improvements associated with the project. The tax reimbursement portion of the agreement began in 2011; however the City renegotiated a \$1,000,000 escrow account to build up before any tax payments are shared. Along with this renegotiation the City acquired a one acre tract of land on a prime corner lot. In 2012, The Wharf came into new ownership that is aggressively attracting new investment. A Springfield Suites by Marriott opened in 2016 with 132 rooms along with a restaurant adjacent to the city owned Orange Beach Event Center.
- 3) In 2005, the City purchased 80 acres of land north of the Intracoastal Waterway on the Beach Express for the development of a Commerce Park. The City sold 20 acres to Baldwin Electric Membership Cooperative, 20.42 acres to Columbia Southern University, and an approximate 3 acres to VDL Holdings, LLC. Approximately 17 acres consists of undevelopable wetlands. The City has listed the remaining 20 acres for sale or lease.
- 4) In May 2009, the Governor of Alabama signed legislation that allowed the construction of the Gulf State Park's Hotel and Conference Center in Gulf Shores. This Center is known as a "superpark" will generate revenue for the entire Alabama State Park System and will have a positive economic impact across the Alabama Gulf Coast including Orange Beach. Construction began on the Conference Center foundation in spring 2016. Gulf State Park has made significant improvements to its fishing pier, beach pavilion, campground, golf course and trails which are a direct positive impact for adjacent Orange Beach.
- 5) The City continues to explore the feasibility of the development of the Wolf Bay Bridge Project as a public private partnership. In 2011, the City paid off a loan for \$3.45 million and now holds title to several acres of property which will serve as the landing for a future bridge at the intersection of Highway 161 and Highway 180. The future bridge is also a key component to future evacuation routes for tropical events.
- 6) The City established a permanent reserve fund for the general fund and the sewer utility fund and continues to add to the balance annually.
- 7) The City continues to pursue with the City of Gulf Shores a regional medical facility and regional healthcare improvements through a partnership known as the Gulf Coast Healthcare Authority.
- 8) The Council continues to be conservative in their budgeting, spending, and debt management. These conservative philosophies resulted in an improved bond rating of AA+ in Spring 2015; increasing two grades.
- 9) On April 20, 2010, the BP/Deepwater Horizon oil derrick explosion occurred in the Gulf of Mexico. The well continued to leak oil for approximately 90 days. The national media coverage of the potential negatively impacted tourism for the summer of 2010. The State received over \$31,000,000 to assist with advertising the Alabama Gulf Coast. The City filed claims for the time and materials and for lost revenues and received approximately \$1,000,000 for personnel services reimbursement and approximately \$3,500,000 for lost revenues. A final settlement for additional lost revenues was reach with BP in 2016, resulting in a net payment to the City of \$10,000,000. In June 2012, the U.S. Congress passed the RESTORE Act which directs fines and penalties directly due from the quantity of oil spilled into the Gulf of Mexico. The RESTORE Act specifically directs 80% of these fines to go to the five Gulf States. Alabama and its two coastal counties were estimated to receive at minimum \$1 billion to be reinvested in environmental and economic restoration projects such as infrastructure. In 2016, the Alabama Legislature under the guidance of then Governor Robert Bentley "reallocated" the majority of restoration funds to statewide general fund shortfalls instead of investing as planned in future infrastructure in Mobile and Baldwin Counties. Orange Beach is currently included in remaining funds allocated to Baldwin County highway projects which will increase capacity by adding an additional lane on Canal Road from Highway 161 to western city limits at Gulf Shores.

- 10) In order to immediately provide funds for needed and future anticipated beach renourishment issues as well as ease the burdens created by the current economic climate, the Council refinanced its 2005 and 2007A warrant issues during the early summer of 2010. The 2005 issue was for the last comprehensive beach renourishment project and was scheduled to pay off in 2016. The 2007A issue was used to establish the City's permanent reserve fund and was scheduled to pay off in 2016. The Council structured the new issues to pay off in 2020 and to pay interest only until 2015. This restructuring will save approximately \$2,000,000 of debt service payments each year through 2015 at which time the debt service payments will become approximately \$2,500,000 per year until 2020. During 2005 an additional 1 cent sales tax was instituted to basically provide for the 2005 issue's debt service payments. It was also to pay for needed drainage projects and to provide for reserve funds. The 1 cent tax was scheduled to end in 2015. The Council extended the 1 cent sales tax for ten years until March 31, 2025.
- 11) In order to help stimulate the local economy, the City has in past years considered building a civic center and/or facilitated efforts of potential developers to build such center. The Wharf built and opened a 28,000 square foot conference center in 2008. In April 2011, the City purchased the Wharf Conference Center for \$1.6 million, gaining immediate equity in the asset. Indications are that it will operate close to breakeven due to a long term lease with Student Life for summer use and Convention & Visitors Bureau information on previous business turned away from the area due to lack of space requirements. Renamed the Orange Beach Event Center at the Wharf, the City is aggressively recruiting trade shows, conferences, meetings, concerts and more to bring attendees to town to fill room nights in the City. The 132 room Marriot Springhill Suites hotel on the Wharf site is expected to increase usage of the City Event Center.
- 12) In April 2012, the Baldwin County Commission purchased approximately 2400 acres, known as the Megasite, close to Interstate 65 to market to potential industrial prospects. The site is expected to foster the creation of over 1000 jobs. In July 2012, Mobile announced that the Airbus jet assembly plant will be locating there. Over 3200 jobs are expected to be created during the construction phase of the project with over 1000 once the plant is completed. The Airbus location will certainly make the Baldwin County Megasite attractive to suppliers. Both should generate great economic benefits to the area including Orange Beach.
- 13) The Alabama Gulf Coast Reef and Restoration Foundation successfully sunk a 271 foot retired coastal freighter 17 nautical miles off the coast of Orange Beach in May 2013. This is a new attraction for the Alabama gulf coast and is expected to immediately tap into the lucrative scuba diving market. The sinking was performed by the Orange Beach business Walter Marine. Their crew became known as the "Reef Wranglers", due to a short lived Weather Channel reality series that featured them in 2012, bringing national attention and exposure to the local area. Additional funding was provided in 2015 for "Poseidon's Playground" a near shore dive reef.
- 14) The City has a total of four new hotels under construction adding over 300 rooms along with several new retail and restaurant operations.
- 15) Diversification of the tourism market continues as more sporting events like youth baseball/softball tournaments, marathons, soccer and volleyball come to the area. These type events documented over 81,000 room nights on the entire gulf coast in 2016. These events are building on off season months in attracting visitors.
- 16) The City of Foley has issued a \$25,000,000 bond issue to construct 16 soccer fields along with a 90,000 square foot indoor competition facility which will be anchored by 2 hotels and a major entertainment/amusement park complex located on the Beach Express known as OWA. This entire complex is expected to attract visitors year round and targets new sporting events that cannot currently be held in south Baldwin County due to the lack of flat fields such as lacrosse, field hockey, large soccer tournaments, etc. This activity is expected to generate new room nights for visitors who will choose to stay in Orange Beach.
- 17) The Poarch Band of Creek Indians are constructing the OWA development. OWA stands for "Big Water" in the Creek language. It is located along the Foley Beach Express at County Road 20, just 9 miles from Orange Beach. While the Alabama Gulf Coast already hosts 6.2 million visitors each year, OWA is expected to bring in an additional 1 million visitors annually. Phase One of OWA includes a 150-room hotel, retail and dining spaces, amusement park, and lake which will open late Summer 2017. Future plans call for a waterpark, additional hotels, a condominium complex, and a resort level RV park. When complete, total investment in the development will top \$500 million. The 520-acre OWA development is adjacent to the City of Foley's \$40 million sports tourism complex. When completed, the OWA development will generate close to 3,500 jobs.

BASIC FINANCIAL STATEMENTS

GOVERNMENT - WIDE FINANCIAL STATEMENTS

THE CITY OF ORANGE BEACH, ALABAMA
STATEMENT OF NET POSITION
DECEMBER 31, 2016

	Primary Government		
	Governmental Activities	Business-type Activities	Totals
ASSETS			
Current assets:			
Cash and cash equivalents	\$ 32,885,196	\$ 5,450,877	\$ 38,336,073
Accounts receivable - net	3,153,883	3,479,863	6,633,746
Internal balances	9,115,544	(9,115,544)	-
Inventories	36,737	-	36,737
Prepays	142,304	4,314	146,618
Restricted assets:			
Cash and cash equivalents	13,386,879	7,698,004	21,084,883
Capital assets:			
Non-depreciable	50,116,324	502,236	50,618,560
Depreciable (net)	23,918,167	28,405,735	52,323,902
Total assets	<u>132,755,034</u>	<u>36,425,485</u>	<u>169,180,519</u>
DEFERRED OUTFLOWS OF RESOURCES			
Deferred employer pension contributions	362,339	-	362,339
Deferred pension losses	2,344,206	-	2,344,206
Defeasance cost (net)	707,868	2,460,669	3,168,537
Total deferred outflows of resources	<u>3,414,413</u>	<u>2,460,669</u>	<u>5,875,082</u>
LIABILITIES			
Current liabilities:			
Accounts payable	\$ 1,198,415	\$ 768,203	\$ 1,966,618
Accrued expenses	1,389,634	76,194	1,465,828
Accrued interest payable	151,844	169,510	321,354
Long-term liabilities:			
Due within one year:			
Compensated absences	333,169	50,733	383,902
Bonds payable	4,273,000	1,471,500	5,744,500
Due in more than one year:			
Net pension liability	5,268,587	-	5,268,587
Compensated absences	158,694	29,347	188,041
Bonds payable	15,939,073	24,409,097	40,348,170
Total liabilities	<u>28,712,416</u>	<u>26,974,584</u>	<u>55,687,000</u>
DEFERRED INFLOW OF RESOURCES			
Unearned revenue	<u>586,326</u>	<u>45,022</u>	<u>631,348</u>
NET POSITION			
Invested in capital assets, net of related debt	53,822,418	5,224,324	59,046,742
Restricted:			
Capital projects	4,345,899	-	4,345,899
Emergencies	9,040,980	-	9,040,980
Unrestricted (deficit)	39,661,408	6,642,224	46,303,632
Total net position	<u>\$ 106,870,705</u>	<u>\$ 11,866,548</u>	<u>\$ 118,737,253</u>

The accompanying notes are an integral part of the financial statements.

THE CITY OF ORANGE BEACH, ALABAMA
STATEMENT OF ACTIVITIES
FOR THE YEAR ENDED DECEMBER 31, 2016

Functions/Programs	Program Revenues			Primary Government		
	Expenses	Charges for Services	Operating Grants and Contributions	Capital Grants and Contributions	Governmental Activities	Business type Activities
PRIMARY GOVERNMENT:						
Governmental activities:						
General government	\$ 5,631,862	\$ 338,565	\$ 116,364	\$ -	\$ (5,176,933)	\$ (5,176,933)
Court	409,819	117,254	-	-	(292,565)	(292,565)
Finance	745,294	2,311,090	-	-	1,565,796	1,565,796
Engineering/Coastal	2,817,735	-	50,223	-	(2,767,512)	(2,767,512)
Police	6,022,029	398,446	-	-	(5,623,583)	(5,623,583)
Corrections	597,442	-	-	-	(597,442)	(597,442)
Communications	499,892	-	-	-	(499,892)	(499,892)
Fire	5,468,176	526,137	-	-	(4,942,039)	(4,942,039)
Public works	3,686,288	-	211,350	49,817	(3,425,121)	(3,425,121)
Landscape	1,488,258	-	-	-	(1,488,258)	(1,488,258)
Parks and recreation	3,029,977	1,394,581	-	2,000	(1,633,396)	(1,633,396)
Library	754,085	60,363	4,000	-	(689,722)	(689,722)
Community development	-	1,074,503	-	-	1,074,503	1,074,503
BP Oil Spill	84,768	-	-	-	(84,768)	(84,768)
Interest on long-term debt	702,042	-	-	-	(702,042)	(702,042)
Total governmental activities (See Note 1)	31,937,667	6,220,939	381,937	51,817	(25,282,974)	(25,282,974)
Business-type activities:						
Sewer	5,703,893	6,925,046	-	-	-	1,221,153
Refuse	2,445,490	2,500,446	-	-	-	54,956
Events Center	473,704	201,574	-	-	(272,130)	(272,130)
Baldwin County Bridge Company (BCBC)	148,699	-	-	-	(148,699)	(148,699)
Arts Center	467,402	205,382	-	2,800	(259,220)	(259,220)
Total business-type activities	9,239,188	9,832,448	-	2,800	596,060	596,060
Total primary government	\$ 41,176,855	\$ 16,053,387	\$ 384,737	\$ 54,617	\$ (24,686,914)	\$ (24,686,914)
General revenues:						
Property taxes					3,461,385	3,461,385
Local taxes					14,757,580	14,757,580
Franchise taxes					1,383,999	1,383,999
State taxes					394,452	394,452
Sales taxes					11,040,436	11,040,436
Unrestricted investment earnings					47,807	7,747
Reimbursed expenses					72,994	72,994
Settlement proceeds					12,000,000	12,000,000
Miscellaneous					137,992	61,600
Gain (loss) on disposal of assets					32,852	199,592
Transfers					692,823	32,852
Total general revenues, special items and transfers					44,022,320	43,398,844
Change in net position					18,739,346	18,711,930
Net position - beginning (as restated)					88,131,359	100,025,323
Net position - ending					\$ 106,870,705	\$ 118,737,253

The accompanying notes are an integral part of the financial statements.

FUND FINANCIAL STATEMENTS

THE CITY OF ORANGE BEACH, ALABAMA
BALANCE SHEET
GOVERNMENTAL FUNDS
DECEMBER 31, 2016

	General	Other Governmental Funds	Total Governmental Funds
ASSETS			
Cash and cash equivalents	\$ 32,580,680	\$ 304,516	\$ 32,885,196
Restricted cash and cash equivalents	9,735,275	3,651,604	13,386,879
Accounts receivable - net	3,083,651	70,232	3,153,883
Due from other funds	9,252,889	-	9,252,889
Inventory	36,737	-	36,737
Prepaid insurance	142,304	-	142,304
Total assets	<u>\$ 54,831,536</u>	<u>\$ 4,026,352</u>	<u>\$ 58,857,888</u>
LIABILITIES, DEFERRED INFLOWS OF RESOURCES, AND FUND BALANCES			
Liabilities:			
Accounts payable	1,196,189	2,226	1,198,415
Due to other funds	-	137,345	137,345
Accrued expenses	1,115,117	18,974	1,134,091
Appearance bonds	149,514	-	149,514
Performance bonds	33,545	-	33,545
Communications tower escrow funds	72,484	-	72,484
Total liabilities	<u>2,566,849</u>	<u>158,545</u>	<u>2,725,394</u>
Deferred inflows of resources:			
Unearned revenue	<u>586,326</u>	<u>-</u>	<u>586,326</u>
Fund balances:			
Nonspendable	179,041	-	179,041
Spendable:			
Restricted	233,669	3,582,265	3,815,934
Committed	9,040,980	-	9,040,980
Assigned	-	285,542	285,542
Unassigned	42,224,671	-	42,224,671
Total fund balances	<u>51,678,361</u>	<u>3,867,807</u>	<u>55,546,168</u>
Total liabilities, deferred inflows, and fund balances	<u>\$ 54,831,536</u>	<u>\$ 4,026,352</u>	<u>\$ 58,857,888</u>

The accompanying notes are an integral part of the financial statements.

THE CITY OF ORANGE BEACH, ALABAMA
RECONCILIATION OF THE BALANCE SHEET
TO THE STATEMENT OF NET POSITION
DECEMBER 31, 2016

Fund balances - total governmental funds \$ 55,546,168

Amounts reported for governmental activities in the statement of net position are different because:

Capital assets used in governmental activities are not financial resources and therefore are not reported in the governmental funds.

Governmental capital assets	94,916,680	
Less accumulated depreciation	<u>(20,882,189)</u>	74,034,491

Deferred outflows of resources used in governmental activities are not financial resources and therefore are not reported in the governmental funds.

Deferred employer pension contributions and losses	2,706,545	
Loss on advance refunding	880,250	
Less accumulated amortization	<u>(172,382)</u>	3,414,413

Long-term liabilities, including bonds payable are not due and payable in the current period and therefore are not reported in the governmental funds.

Governmental bonds payable	(19,795,750)	
Premium on bonds issued	(822,532)	
Discount on bonds issued	42,033	
Accumulated amortization of premium / discount	364,176	
Net pension liability	(5,268,587)	
Compensated absences	<u>(491,863)</u>	(25,972,523)

Accrued interest payable on debt in the governmental funds is susceptible to full accrual on the entity wide basis.

Accrued interest payable		<u>(151,844)</u>
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Net position of governmental activities		<u>\$ 106,870,705</u>
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The accompanying notes are an integral part of the financial statements.

THE CITY OF ORANGE BEACH, ALABAMA
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE
GOVERNMENTAL FUNDS
FOR THE YEAR ENDED DECEMBER 31, 2016

	General	Other Governmental Funds	Total Governmental Funds
REVENUES			
Property taxes	\$ 3,461,385	\$ -	\$ 3,461,385
Intergovernmental:			
State tax	78,879	313,781	392,660
Local tax	27,182,015	-	27,182,015
Grants	52,523	4,000	56,523
BP state grant	116,064	-	116,064
Personnel service reimbursement	72,994	-	72,994
Other licenses, permits and fees	4,126,585	1,792	4,128,377
Fines and forfeitures	359,227	51,902	411,129
Charges for services	1,099,927	-	1,099,927
Rent	78,779	-	78,779
Investment earnings	42,468	5,339	47,807
Contracts	410,430	-	410,430
BP settlement proceeds	12,000,000	-	12,000,000
Miscellaneous	345,125	148,121	493,246
TOTAL REVENUES	<u>49,426,401</u>	<u>524,935</u>	<u>49,951,336</u>
EXPENDITURES			
General government	4,946,854	-	4,946,854
Court	409,819	-	409,819
Finance	741,460	-	741,460
Police	5,553,046	-	5,553,046
Corrections	578,726	-	578,726
Engineering and environmental	2,817,735	-	2,817,735
Communications	479,838	-	479,838
Fire	5,205,196	-	5,205,196
Public works	2,802,271	-	2,802,271
Landscape	1,484,448	-	1,484,448
Parks and recreation	2,535,437	-	2,535,437
Library	1,626	641,052	642,678
BP Oil Spill	51,302	-	51,302
Capital improvements	2,181,293	-	2,181,293
Securities lending:			
Fiscal agent fees	-	4,096	4,096
Debt service:			
Principal payments	-	4,138,550	4,138,550
Interest and other	-	733,200	733,200
TOTAL EXPENDITURES	<u>29,789,051</u>	<u>5,516,898</u>	<u>35,305,949</u>
Excess (deficiency) of revenues over expenditures	<u>\$ 19,637,350</u>	<u>\$ (4,991,963)</u>	<u>\$ 14,645,387</u>

(Carried forward)

The accompanying notes are an integral part of the financial statements.

THE CITY OF ORANGE BEACH, ALABAMA
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE
GOVERNMENTAL FUNDS
FOR THE YEAR ENDED DECEMBER 31, 2016

	<u>General</u>	<u>Other Governmental Funds</u>	<u>Total Governmental Funds</u>
	(Continued)		
Excess (deficiency) of revenues over expenditures (brought forward)	\$ 19,637,350	\$ (4,991,963)	\$ 14,645,387
OTHER FINANCING SOURCES (USES)			
Gain on disposal of assets	32,852	-	32,852
Transfers in	1,170,782	5,519,378	6,690,160
Transfers out	<u>(5,519,378)</u>	<u>(477,959)</u>	<u>(5,997,337)</u>
TOTAL OTHER FINANCING SOURCES (USES)	<u>(4,315,744)</u>	<u>5,041,419</u>	<u>725,675</u>
Net change in fund balances	15,321,606	49,456	15,371,062
Fund balances - beginning (restated)	<u>36,356,755</u>	<u>3,818,351</u>	<u>40,175,106</u>
Fund balances - ending	<u>\$ 51,678,361</u>	<u>\$ 3,867,807</u>	<u>\$ 55,546,168</u>

The accompanying notes are an integral part of the financial statements.

THE CITY OF ORANGE BEACH, ALABAMA
RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES OF GOVERNMENTAL ACTIVITIES
TO THE CHANGES IN NET POSITION ON THE STATEMENT OF ACTIVITIES
FOR THE PERIOD ENDED DECEMBER 31, 2016

Net change in fund balances		\$ 15,371,062
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Governmental funds report capital improvements as expenditures. However, in the statement of activities the cost of those assets is allocated over their estimated useful lives and reported as depreciation expense.

Expenditures for capital assets	1,037,546	
Less current year depreciation	<u>(1,598,590)</u>	(561,044)

Bond proceeds provide current financial resources to governmental funds, but issuing debt increases long-term liabilities in the statement of net position. Repayment of bond principal is an expenditure in the governmental funds, but the repayment reduces long-term liabilities in the statement of net position.

Bond premium/ discount amortization	61,075	
Principal payments	<u>4,138,550</u>	4,199,625

Some expenses reported in the statement of activities do not require the use of current financial resources and therefore are not reported as expenditures in governmental funds:

Amortization of loss on refunding	(44,012)	
Decrease in interest accrued on long term debt	35,254	
Increase in compensated absences	(16,924)	
Increase in deferred employer pension contributions	<u>(244,615)</u>	<u>(270,297)</u>

Change in net position of governmental activities		<u>\$ 18,739,346</u>
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The accompanying notes are an integral part of the financial statements.

THE CITY OF ORANGE BEACH, ALABAMA

STATEMENT OF NET POSITION

	PROPRIETARY FUNDS DECEMBER 31, 2016		Other Proprietary Funds	Total Proprietary Funds
	Sewer	Refuse		
ASSETS				
Current assets				
Cash and cash equivalents	\$ 5,433,734	\$ -	\$ 17,143	\$ 5,450,877
Restricted cash and cash equivalents	7,698,004	-	-	7,698,004
Accounts receivable	275,261	38,620	1,079,857	1,393,738
Due from other funds	-	511,761	-	511,761
Prepaid insurance	3,689	-	-	3,689
Total current assets	13,410,688	550,381	1,097,000	15,058,069
Noncurrent assets				
Capital assets:				
Land	343,588	-	158,648	502,236
Events center	-	-	1,667,976	1,667,976
Sewer plant	28,388,173	-	-	28,388,173
Vehicles and equipment	1,959,614	823,550	52,449	2,835,613
Distribution and collection system	12,675,673	-	#REF!	#REF!
Construction in progress	290,153	-	1,423,060	1,713,213
Less: Accumulated depreciation	(17,881,793)	(649,321)	(343,799)	(18,874,913)
Accounts receivable	-	-	2,086,124	2,086,124
Utility deposits	625	-	-	625
Total noncurrent assets	25,776,033	174,229	#REF!	#REF!
TOTAL ASSETS	39,186,721	724,610	#REF!	#REF!
DEFERRED OUTFLOWS OF RESOURCES				
Unamortized loss on refunding- net	2,460,669	-	-	2,460,669
LIABILITIES				
Current liabilities:				
Accounts payable	\$ 362,548	\$ 161,832	\$ 183,204	\$ 707,584
Retainage payable	-	-	60,619	60,619
Due to other funds	486,114	822,175	8,319,015	9,627,304
Accrued expenses	48,897	12,702	14,595	76,194
Accrued compensated absences	33,300	9,026	10,839	53,165
Accrued interest payable	169,510	-	-	169,510
Current portion of bonds payable	1,471,500	-	-	1,471,500
Total current liabilities	2,571,869	1,005,735	8,588,272	12,165,876
Noncurrent liabilities:				
Accrued compensated absences	22,006	4,652	257	26,915
Series 2009 G.O. Sewer Warrant - net	920,876	-	-	920,876
Series 2012 G.O. Sewer Warrant - net	23,488,221	-	-	23,488,221
Total noncurrent liabilities	24,431,103	4,652	257	24,436,012
TOTAL LIABILITIES	27,002,972	1,010,387	8,588,529	36,601,888
DEFERRED INFLOW OF RESOURCES				
Unearned revenue	45,022	-	-	45,022
NET POSITION				
Invested in Capital Assets, net of related debt	3,514,821	174,229	1,535,274	5,224,324
Unrestricted	11,084,575	(460,006)	(3,982,345)	6,642,224
TOTAL NET POSITION	\$ 14,599,396	\$ (285,777)	\$ (2,447,071)	\$ 11,866,548

The accompanying notes are an integral part of the financial statements.

THE CITY OF ORANGE BEACH, ALABAMA
STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN FUND NET POSITION
PROPRIETARY FUNDS
FOR THE YEAR ENDED DECEMBER 31, 2016

	Sewer	Refuse	Other Proprietary Center	Total Proprietary Funds
OPERATING REVENUES				
Charges for services	\$ 6,925,046	\$ 2,500,446	\$ 320,454	\$ 9,745,946
Miscellaneous income	57,282	4,318	18,997	80,597
Merchandise sales	-	-	83,900	83,900
TOTAL OPERATING REVENUES	6,982,328	2,504,764	423,351	9,910,443
COST OF GOODS SOLD	-	-	46,779	46,779
GROSS PROFIT	6,982,328	2,504,764	376,572	9,863,664
OPERATING EXPENSES				
Salaries, wages and employee benefits	1,375,385	408,740	506,443	2,290,568
Contractual services	-	1,858,650	-	1,858,650
Utilities	873,912	-	70,584	944,496
Repairs and maintenance	528,040	39,381	115,777	683,198
Other supplies and expenses	194,888	64,772	149,030	408,690
Insurance claims and expenses	20,882	8,613	-	29,495
Bond premium amortization	6,164	-	-	6,164
Depreciation	1,638,627	65,334	66,089	1,770,050
TOTAL OPERATING EXPENSES	4,637,898	2,445,490	907,923	7,991,311
OPERATING INCOME (LOSS)	2,344,430	59,274	(531,351)	1,872,353
NON-OPERATING REVENUES (EXPENSES)				
Interest income	7,682	-	65	7,747
Interest expense	(1,065,993)	-	(148,699)	(1,214,692)
TOTAL NON-OPERATING REVENUES (EXPENSES)	(1,058,311)	-	(148,634)	(1,206,945)
INCOME (LOSS) BEFORE TRANSFERS	1,286,119	59,274	(679,985)	665,408
TRANSFERS (OUT) IN	(692,824)	-	-	(692,824)
CHANGE IN NET POSITION	593,295	59,274	(679,985)	(27,416)
NET POSITION - BEGINNING OF YEAR	14,006,101	(345,051)	(1,767,086)	11,893,964
NET POSITION - END OF YEAR	\$ 14,599,396	\$ (285,777)	\$ (2,447,071)	\$ 11,866,548

The accompanying notes are an integral part of the financial statements.

THE CITY OF ORANGE BEACH, ALABAMA
STATEMENT OF CASH FLOWS
PROPRIETARY FUNDS
FOR THE YEAR ENDED DECEMBER 31, 2016

	Sewer	Refuse	Other Proprietary Funds	Total Proprietary Funds
Cash flows from operating activities:				
Receipts from customers	\$ 6,941,368	\$2,500,350	\$1,503,208	10,944,926
Payments to employees for services	(1,371,302)	(404,965)	(504,504)	(2,280,771)
Payments to suppliers of goods & services	(1,380,748)	(1,965,749)	(221,764)	(3,568,261)
Payments to other funds	<u>(118,156)</u>	<u>(120,928)</u>	<u>6,896,417</u>	<u>6,657,333</u>
Net cash provided (used) by operating activities	<u>4,071,162</u>	<u>8,708</u>	<u>7,673,357</u>	<u>11,753,227</u>
Cash flows from noncapital financing activities:				
Transfers to other funds	<u>(692,824)</u>	<u>-</u>	<u>-</u>	<u>(692,824)</u>
Cash flows from capital and related financing activities:				
Interest income	7,682	-	65	7,747
Increase in restricted cash	(16,467)	-	-	(16,467)
Principal repayments related to capital purposes	(1,466,450)	-	(6,338,046)	(7,804,496)
Interest paid on capital debt	(1,075,780)	-	-	(1,075,780)
Interest paid on other debt	-	-	(164,310)	(164,310)
Gain on disposition of property	-	2,094	-	2,094
Acquisition of property and equipment	<u>(564,386)</u>	<u>(10,802)</u>	<u>(1,254,818)</u>	<u>(1,830,006)</u>
Net cash provided (used) by capital and related financing activities	<u>(3,115,401)</u>	<u>(8,708)</u>	<u>(7,757,109)</u>	<u>(10,881,218)</u>
Net increase (decrease) in cash	262,937	-	(83,752)	179,185
Cash and equivalents at beginning of year	<u>5,170,797</u>	<u>-</u>	<u>100,895</u>	<u>5,271,692</u>
Cash and equivalents at end of year	<u>\$ 5,433,734</u>	<u>\$ -</u>	<u>\$ 17,143</u>	<u>\$ 5,450,877</u>

The accompanying notes are an integral part of this financial statement.

THE CITY OF ORANGE BEACH, ALABAMA
STATEMENT OF CASH FLOWS
PROPRIETARY FUNDS
FOR THE YEAR ENDED DECEMBER 31, 2016

	Sewer	Refuse	Other Proprietary Funds	Total Proprietary Funds
Operating income (loss)	\$ 2,344,430	\$ 59,274	\$ (531,351)	\$ 1,872,353
Adjustments to reconcile operating income to net cash provided (used) by operating activities:				
Depreciation	1,638,627	65,334	66,089	1,770,050
Amortization	6,164	-	-	6,164
(Increase) decrease in:				
Accounts receivable - net	(44,166)	(4,414)	1,079,858	1,031,278
Due to other funds	(118,156)	(120,928)	6,896,417	6,657,333
Increase (decrease) in:				
Accounts payable	236,974	5,667	160,405	403,046
Accrued expenses	4,438	1,005	1,376	6,819
Accrued compensated absences	(355)	2,770	563	2,978
Deferred revenue	3,206	-	-	3,206
Total adjustments	1,726,732	(50,566)	8,204,708	9,880,874
Net cash provided (used) by operating activities	\$ 4,071,162	\$ 8,708	\$7,673,357	\$ 11,753,227
 <u>Supplemental Disclosures</u>				
Noncash Investing and Financing Activities: NONE				
Cash Paid During the Year for Interest	\$ 1,075,780	\$ -	\$ -	\$ 1,075,780

The accompanying notes are an integral part of this financial statement.

NOTES TO THE FINANCIAL STATEMENTS

THE CITY OF ORANGE BEACH, ALABAMA
NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2016

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

A. GENERAL STATEMENT

The City of Orange Beach, Alabama, (the "City"), was incorporated on August 1, 1984, under the applicable laws of the State of Alabama. The City operates under a Mayor-Council form of government and provides the following services to its citizens: Police, Fire and Paramedic services, Street maintenance, Culture-Recreation, Public Improvements, Planning and Zoning, Building Inspection and other general administrative services.

The accounting and reporting policies of the City relating to the funds included in the accompanying basic financial statements conform to accounting principles generally accepted in the United States of America applicable to state and local governments. Generally Accepted Accounting Principles (GAAP) for local governments includes those principles prescribed by the Governmental Accounting Standards Board (GASB), the American Institute of Certified Public Accountants in the publication entitled Audits of State and Local Governmental Units and by the Financial Accounting Standards Board (when applicable). As allowed in Section P80 of GASB's Codification of Governmental Accounting and Financial Reporting Standards, the City has elected not to apply Financial Accounting Standards Board Statements and Interpretations, Accounting Principles Board Opinions, and Accounting Research Bulletins of the Committee of Accounting Procedure issued after November 30, 1989. The more significant accounting policies of the City are described below.

B. FINANCIAL REPORTING ENTITY

The City's basic financial statements include the accounts of all City operations. The criteria for including organizations as component units within the City's reporting entity, as set forth in Section 2100 of GASB's Codification of Governmental Accounting and Financial Reporting Standards, include whether:

- the organization is legally separate (can sue and be sued in their own name)
- the City holds the corporate powers of the organization
- the City appoints a voting majority of the organization's board
- the City is able to impose its will on the organization
- the organization has the potential to impose a financial benefit/burden on the City
- there is fiscal dependency by the organization on the City

Based on these criteria, this report includes financial statements of the funds required to account for those financial activities for which the City has the ability to influence and control through its legislative processes.

Excluded from the financial statements of the City are the following boards or agencies for which a lack of influence, dependency and control exist: The Business and Industrial Development Board of the City of Orange Beach, Alabama, the Orange Beach Water, Sewer and Fire Protection Authority and the Orange Beach Volunteer Fire Department. These boards and agencies are governed by their own Boards of Directors, prepare and adopt an annual operating budget which is not influenced by the City, have the authority to issue debt which is not an obligation of the City and are not secured by City revenues, have responsibility for any operating deficits which they may incur and must fund any deficits through prior years' surplus or other financing sources.

C. BASIS OF PRESENTATION

The government-wide financial statements (the statement of net position and the statement of activities) report information on all of the activities of the City. The effect of interfund activity, within the governmental and business-type activities columns, has been removed from these statements. Governmental activities, which normally are supported by taxes and intergovernmental revenues, are reported separately from business-type activities, which rely to a significant extent on fees and charges for support.

THE CITY OF ORANGE BEACH, ALABAMA
NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2016

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

C. BASIS OF PRESENTATION (continued)

The statement of activities demonstrates the degree to which the direct expenses of a given program are offset by program revenues. Direct expenses are those that are clearly identifiable with a specific program. Program revenues include 1) charges to customers or applicants who purchase, use, or directly benefit from goods, services, or privileges provided by a given program and 2) operating or capital grants and contributions that are restricted to meeting the operational or capital requirements of a particular program. Taxes and other items not properly included among program revenues are reported instead as general revenues.

FUND FINANCIAL STATEMENTS:

The City segregates transactions related to certain functions or activities in separate funds in order to aid financial management and to demonstrate legal compliance. Separate statements are presented for governmental and proprietary activities. These statements present each major fund as a separate column on the fund financial statements; all non-major funds are aggregated and presented in a single column.

Governmental funds are those funds through which most governmental functions typically are financed. The measurement focus of governmental funds is on the sources, uses and balance of current financial resources. The City has presented the following major governmental funds:

General Fund –

The General Fund is the main operating fund of the City. It is used to account for all financial resources not accounted for in other funds. All general tax revenues and other receipts that are not restricted by law or contractual agreement to some other fund are accounted for in this fund. General operating expenditures, fixed charges and capital improvement costs that are not paid through other funds are paid from the General Fund.

Proprietary Funds are accounted for using the economic resources measurement focus and the accrual basis of accounting. The accounting objectives are determinations of net income, financial position and cash flow. All assets, deferred outflows of resources, liabilities, and deferred inflows of resources are included on the Statement of Net Position. The City has presented the following major proprietary funds:

Sewer Utility System -

Sewer Utility System Fund is used to account for the provision of sewer services to the residents of the City. Activities of the fund include administration, operations and maintenance of the sewer system and billing and collection activities. The fund also accounts for the accumulation of resources for, and the payment of, long-term debt principal and interest for sewer debt. All costs are financed through charges to utility customers with rates reviewed regularly and adjusted if necessary to ensure integrity of the fund.

Refuse Collection-

Refuse Collection Fund is used to account for operations of solid waste collection and disposal services. All costs are financed through charges to refuse customers.

THE CITY OF ORANGE BEACH, ALABAMA
NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2016

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

C. BASIS OF PRESENTATION (continued)

FUND FINANCIAL STATEMENTS (continued)

Proprietary funds distinguish operating revenues and expenses from non-operating items. Operating revenues and expenses generally result from providing services and producing and delivering goods in connection with a proprietary fund's principal ongoing operations.

Operating expenses for the proprietary funds include the cost of personal and contractual services, supplies and depreciation on capital assets. All revenues and expenses not meeting this definition are reported as non-operating revenues and expenses.

Additionally, the City's non-major funds are:

Governmental Funds:

Debt Service Fund –

The Debt Service Fund is used to account for the accumulation of financial resources for the payment of principal, interest and related costs on general long-term debt paid primarily from taxes levied by the City. The fund balance of the Debt Service Fund is reserved to signify the amounts that are restricted exclusively for debt service expenditures.

Special Revenue Funds –

Special Revenue Funds are used to account for the proceeds of specific revenue sources that are legally restricted to expenditures for specific purposes.

Library Fund –

The Library fund is used to record the daily operating functions of the library. The library fund is a component unit of the city presented with the other governmental funds since its revenue primarily consists of appropriations from the city's general fund.

Proprietary Funds:

Events Center Fund-

Events Center Fund is used to account for the operations of the events center operation. All costs are financed through charges to customers.

Arts Center Fund-

Arts Center Fund is used to account for the operations of the coastal arts center. All costs are financed through charges to customers.

Baldwin County Bridge Company (BCBC) Fund-

BCBC Fund is used to account for the transactions between the City and American Roads as described in Note 12.

THE CITY OF ORANGE BEACH, ALABAMA
NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2016

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

D. MEASUREMENT FOCUS/BASIS OF ACCOUNTING

Measurement focus refers to what is being measured; basis of accounting refers to when revenues and expenditures are recognized in the accounts and reported in the financial statements. Basis of accounting relates to the timing of the measurement made, regardless of the measurement focus applied.

The government-wide statements and fund financial statements for proprietary funds are reported using the economic resources measurement focus and the accrual basis of accounting. The economic resources measurement focus means all assets, liabilities (whether current or non-current), deferred inflows of resources, and deferred outflows of resources are included on the statement of net position and the operating statements present increases (revenues) and decreases (expenses) in net total position. Under the accrual basis of accounting, revenues are recognized when earned, including unbilled sewer services which are accrued. Expenses are recognized at the time the liability is incurred.

Governmental fund financial statements are reported using the current financial resources measurement focus and are accounted for using the modified accrual basis of accounting. Under the modified accrual basis of accounting, revenues are recognized when susceptible to accrual; i.e., when they become both measurable and available. "Measurable" means the amount of the transaction can be determined and "available" means collectible within the current period or soon enough thereafter to be used to pay liabilities of the current period. The City considers property taxes as available if they are collected within 60 days after year end. A one-year availability period is used for recognition of all other Governmental Fund revenues. Expenditures are recorded when the related fund liability is incurred. However, debt service expenditures, as well as expenditures related to compensated absences are recorded only when payment is due.

The revenues susceptible to accrual are property taxes, franchise fees, charges for services, interest income and intergovernmental revenues. Taxes collected and held by the state at year end on behalf of the government are also recognized as revenue. All other governmental fund revenues are recognized when received.

E. BUDGETARY CONTROL

As set forth in the City Charter, the City of Orange Beach, Alabama, adopts an annual budget for the General Fund, Special Revenue Fund, Refuse Fund (an Enterprise Fund), and the Sewer System Utility Fund (an Enterprise Fund). The annual budget for the funds is prepared on the cash and expenditure/encumbrances basis. Revenues and expenditures are budgeted in the year receipt and payment is expected. The Debt Service Fund budget is prepared to provide funding for general obligation debt service when liabilities are due for payment. The budget to actual comparison in the general purpose financial statements is presented on this basis. The City may transfer budgeted amounts between line items with the approval of the City Council. The City Council can amend the budget during the year as needed to reflect any changes in its programs or services arising during the budget period. The Enterprise funds, do not require a budget comparison. All annual appropriations lapse at year-end except for on-going projects which are rebudgeted for the following fiscal year.

The City follows these procedures in establishing the budgetary data presented in the financial statements:

1. During the months of October and November, the Mayor and City Administrator meet with the Department heads to discuss a proposed budget for that department for the coming year commencing January 1st.
2. The Mayor then drafts a budget for all funds, which include proposed expenditures and the proposed means for financing them.
3. On or about December 1st, the Mayor presents to the Council the proposed budget. Prior to January 1st, the budget is legally enacted through passage of a resolution.

THE CITY OF ORANGE BEACH, ALABAMA
NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2016

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

E. BUDGETARY CONTROL (CONTINUED)

4. The City Council may amend the budget through resolutions as needed, provided adequate funds are available at the time of amendment. The City reviews its budget at mid-year and at other times as needs and circumstances dictate.

The Statement of Revenues, Expenditures and Changes in Fund Balances – Budget and Actual – General Fund presents a comparison of budgetary data to actual results. The General Fund utilizes the same basis of accounting for both budgetary purposes and actual results, except for the effects of unrealized investment gains and losses, which are adjusted to the actual results for this comparison.

F. CASH AND INVESTMENTS

For the purpose of the Statement of Net Position, “cash and cash equivalents” includes all demand deposits, savings accounts, and short term investments with original or remaining maturities of three months or less when purchased. For purposes of the proprietary fund statement of cash flows, “cash and cash equivalents” include all demand and savings accounts, and short term investments with an original maturity of three months or less.

The City has \$4,534,171 invested in the JP Morgan 100% U.S. Treasury Securities Money Market Fund #677 as of December 31, 2016. The fund invests solely in debt securities of the U.S. Treasury, including Treasury bills, bonds and notes. These investments carry different interest rates, maturities and issue dates.

G. RECEIVABLES

In the government-wide statements, receivables consist of all revenues earned at year-end and not yet received. Major receivables balances for the governmental activities include property taxes, local taxes, franchise taxes, and grants. Major proprietary receivables include amounts due on the Baldwin County Bridge agreement and sewer fees.

In the fund financial statements, material receivables in governmental funds include revenue accruals such as franchise tax, grants and other similar intergovernmental revenues that are usually both measurable and available. Nonexchange transactions collectible but not available are not deferred in the fund financial statements in accordance with modified accrual, but are deferred in the government-wide statements in accordance with accrual basis. The interest earned is recorded when earned, only if paid within 60 days since they would be considered both measurable and available.

H. PREPAID ITEMS

Prepaid balances are for payments made by the City in the current year to provide services occurring in the subsequent fiscal year, and the reserve for prepaid items has been recorded to signify that a portion of fund balance is not available for other subsequent expenditures.

I. INVENTORY

Inventory is valued at the lower of cost (first-in, first-out) or market. Inventory consists of gasoline and diesel fuel and merchandise held in the general fund.

J. INTERFUND RECEIVABLES AND PAYABLES

Any residual balances outstanding between the governmental activities and business-type activities are reported in the government-wide financial statements as “internal balances”.

THE CITY OF ORANGE BEACH, ALABAMA
NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2016

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

K. TRANSACTIONS BETWEEN FUNDS

Legally authorized transfers are treated as interfund transfers and are included in the results of operations of both Governmental and Proprietary Funds.

L. CAPITAL ASSETS

Capital assets, which include property, plant and equipment, are reported in the applicable governmental or business-type activities columns in the government-wide financial statements and in the fund financial statements for proprietary funds. All capital assets are valued at historical cost or estimated historical cost if actual historical cost is not available. Donated assets are valued at their fair value on the date donated. Repairs and maintenance are recorded as expenses. Renewals and betterments are capitalized.

GASB No 34 requires the City to report and depreciate new infrastructure assets effective with the beginning of the fiscal year ending September 30, 2003. Infrastructure assets include roads, bridges, underground pipes (other than utilities), traffic signals, etc. The City's capitalization threshold for infrastructure is \$500,000. During 2007, the City assessed the condition of the roads, sidewalk, and other infrastructure. The City of Orange Beach, Alabama does not have infrastructure that exceeds the capitalization threshold.

Sewer Utility System Fund

During 2007, The City began constructing a new waste water treatment plant. The new plant was completed and put on-line on April 8, 2011. The final cost of the project was \$28,071,590. The costs of the various items of land, buildings, plant, collection system and other equipment and vehicles were allocated based on actual costs of the various components of the system. Additions to the system during the year are recorded at cost or, if contributed property, at the estimated fair value at the time of contribution. Repairs and maintenance are recorded as expenses; renewals and betterments are capitalized. The sale or disposal of property and equipment is recorded by removing cost and accumulated depreciation from the accounts and charging the resulting gain or loss to operations.

Assets capitalized, not including infrastructure assets, have an original cost of \$7,500 or more. Depreciation has been calculated on each class of depreciable property using the straight-line method. Estimated useful lives are as follows:

Buildings	35-50 years
Building Improvements	20-30 years
Machinery and equipment	5-15 years
Furniture and fixtures	3-15 years

Refuse Collection Fund, Arts Center Fund, and Events Center Fund

Additions to the fund during the year are recorded at cost or, if contributed property, at the estimated fair value at the time of contribution. Repairs and maintenance are recorded as expenses; renewals and betterments are capitalized. The sale or disposal of property and equipment is recorded by removing cost and accumulated depreciation from the accounts and charging the resulting gain or loss to operations.

THE CITY OF ORANGE BEACH, ALABAMA
NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2016

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

M. ACCUMULATED COMPENSATED ABSENCES

It is the City's policy to permit employees to accumulate earned but unused vacation which will be paid to City workers when they terminate employment or will be used in future years by the employees. In governmental funds and enterprise funds, the cost of this leave time is recognized based on the Administration's estimate of the total value which will be taken in the coming fiscal period and is recorded as a liability in the General Fund.

N. NATURE AND PURPOSE OF RESERVATIONS AND DESIGNATIONS OF FUND BALANCE

Government Wide Level Financial Statements

Equity is classified as net position and displayed in three components:

- a) Invested in capital assets, net of related debt consists of capital assets including restricted capital assets, net of accumulated depreciation and reduced by the outstanding balances of bonds, mortgages, notes, or other borrowings that are attributable to the acquisition, construction, or improvement of those assets.
- b) Restricted net position consists of net position with constraints placed on the use either by (1) external groups such as creditors, grantors, contributors, or laws or regulations of other governments; or (2) law through constitutional provisions or enabling legislation.
- c) Unrestricted net position consists of all other net position that do not meet the definition of "restricted" or "invested in capital assets, net of related debt."

Fund Level Financial Statements

In accordance with Government Accounts Standards Board 54, Fund Balance Reporting and Governmental Fund Type Definitions, the Bureau classifies governmental fund balance as follows:

- Non-spendable – includes fund balance amounts that cannot be spent either because it is not in spendable form or because of legal or contractual constraints.
- Restricted – includes fund balance amounts that are constrained for specific purposes which are externally imposed by providers, such as creditors or amounts constrained due to constitutional provisions or enabling legislation.
- Committed – includes fund balance amounts that are constrained for specific purposes that are internally imposed by the government through formal action of the highest level of decision making authority and does not lapse at year-end.
- Assigned – includes fund balance amounts that are intended to be used for specific purposes that are neither considered restricted or committed. The policy established by the City pursuant to which the authorization to assign fund balance to a specific purpose is given for the Finance Committee to approve, followed by Council action to accept and the Mayor's signature to authorize.
- Unassigned – includes positive fund balance within the General Fund which has not been classified within the above mentioned categories and negative fund balances in other governmental funds.

The City commits fund balance through council action, the government highest level of decision-making authority. Formal Council action in a form of a resolution is required to establish, modify, or rescind a fund balance commitment is needed.

The City does not have an established policy regarding use of unrestricted fund balance when both restricted and unrestricted fund balance are available. However, the City does consider committed amount would be reduced first, followed by any assigned amounts, and then unassigned amounts when expenditures are incurred for purposes for which amounts in any of the City's unrestricted fund balance classifications are used.

THE CITY OF ORANGE BEACH, ALABAMA
NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2016

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

N. NATURE AND PURPOSE OF RESERVATIONS AND DESIGNATIONS OF FUND BALANCE (continued)

A schedule of fund balances is as follows:

	<u>General</u>	<u>Debt</u>	<u>Special</u>	<u>Library</u>	<u>Total</u>
	<u>Fund</u>	<u>Service</u>	<u>Revenues</u>	<u>Fund</u>	<u>Governmental</u>
					<u>Funds</u>
Fund Balances:					
Nonspendable:					
Inventories	\$ 36,737	\$ -	\$ -	\$ -	\$ 36,737
Prepaid expenses	142,304	-	-	-	142,304
Restricted for:					
Grants	60,142	-	-	-	60,142
Municipal court	173,527	-	-	-	173,527
Debt service	-	3,326,487	-	-	3,326,487
Capital outlay	-	-	255,778	-	255,778
Committed to:					
Emergencies	9,040,980	-	-	-	9,040,980
Assigned to:	-	-	-	285,542	285,542
Unassigned:	<u>42,224,671</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>42,224,671</u>
Total Fund Balance	<u>\$ 51,678,361</u>	<u>\$ 3,326,487</u>	<u>\$ 255,778</u>	<u>\$ 285,542</u>	<u>\$ 55,546,168</u>

O. PROPERTY TAXES

All ad valorem taxes levied by the State, County and the City are assessed and collected by the Tax Collector of Baldwin County, Alabama. The Baldwin County tax calendar requires the Tax Assessor to assess, and attach taxes as enforceable liens on property as of September 30, and taxes are due October 1 through December 31 of each year. Property taxes not paid by January 1, are considered as delinquent. Tax collections received by the County Tax Collector are remitted to the City on a monthly basis. All amounts paid to the City within the bill paying period are included in revenues. The City currently assesses 4 mills on property within the City Limits. The Council has the authority to increase property taxes at its discretion, within certain statutory limits.

P. USE OF ESTIMATES

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenditures during the reporting period. Accordingly, actual results could differ from those estimates.

Q. CAPITALIZED INTEREST

Interest costs on debt are capitalized when incurred by proprietary funds where the proceeds are used to finance the construction of assets.

THE CITY OF ORANGE BEACH, ALABAMA
NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2016

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

R. ACCUMULATED DEFICIT

At December 31, 2016, the Refuse Fund, Baldwin County Bridge Fund, and Arts Center Fund had accumulated deficits of \$285,777, \$2,171,327, and \$1,053,380 respectively. It is anticipated that these deficits will continue to be financed by the General Fund.

S. NET POSITION

Net position represents the difference between assets plus deferred outflow of resources and liabilities plus deferred inflow of resources. Net position invested in capital assets, net of related debt consists of capital assets, net of accumulated depreciation, reduced by the outstanding balances of any borrowing used for the acquisition, construction or improvements of those assets, and adding back unspent proceeds. Net position is reported as restricted when there are limitations imposed on their use either through the enabling legislations adopted by the City or through external restrictions imposed by creditors, grantors or laws or regulations of other governments.

NOTE 2- CASH AND RESTRICTED CASH

A detail of cash as of December 31, 2016 is as follows:

	Governmental- type Funds	Business- type Funds
Cash on Hand	\$ 3,804	\$ 100
Cash in Banks		
Operations	32,881,392	5,450,777
Reserved- Disaster	9,040,980	6,609,887
Reserved- Special Revenues	205,549.00	-
Reserved- Debt Service	<u>4,140,350</u>	<u>1,088,117</u>
Total Cash	<u>\$ 46,272,075</u>	<u>\$ 13,148,881</u>

NOTE 3 – CREDIT RISK

The City's deposits at year end were held by financial institutions that participate in the State of Alabama's Security of Alabama Funds Enhancement (SAFE) Program. The SAFE program was established by the Alabama legislature and is governed by the provisions contained in the Code of Alabama 1975, Sections 41-14A-1 through 41-14A-14. Under the SAFE Program all public funds are protected through the collateral pool administered by the Alabama State Treasurer's Office under this program, financial institutions holding deposits of public funds must pledge securities as collateral against those deposits. In the event of failure of a financial institution, securities pledged by that financial institution would be liquidated by the State Treasurer to replace the public deposits not covered by the Federal Depository Insurance Corporation (FDIC). If the securities pledged failed to produce adequate funds, every institution participating in the pool would share the liability for the remaining balance.

At December 31, 2016 the carrying amount of the City's deposits, including a Certificate of Deposit, was \$59,417,052 and the bank balance was \$59,802,425. These deposits are held in accounts insured by the Federal Deposit Insurance Corporation, FDIC. Amounts in excess of FDIC coverage are further secured by a pledge of securities from various institutions to the Alabama State Treasurer Office in accordance with the Security for Alabama Funds Enhancement, SAFE, Act.

THE CITY OF ORANGE BEACH, ALABAMA
NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2016

NOTE 4 - RETIREMENT PLAN

Summary of Significant Accounting Policies

The Employees' Retirement System of Alabama (the Plan) financial statements are prepared using the economic resources measurement focus and accrual basis of accounting. Contributions are recognized as revenues when earned, pursuant to the plan requirements. Benefits and refunds are recognized when due and payable in accordance with the terms of the plan. Expenses are recognized when the corresponding liability is incurred, regardless of when the payment is made. Investments are reported at fair value. Financial statements are prepared in accordance with requirements of the Governmental Accounting Standards Board (GASB). Under these requirements, the Plan is considered a component unit of the State of Alabama and is included in the State's Comprehensive Annual Financial Report.

General Information about the Pension Plan

Plan description. The Employees' Retirement System of Alabama, an agency multiple-employer plan, was established October 1, 1945 under the provisions of Act 515 of the Legislature of 1945 for the purpose of providing retirement allowances and other specified benefits for state employees, State Police, and on an elective basis, to all cities, counties, towns and quasi-public organizations. The responsibility for the general administration and operation of ERS is vested in its Board of Control. The ERS Board of Control consists of 13 trustees. The Plan is administered by the Retirement Systems of Alabama (RSA). Title 36-Chapter 27 of the Code of Alabama grants the authority to establish and amend the benefit terms to the ERS Board of Control. The Plan issues a publicly available financial report that can be obtained at www.rsa-al.gov.

The ERS Board of Control consists of 13 trustees as follows:

- 1) The Governor, ex officio.
- 2) The State Treasurer, ex officio.
- 3) The State Personnel Director, ex officio.
- 4) The State Director of Finance, ex officio.
- 5) Three vested members of ERS appointed by the Governor for a term of four years, no two of whom are from the same department of state government nor from any department of which an ex officio trustee is the head.
- 6) Six members of ERS who are elected by members from the same category of ERS for a term of four years as follows:
 - a. Two retired members with one from the ranks of retired state employees and one from the ranks of retired employees of a city, county, or a public agency each of whom is an active beneficiary of ERS.
 - b. Two vested active state employees.

Two vested active employees of an employer participating in ERS pursuant to § 36-27-6.

Benefits provided. State law establishes retirement benefits as well as death and disability benefits and any ad hoc increase in postretirement benefits for the ERS. Benefits for ERS members vest after 10 years of creditable service. State employees who retire after age 60 (52 for State Police) with 10 years or more of creditable service or with 25 years of service (regardless of age) are entitled to an annual retirement benefit, payable monthly for life. Local employees who retire after age 60 with 10 years or more of creditable service or with 25 or 30 years of service (regardless of age), depending on the particular entity's election, are entitled to an annual retirement benefit, payable monthly for life. Service and disability retirement benefits are based on a guaranteed minimum or a formula method, with the member receiving payment under the method that yields the highest monthly benefit. Under the formula method, members of the ERS (except State Police) are allowed 2.0125% of their average final compensation (highest 3 of the last 10 years) for each year of service. State Police are allowed 2.875% for each year of State Police service in computing the formula method. Act 377 of the Legislature of 2012 established a new tier of benefits (Tier 2) for members hired on or after January 1, 2013. Tier 2 ERS members are eligible for retirement after age 62 (56 for State Police) with 10 years or more of creditable service and are entitled to an annual retirement benefit, payable monthly for life.

THE CITY OF ORANGE BEACH, ALABAMA
NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2016

NOTE 4 - RETIREMENT PLAN (continued)

Service and disability retirement benefits are based on a guaranteed minimum or a formula method, with the member receiving payment under the method that yields the highest monthly benefit. Under the formula method, Tier 2 members of the ERS (except State Police) are allowed 1.65% of their average final compensation (highest 5 of the last 10 years) for each year of service. State Police are allowed 2.375% for each year of state police service in computing the formula method.

Members are eligible for disability retirement if they have 10 years of credible service, are currently in-service, and determined by the RSA Medical Board to be permanently incapacitated from further performance of duty. Preretirement death benefits are calculated and paid to the beneficiary on the member's age, service credit, employment status and eligibility for retirement. The ERS serves approximately 846 local participating employers. These participating employers include 287 cities, 65 counties, and 494 other public entities. The ERS membership includes approximately 83,874 participants. As of September 30, 2016, the City's membership consisted of:

Retired member or their beneficiaries currently receiving benefits	34
Vested inactive member	8
Non-vested inactive members	24
Active members	296
Post-DROP retired members still in active service	-
Total	<u>362</u>

Contributions: Covered members of the ERS contributed 5% of earnable compensation to the ERS as required by statute until September 30, 2011. From October 1, 2011, to September 30, 2012, covered members of the ERS were required by statute to contribute 7.25% of earnable compensation. Effective October 1, 2012, covered members of the ERS are required by statute to contribute 7.50% of earnable compensation. Certified law enforcement, correctional officers, and firefighters of the ERS contributed 6% of earnable compensation as required by statute until September 30, 2011. From October 1, 2011, to September 30, 2012, certified law enforcement, correctional officers, and firefighters of the ERS were required by statute to contribute 8.25% of earnable compensation. Effective October 1, 2012, certified law enforcement, correctional officers, and firefighters of the ERS are required by statute to contribute 8.50% of earnable compensation. State Police of the ERS contribute 10% of earnable compensation. ERS local participating employers are not required by statute to increase contribution rates for their members.

Tier 2 covered members of the ERS contribute 6% of earnable compensation to the ERS as required by statute. Tier 2 certified law enforcement, correctional officers, and firefighters of the ERS are required by statute to contribute 7% of earnable compensation. Tier 2 State Police members of the ERS contribute 10% of earnable compensation. These contributions rates are the same for Tier 2 covered members of ERS local participating employers.

The ERS establishes rates based upon an actuarially determined rate recommended by an independent actuary. The actuarially determined rate is the estimated amount necessary to finance the costs of benefits earned by employees during the year, with additional amounts to finance any unfunded accrued liability, the pre-retirement death benefit and administrative expenses of the Plan. For the year ended December 31, 2016, the City's active employee contribution rate was 6.26% of covered employee payroll, and the City's average contribution rate to fund the normal and accrued liability costs was 5.56% of covered employee payroll.

The City's contractually required contribution rate for the year ended September 30, 2016 was 6.56% of pensionable pay for Tier 1 employees, and 4.38% of pensionable pay for Tier 2 employees. These required contribution rates are based upon the actuarial valuation dated September 30, 2013, a percent of annual pensionable payroll, and actuarially determined as an amount that, when combined with member contributions, is expected to finance the costs of benefits earned by members during the year, with an additional amount to finance any unfunded accrued liability. Total employer contributions to the pension plan from the System were \$901,427 for the year ended December 31, 2016.

THE CITY OF ORANGE BEACH, ALABAMA
NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2016

NOTE 4 - RETIREMENT PLAN (continued)

Net Pension Liability

The City's net pension liability was measured as of September 30, 2016, and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation as of September 30, 2015 rolled forward to September 30, 2016 using standard roll-forward techniques as shown in the following table:

	<u>Expected</u>	<u>Actual-2015 Valuation Assumptions</u>	<u>Actual-2016 Valuation Assumptions</u>
(a) TPL as of September 30, 2015	\$ 30,340,353	\$ 30,361,724	\$ 31,919,987
(b) Discount rate	8.00%	8.00%	7.75%
(c) Entry Age Normal Cost for the period October 1, 2015 - September 30, 2016	1,213,069	1,213,069	1,210,892
(d) Transfers Among Employers:		29,622	29,622
(e) Actual Benefit Payments and Refunds for the period October 1, 2015 - September 30, 2016	<u>(641,884)</u>	<u>(641,884)</u>	<u>(641,884)</u>
(f) TPL as of September 30, 2016 [(a) x (1+b)] + (c) + (d) + [(e) x (1 + 0.5*(b))]	<u>\$ 33,313,091</u>	<u>\$ 33,365,794</u>	<u>\$ 34,967,543</u>
(g) Difference between Expected and Actual:		\$ 52,703	
(h) Less Liability Transferred for Immediate Recognition:		<u>29,622</u>	
(i) Experience (Gain)/Loss = (g) - (h)		<u>\$ 23,081</u>	
(j) Difference between Actual (2015 Assumptions) and Actual (2016 Assumptions): Assumption Change (Gain)/Loss			<u>\$ 1,601,749</u>

Actuarial assumptions: The total pension liability in the September 30, 2016 actuarial valuation was determined using the following actuarial assumptions, applied to all periods included in the measurement:

Inflation	3.00%
Salary increases	3.75% - 7.25%
Investment rate of return*	8.00%

*Net of pension plan investment expense

Mortality rates for ERS were based on the RP-2000 Combined Mortality Table Projected with Scale AA to 2016 set forward three years for males and two years for females. The rates of mortality for the period after disability retirement are according to the sex distinct RP-2000 Disability Mortality Table.

The actuarial assumptions used in the September 30, 2013 valuation were based on the results of an investigation of the economic and demographic experience for the ERS based upon participant data as of September 30, 2010. The Board of Control accepted and approved these changes on January 27, 2012, which became effective at the beginning of fiscal year 2012.

THE CITY OF ORANGE BEACH, ALABAMA
NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2016

NOTE 4 - RETIREMENT PLAN (continued)

The long-term expected rate of return on pension plan investments was determined using a log-normal distribution analysis in which best-estimate ranges of expected future real rates of return (expected returns, net of pension plan investment expense and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation. The target asset allocation and best estimates of geometric real rates of return for each major asset class are as follows:

	Target Allocation	Long-Term Expected Rate of Return*
Fixed Income	25.00%	5.00%
U.S. Large Stocks	34.00%	9.00%
U.S. Mid Stocks	8.00%	12.00%
U.S. Small Stocks	3.00%	15.00%
International Developed Market Stocks	15.00%	11.00%
International Emerging Market Stocks	3.00%	16.00%
Real Estate	10.00%	7.50%
Cash	2.00%	1.50%
Total	<u>100.00%</u>	

*Includes assumed rate of inflation of 2.50%.

Discount rate: The discount rate used to measure the total pension liability was the long term rate of return, 8%. The projection of cash flows used to determine the discount rate assumed that plan member contributions will be made at the current contribution rate and that the employer contributions will be made in accordance with the funding policy adopted by the ERS Board of Control. Based on those assumptions, components of the pension plan's fiduciary net position were projected to be available to make all projected future benefit payments of current pan members. Therefore, the long-term expected rate of return on pension plan investments was applied to all periods of projected benefit payments to determine the total pension liability.

	Total Pension Liability (a)	Plan Fiduciary Net Position (b)	Net Pension Liability (Asset) (a)-(b)
Balance at September 30, 2015	\$ 30,340,353	\$ 26,030,796	\$ 4,309,557
Change for the year:			
Service cost	1,213,069	-	1,213,069
Interest	2,401,553	-	2,401,553
Changes of assumptions	1,601,749	-	1,601,749
Difference between expected and actual experience	23,081	-	23,081
Contributions-employer	-	806,700	(806,700)
Contributions - employee	-	773,424	(773,424)
Net investment income	-	2,700,298	(2,700,298)
Benefit payments, including refunds of employee contributions	(641,884)	(641,884)	-
Administrative expense	-	-	-
Transfers among employers	29,622	29,622	-
Net changes	4,627,190	3,668,160	959,030
Balance at September 30, 2016	\$ 34,967,543	\$ 29,698,956	\$ 5,268,587

THE CITY OF ORANGE BEACH, ALABAMA
NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2016

NOTE 4 - RETIREMENT PLAN (continued)

Sensitivity of the net pension liability to changes in the discount rate: The following table presents the City's net pension liability calculated using the discount rate of 7.75%, as well as what the City's proportionate share of the net pension liability would be if it were calculated using a discount rate that is 1-percentage point lower (6.75%) or 1-percentage-point higher (8.75%) than the current rate:

1% Decrease (6.75%)	Current Discount (7.75%)	1% Increase (8.75%)
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Plan's Net Pension Liability (Asset)	\$ 10,140,396	\$ 5,268,587	\$ 1,194,433
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Pension plan fiduciary net position: Detailed information about the pension plan's fiduciary net position is available in the separately issued RSA Comprehensive Annual Report for the fiscal year ended September 30, 2015. The supporting actuarial information is included in the GASB Statement No. 68 Report for the ERS prepared as of September 30, 2015. The auditor's report dated June 3, 2016 on the Schedule of Changes in Fiduciary Net Position by Employer and accompanying notes is also available. The additional financial and actuarial information is available at www.rsa-al.gov.

Pension Expense and Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions

For the year ended December 31, 2016, the City recognized pension expense of \$901,427. At December 31, 2016, the City reported deferred outflows of resources and deferred inflows of resources related to pensions of the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences between expected and actual experience	\$ 716,033	\$ -
Changes of assumptions	1,406,414	-
Net difference between projected and actual earnings on plan investments	221,759	-
Employer contributions subsequent to the Measurement Date	362,339	-
Total	<u>\$ 2,706,545</u>	<u>\$ -</u>

Amounts reported as deferred outflows of resources and deferred inflows of resources to pensions will be recognized in pension expense as follows:

Year Ended December 31	
2018	\$ 366,186
2019	366,186
2020	536,324
2021	194,547
2022	310,371
Thereafter	570,592

THE CITY OF ORANGE BEACH, ALABAMA
NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2016

NOTE 4 - RETIREMENT PLAN (continued)

Collective Deferred Outflows and Inflows for Differences from Assumption Change

Year	Initial Balance of Losses / Deferred Outflow	Initial Balance of Gains / Deferred Inflow	Amort- ization Period	<u>Beginning Balance</u>			<u>Ending Balance</u>		
				(a)	(b)	(c)	(d)	(e)	(f)
				Deferred Outflows	Deferred Inflows	Losses / Deferred Outflows	Gains / Deferred Inflows	Amounts Recognized in Pension Expense / Deferred	Amounts Recognized in Pension Expense / Deferred
				(a)	(b)	(c)	(d)	(e)	(f)
2016	\$ 1,601,749	\$ -	8.2	\$ -	\$ -	\$ 1,601,749	\$ -	\$ 195,335	\$ -
2015	-	-	-	-	-	-	-	-	-
2014	-	-	-	-	-	-	-	-	-
Total				<u>\$ -</u>	<u>\$ -</u>	<u>\$ 1,601,749</u>	<u>\$ -</u>	<u>\$ 1,406,414</u>	<u>\$ -</u>

THE CITY OF ORANGE BEACH, ALABAMA
NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2016

NOTE 4 - RETIREMENT PLAN (continued)

Collective Deferred Outflows and Inflows for Differences in Investment Experience

<u>Beginning Balance</u>										<u>Ending Balance</u>	
Year	Initial Balance of Losses / Deferred Outflow	Initial Balance of Gains / Deferred Outflow	Amort- ization Period	Losses /				Gains /		Amounts Recognized	
				Deferred Outflows	Deferred Inflows	Deferred Outflows	Deferred Inflows	Deferred Expense / Inflows	Deferred Expense / Inflows	Deferred Expense / Inflows	Deferred Expense / Inflows
				(a)	(b)	(c)	(d)	(e)	(f)	(c)	(b) + (d) - (a) + (e) - (f)
2016	\$ -	\$ 579,120	5	\$ -	\$ -	\$ -	\$ 579,120	\$ -	\$ 115,824	\$ -	\$ 463,296
2015	1,708,893	-	5	1,367,114	-	-	-	341,779	-	1,025,335	-
2014	-	850,700	5	-	510,420	-	-	-	170,140	-	340,280
Total				<u>\$ 1,367,114</u>	<u>\$ 510,420</u>	<u>\$ -</u>	<u>\$ 579,120</u>			<u>\$ 1,025,335</u>	<u>\$ 803,576</u>
Net difference between projected and actual earnings on investments										\$ 221,759	\$ -

THE CITY OF ORANGE BEACH, ALABAMA
NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2016

NOTE 5 – CHANGES IN LONG TERM DEBT

At December 31, 2016, governmental long term debt consisted of the following individual issues:

General Fund

General Obligation Warrants:

On April 1, 2009, the City issued a General Obligation Warrant Series, in the amount of \$17,995,000 to Bank of New York for the refunding of six previous General and Sewer Obligations Issues; Series 1998B, 1999, 2001B, 2001 Sewer, and 2002 Sewer. The new bond issue was allocated 53% to General obligation and 47% to the Sewer fund based on the refunded outstanding debt. The total allocated to the General Fund was \$9,537,350. The Warrant is payable in annual installments varying from \$243,800 to \$1,195,150 principal plus interest varying from 2.0 - 5.0% beginning October 1, 2009 with a final payment on October 1, 2021.

On August 1, 2010, the City issued a General Obligation Warrant Series, in the amount of \$6,170,000 to Bank of New York for the refunding of the General Obligation Series 2007A. The Warrant is payable in annual installments varying from \$259,035 to \$1,374,910 principal plus interest varying from 3.7 – 4.60% beginning February 1, 2011 with a final payment on August 1, 2020.

On August 1, 2010, the City issued a General Obligation Warrant Series, in the amount of \$4,905,000 to Bank of New York for the refunding of the General Obligation Series 2005. The Warrant is payable in annual installments varying from \$165,150 to \$1,073,275 principal plus interest varying from 3.0 – 4.00% beginning February 1, 2011 with a final payment on August 1, 2020.

On February 1, 2013, the City issued a General Obligation Warrant, Series 2013, in the amount of \$9,780,000 to Bank of New York for the refunding of General Obligation Issue 2007B. The Warrant is payable in annual installments varying from \$151,858 to \$1,465,950 principal plus interest from 0.55% to 3.00% beginning May 1, 2013 with a final payment on May 1, 2022.

Sewer Fund

General Obligation Warrants and Sewer Revenue Warrants:

At December 31, 2016, the long term debt for the proprietary fund consisted of the following individual issues:

On April 1, 2009, the City issued a General Obligation Warrant Series, in the amount of \$17,995,000 to Bank of New York for the refunding of six previous General and Sewer Obligations Issues; Series 1998B, 1999, 2001B, 2001 Sewer, and 2002 Sewer. The new bond issue was allocated 53% to General obligation and 47% to the Sewer fund based on the refunded outstanding debt. The 1998A warrants were originally recorded as a general obligation debt. During 2009, the outstanding portion was allocated to the sewer fund because the debt service payments have been made and will continue to be made from the sewer fund. In addition, the original 1998A was issued to financing the purchase of the original sewer system. The total allocated to the Sewer Fund was \$8,457,650. The Warrant is payable in annual installments varying from \$216,000 to \$1,059,850 principal plus interest varying from 2.0 - 5.0% beginning October 1, 2009 with a final payment on October 1, 2021.

On October 1, 2012 the City issued \$22,975,000 of its Series 2012 General Obligation Sewer Warrants for the refunding of the previous 2006 Sewer Revenue Issue. The warrant is payable in annual installments varying from \$75,000 to \$2,070,000 principal plus interest from 2.00% to 5.00% beginning February 1, 2013 with a final payment on February 1, 2030.

THE CITY OF ORANGE BEACH, ALABAMA
NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2016

NOTE 5 - CHANGES IN LONG TERM DEBT (Continued)

General Obligation Warrants for governmental activities of the City were comprised of the following at December 31, 2016:

\$9,537,350 General Obligation Warrants Series 2009 dated April 1, 2009, principal and interest due in annual installments varying from \$243,800 to \$1,195,150 through October 1, 2021; variable interest rate from 2.00% - 5.00%	2,530,750
\$6,170,000 General Obligation Warrants Series 2010A dated August 1, 2010, principal and interest due in annual installments varying from \$259,035 to \$1,374,910 through August 1, 2020; variable interest rate from 3.70% - 4.60%	5,035,000
\$4,905,000 General Obligation Warrants Series 2010B dated August 1, 2010, principal and interest due in annual installments varying from \$165,150 to \$1,073,275 through August 1, 2020; variable interest rate from 3.00% - 4.00%	3,985,000
\$9,780,000 General Obligation Warrants Series 2013 dated February 1, 2013, principal and interest due in annual installments varying from \$151,858 to \$1,465,950 through May 1, 2022; variable interest rate from 0.55% - 3.00%	8,245,000
Unamortized bond premium / discount (net)	<u>416,323</u>
TOTAL WARRANTS AND NOTES OUTSTANDING	20,212,073
Compensated Absences	<u>491,863</u>
TOTAL GENERAL LONG-TERM DEBT	<u><u>\$ 20,703,936</u></u>

THE CITY OF ORANGE BEACH, ALABAMA
NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2016

NOTE 5 - CHANGES IN LONG TERM DEBT (Continued)

General Obligation and Revenue Warrants for business-type activities of the City of Orange Beach were comprised of the following at December 31, 2016:

\$8,457,650 General Obligation Warrants Series 2009 dated April 1, 2009, principal and interest due in annual installments varying from \$216,000 to \$1,059,850 through October 1, 2021; variable interest rate from 2.00% - 5.00%	2,244,250
\$22,975,000 General Obligation Sewer Warrant Series 2012 dated October 1, 2012, principal and interest due in annual installments varying from \$75,000 to \$2,070,000 through February 1, 2030; variable interest rate from 2.00% to 5.00%	21,350,000
Unamortized bond premium/ discount (net)	<u>2,286,347</u>
TOTAL WARRANTS AND NOTES OUTSTANDING	25,880,597
Compensated Absences	<u>80,080</u>
TOTAL BUSINESS-TYPE ACTIVITY DEBT	<u><u>\$ 25,960,677</u></u>

Annual Requirements to Retire Debt Obligations-

The annual aggregate maturities, including principal and interest, for the years subsequent to December 31, 2016, are as follows:

Year Ending December 31,	Governmental Activities			Business-type Activities		
	Principal	Interest	Total	Principal	Interest	Totals
2017	4,273,000	594,250	4,867,250	1,517,000	1,017,058	2,534,058
2018	4,308,500	446,020	4,754,520	1,471,500	952,183	2,423,683
2019	4,127,000	293,045	4,420,045	1,663,000	871,308	2,534,308
2020	3,994,650	143,469	4,138,119	1,495,350	792,243	2,287,593
2021	1,642,600	50,218	1,692,818	1,572,400	718,010	2,290,410
2022 and thereafter	1,450,000	14,500	1,464,500	15,875,000	2,929,969	18,804,969
Unamortized bond discount/ premium	<u>416,323</u>	<u>-</u>	<u>416,323</u>	<u>2,286,347</u>	<u>-</u>	<u>2,286,347</u>
Total	<u><u>\$ 20,212,073</u></u>	<u><u>\$ 1,541,502</u></u>	<u><u>\$ 21,753,575</u></u>	<u><u>\$ 25,880,597</u></u>	<u><u>\$ 7,280,771</u></u>	<u><u>\$ 33,161,368</u></u>

THE CITY OF ORANGE BEACH, ALABAMA
NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2016

NOTE 5 - CHANGES IN LONG TERM DEBT (Continued)

Changes in General Long Term Debt during the year were as follows:

Obligation	Beginning Balance	Additions	Reductions	Ending Balance	Amounts Due Within One Year
Governmental Activities:					
Bonds payable:					
April 1, 2009, General Obligation Warrants, Series 2009	3,344,300	-	813,550	2,530,750	848,000
August 1, 2010, General Obligation, Series 2010A	6,170,000	-	1,135,000	5,035,000	1,180,000
August 1, 2010, General Obligation, Series 2010B	4,905,000	-	920,000	3,985,000	945,000
February 1, 2013, General Obligation, Series 2013	9,515,000	-	1,270,000	8,245,000	1,300,000
Unamortized bond premium/ discount (net)	477,398	-	61,075	416,323	-
Total Bonds payable	<u>24,411,698</u>	<u>-</u>	<u>4,199,625</u>	<u>20,212,073</u>	<u>4,273,000</u>
Other liabilities:					
Compensated Absences	474,939	16,924	-	491,863	331,169
Governmental activities long term liabilities	<u>\$ 24,886,637</u>	<u>\$ -</u>	<u>\$ 4,199,625</u>	<u>\$ 20,703,936</u>	<u>\$ 4,604,169</u>
Obligation	Beginning Balance	Additions	Reductions	Ending Balance	Amounts Due Within One Year
Business -type activities					
Bonds and loans payable net of premiums and discounts.					
April 1, 2009 General Obligation Sewer Warrants, Series 2009	2,965,700	-	721,450	2,244,250	681,500
October 1, 2012 General Obligation Sewer Warrants, Series 2012	22,095,000	-	745,000	21,350,000	790,000
February 1, 2014, Business Loan	6,338,046	-	6,338,046	-	-
Unamortized bond premium/ discount (net)	2,471,479	-	185,132	2,286,347	-
Total Bonds payable	<u>33,870,225</u>	<u>-</u>	<u>7,989,628</u>	<u>25,880,597</u>	<u>1,471,500</u>
Other liabilities:					
Compensated Absences	77,102	2,978	-	80,080	50,733
Business-type activities long term liabilities	<u>\$ 33,947,327</u>	<u>\$ 2,978</u>	<u>\$ 7,989,628</u>	<u>\$ 25,960,677</u>	<u>\$ 1,522,233</u>

THE CITY OF ORANGE BEACH, ALABAMA
NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2016

NOTE 6 – DEFEASANCE OF DEBT

On February 1, 2013, \$9,780,000 million in general obligation bonds with an average interest rate of 2.11 percent were issued to advance refund \$9,105,000 million of outstanding bonds with an average interest rate of 4.22 percent. The net proceeds of \$10,032,143 million (after payment of \$142,030 in underwriting fees, insurance, and other issuance costs) were used to purchase U.S. government securities. Those securities were deposited in an irrevocable trust with an escrow agent to provide for all future debt service payments on the bonds and loans. As a result, the bonds are considered to be defeased and the liability for those bonds has been removed from the financial statements. This refunding decreases total debt service payments over the next 11 years by almost \$611,228 resulting in an economic gain (difference between the present values of the debt services payments on the old and new debt and cash exchanged) of \$500,454.

NOTE 7 - OPERATING LEASE

Post Office Lease

On August 26, 1994, the City entered into a 20 year operating lease with the United States Postal Service, USPS. USPS is leasing the building constructed by the City which was designed for use as a post office. The lease has no purchase options, no residual value and maintenance lies with the USPS. The following schedule details the lease revenues accruing to the City during the initial lease period and the renewal periods outlined in the lease document:

<u>Term</u>	<u>Monthly Rental</u>	<u>Yearly Rental</u>
4/20/15 - 4/19/20	\$ 1,667	\$ 20,000
4/20/20 - 4/19/25	\$ 1,667	\$ 20,000

Medical Arts Building

The City entered into an agreement with various doctors and medical facilities to rent space in the medical arts building. The following schedule details the lease revenues accruing to the City outlined in the lease documents:

<u>Term</u>	<u>Yearly Rental Revenue</u>
2017	22,824
2018	50,024
2019	51,224
2020	52,424
2021	47,424
Thereafter	-
Total	<u>\$ 223,920</u>

THE CITY OF ORANGE BEACH, ALABAMA
NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2016

NOTE 7 - OPERATING LEASE (continued)

Events Center Building

The City entered into an agreement with HCI to rent space in the events center building. The following schedule details the lease revenues accruing to the City outlined in the lease documents:

<u>Term</u>	<u>Yearly Rental Revenue</u>
2017	119,350
2018	121,275
2019	121,275
2020	121,275
2021	127,339
Thereafter	<u>257,033</u>
Total	<u>\$ 867,547</u>

Lease Obligations

The City is obligated under certain leases accounted for as operating leases. The City entered into various agreements for lease of equipment that are accounted for as operating leases. Operating leases do not give rise to property rights or lease obligations, and therefore the results of the lease agreement are not reflected in the City's debt.

NOTE 8 - INTERFUND RECEIVABLES, PAYABLES AND TRANSFERS

The following is a detail of the interfund receivables and payables on the combined balance sheet of the City as of December 31, 2016:

<u>Due From</u>	<u>Due To</u>		
	<u>General Fund</u>	<u>Sewer Fund</u>	<u>Refuse Fund</u>
General	\$ -	\$ 25,647	\$ -
Special Revenues	20,003	-	-
Debt Service	117,342	-	-
Refuse	822,175	-	-
BCBC	5,337,308	-	-
Sewer Utility	-	-	511,761
Events Center	703,237	-	-
Arts Center	<u>2,278,469</u>	<u>-</u>	<u>-</u>
Total	<u>\$ 9,278,534</u>	<u>\$ 25,647</u>	<u>\$ 511,761</u>

The above balances resulted from the time lag between the dates that (1) interfund goods and services are provided or reimbursable expenditures occur, (2) transactions are recorded in the accounting system, and (3) payments between funds are made.

THE CITY OF ORANGE BEACH, ALABAMA
NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2016

NOTE 8 - INTERFUND RECEIVABLES, PAYABLES AND TRANSFERS (continued)

Interfund transfers during the year ended December 31, 2016, were as follows:

<u>Transfers Out</u>	<u>Transfers In</u>			<u>Total</u>
	<u>General Fund</u>	<u>Arts Center Fund</u>	<u>Debt Service</u>	
General Fund	\$ -	\$ 605,780	\$ 4,913,598	\$ 5,519,378
Debt Service	-	-	-	-
Special Revenues	475,782	-	-	475,782
Sewer Utility	695,000	-	2,176	697,176
Total	<u>\$ 1,170,782</u>	<u>\$ 605,780</u>	<u>\$ 4,915,774</u>	<u>\$ 6,692,336</u>

Transfers are used to (1) move revenues from the fund that statute or budget requires to collect them, to the fund that statute or budget that requires to expend them, (2) move receipts restricted to debt service from the funds collecting the receipts, to the debt service fund as debt service payments become due, and (3) use unrestricted revenues collected in the general fund to finance various programs accounted for in other funds in accordance with budgetary authorizations.

NOTE 9 – UNEARNED REVENUES

The City has unearned revenues of \$586,326 in the general fund. \$305,528 represents 2017 business license collected in 2016.

From 2010 to 2016 the City of Orange Beach received \$3,155,051 in BP grant funds. According to the grant documents, the purpose of the grant agreement was to transfer money from AEMA to the City as provided by the \$25 million dollar grant from BP to the State of Alabama. These funds were to be used by the impacted governments in Baldwin and Mobile Counties to prevent, minimize or mitigate the damage from the Deepwater Horizon Incident including any project management cost and equipment cost therewith. The City spent \$1,493,917, \$446,666, \$271,327, \$138,668, \$480,872, \$98,470, and \$41,084 of the funds in 2010, 2011, 2012, 2013, 2014, 2015, and 2016, respectively. The remaining balance on the grant totaling \$184,047 is recorded as unearned revenue.

The City received advance payment of \$96,751 for 2017 contracted fire services on Ono Island. The amount is recorded as unearned revenue at year end.

NOTE 10 – BRETT ROBINSON AGREEMENT

On January 27, 2014, the City signed a release and settlement agreement with Brett Real Estate, Robinson Development Co., Inc., Phoenix West II L.L.C., and Brett/Robinson Gulf Corporation (collectively referred to as the BR Parties) regarding impact fees for the development of Phoenix West II Condominium Association, Inc. that were never paid. The BR Parties entered into a promissory note with the City for \$1,532,242 to be paid in 120 monthly installments of \$15,239 beginning in March of 2015 with interest thereon of 3% per annum in lieu of the impact fees. During 2016, the City received \$164,771 in principal and \$46,579 in interest payments.

THE CITY OF ORANGE BEACH, ALABAMA
NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2016

NOTE 11 – CAPITAL ASSETS

Capital asset activity for the year ended December 31, 2016, was as follows:

	<u>Beginning Balance</u>	<u>Additions</u>	<u>Dispos als</u>	<u>Ending Balance</u>
Governmental activities				
Non-Depreciable Assets:				
Land & Improvements	\$ 50,116,323	\$ -	\$ -	\$ 50,116,323
Depreciable Assets:				
Buildings & Infrastructure	32,271,280	-	-	32,271,280
Equipment & Vehicles	11,611,586	1,037,546	120,054	12,529,078
Totals at historical cost	<u>93,999,189</u>	<u>1,037,546</u>	<u>120,054</u>	<u>94,916,681</u>
Less accumulated depreciation for:				
Buildings & Improvements	9,486,327	627,287	-	10,113,614
Infrastructure & Parks Improvements	1,405,336	200,018	-	1,605,354
Equipment & Vehicles	8,511,992	771,284	120,054	9,163,222
Total accumulated depreciation	<u>19,403,655</u>	<u>1,598,589</u>	<u>120,054</u>	<u>20,882,190</u>
Governmental activities capital assets, net	<u><u>\$ 74,595,534</u></u>	<u><u>\$ (561,043)</u></u>	<u><u>\$ -</u></u>	<u><u>\$ 74,034,491</u></u>

Depreciation expense was charged
to governmental functions as follows:

Administration	\$ 94,798
Police	315,513
Communications	14,457
Fire	262,980
Public Works	268,046
Parks & Recreation	501,757
Library	29,632
Community Development	111,406
Total depreciation expense	<u><u>\$ 1,598,589</u></u>

THE CITY OF ORANGE BEACH, ALABAMA
NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2016

NOTE 11 – CAPITAL ASSETS (continued)

	<u>Beginning Balance</u>	<u>Additions</u>	<u>Disposals</u>	<u>Ending Balance</u>
Business-type activities				
Non-Depreciable Assets:				
Land	\$ 502,236	\$ -	\$ -	\$ 502,236
Depreciable Assets:				
Buildings	30,058,060	1,315,437	-	31,373,497
Equipment	1,347,363	156,617	43,405	1,460,575
Vehicles	1,279,233	128,418	-	1,407,651
Distribution and collection systems	12,781,387	290,153	-	13,071,540
Totals at historical cost	<u>45,968,279</u>	<u>1,890,625</u>	<u>43,405</u>	<u>47,815,499</u>
Less accumulated depreciation for:				
Buildings	8,274,131	66,089	-	8,340,220
Equipment	743,037	107,244	41,312	808,969
Vehicles	1,259,127	112,234	-	1,371,361
Distribution and collection systems	6,902,495	1,484,483	-	8,386,978
Total accumulated depreciation	<u>17,178,790</u>	<u>1,770,050</u>	<u>41,312</u>	<u>18,907,528</u>
Business-type activities capital assets, net	<u><u>\$ 28,789,489</u></u>	<u><u>\$ 120,575</u></u>	<u><u>\$ 2,093</u></u>	<u><u>\$ 28,907,971</u></u>

NOTE 12 – THE BALDWIN COUNTY COMPANY BRIDGE PROJECT

On April 15, 2004 the City of Orange Beach (City) entered into the “Bridge Option, Easement and Annexation Agreement” with The Baldwin County Bridge Company, LLC (BCBC). BCBC owns and operates a toll bridge, toll facility and related roadways which span the Intracoastal Waterway within and near the current corporate limits of the City. BCBC has agreed to grant the City an option to purchase the Bridge, to grant the City an easement for the usage of the Bridge for certain limited purposes, to petition for annexation of the BCBC property into the City, to make a per vehicle payment to the City, to grant the City an option to purchase various parcels of real estate located adjacent to the Bridge, and to expand the Bridge under certain circumstances. The City has agreed to annex the BCBC property into the City, to execute certain access restrictions on the City Property, to become bound by an Access Management Plan, and to make ten annual installment advances to the BCBC in the amount of \$1,200,000 for a total of \$12,000,000. The first advance of \$1,200,000 was made on April 21, 2004 and the final advance was made in 2013.

The BCBC will repay the above amount monthly based on a Variable Traffic Fee formula as described in the following table:

Annual Car Count	Rate per Vehicle
0 – 2,000,000	\$0.10
2,000,001 – 3,000,000	\$0.21
3,000,000 – 4,000,000	\$0.36
4,000,000- above	\$0.46

THE CITY OF ORANGE BEACH, ALABAMA
NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2016

NOTE 12 – THE BALDWIN COUNTY COMPANY BRIDGE PROJECT (continued)

Based on the above payments from the City and the above repayment schedule from BCBC, the BCBC shall never be obligated to pay Variable Traffic Fees in a cumulative amount to exceed \$12,000,000. If at anytime during the term of the agreement, BCBC shall have paid Traffic Fees equal to the \$12,000,000, or if, prior to January 1, 2015, BCBC shall pay to the City an amount equal to the difference between the Traffic Fees paid to the City and \$12,000,000, then the payment obligations of the BCBC under the above mentioned agreement shall immediately terminate (the “Termination Event”).

Upon the first to occur of (i) the Termination Event, or (ii) January 1, 2015 and continuing through December 31, 2033, the BCBC shall pay to the City Fixed Traffic Fees in the amount of \$0.30 per Vehicle Usage.

Real Estate Option:

The City shall be entitled to exercise an option to purchase land adjacent to the Bridge any time between January 1, 2015 and March 31, 2015 for \$1,000 provided, however, the Real Estate Option shall automatically terminate if the above mentioned Termination Event occurs prior to the commencement of the option period. This provision has been amended in the subsequent period by The Wharf Agreement.

On April 4, 2010, the City amended the Wharf Development Agreement. The new agreement stated that once the \$25,000,000 warrants have been issued to AIG Baker (“the Developer”), AIG Baker is required to set up an escrow in the amount of \$1,000,000. The escrow account will be funded by ½ of all tax revenues (defined as sales tax or lodging tax). In the event the City has not received Traffic fees of at least \$12,000,000 on or before December 31, 2013, the Escrow agent shall pay to the City from the Escrow Funds, an amount equal to the Bridge Security Amount. The Bridge Security amount means an amount equal to the lesser of the required escrow amount or the Traffic Fee Shortfall. If the Escrow Funds are sufficient to satisfy in full the Bridge Security Amount, any escrow remaining in the Escrow Account shall be disbursed to the Developer, and the escrow shall be terminated. If the escrow Funds are not sufficient to satisfy the Bridge Security amount in full, the Developer shall be liable for and shall pay any such deficiency amount upon the City’s written demand, and the City shall additionally be entitled to withhold payments and setoff against future payments under the warrants such amounts necessary to eliminate such deficiency, such that the City is paid the entire Bridge Security Amount.

The city is in the process of exercising the real estate option, but it has not been finalized as of year end.

Bridge Option:

The City shall be entitled to exercise the option to purchase the Bridge at any time between January 1, 2033 and December 31, 2033 for the sum equal to ten (10) multiplied by the revenue produced by toll-charges paid for usage of the Bridge for the highest of the previous three (3) full calendar years preceding the date of the commencement of the option term. There are allowances for Force Majeure events. If the City declines the Bridge Option, the \$0.30 fixed traffic fees will automatically be extended for an additional thirty years.

During 2007, The Baldwin County Bridge Company, LLC was sold to American Roads. For the year ended December 31, 2016, the City received payments from American Roads totaling \$1,079,858 for the twelve months the agreement was in effect, based on fixed fee of \$.30 per vehicle.

THE CITY OF ORANGE BEACH, ALABAMA
NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2016

NOTE 13 – COMMITMENTS AND CONTINGENCIES

On July 12, 2004 the City of Orange Beach entered into a Development Agreement known as “The Wharf” with AIG Baker Development, LLC. The purpose of the agreement is to develop seven tracts of real property that Baker has under contract for long-term leasehold interests. The property will be developed conceptually in two distinct manners, the Commercial Development and the Public Land. During 2012, “The Wharf” was purchased by Wharf Retail Properties LLC.

The City will issue non-recourse limited-obligation warrant to AIG Baker in the amount of \$25,000,000 bearing an interest rate of 3.5%, or the rate at which AIG Baker is able to obtain for its construction financing, for the purchase of the Public Land. This amount will be amortized over 15 years and will be paid monthly. The funds to pay the warrant will be provided exclusively by ½ of all tax revenues (defined as sales tax or lodging tax) levied by the City on the businesses. AIG Baker will remit sales and lodging tax to the City. The developer will also make payments-in-lieu of taxes for the amounts that would have been assessed on the property. The commencement date of this transaction shall be the date upon which the Deed and the Assignment of Leasehold Interest are executed and delivered. The agreement was amended on April 10, 2010 requiring that AIG Baker to set up an escrow account to satisfy the Bridge Security Agreement. See note 12 for more information.

The City is exposed to various risks of losses related to torts; theft of, damage to and destruction of assets, errors and omissions; injuries to employees; and natural disasters. The City obtains coverage from municipal insurance companies and effectively manages risk through various employee education and prevention programs. The policy premiums are based on estimated annual payroll. The premiums are adjusted retrospectively based on actual annual payroll.

The City has received federal and state grants for specific purposes that are subject to review and audit by the grantor agencies. Such audits could lead to requests for reimbursements by the grantor agency for expenditures disallowed under the terms of the grant. The City is currently not under audit by any grantor agencies.

The City is party to various legal proceedings, which normally occur in the course of governmental operations. The financial statements do not include accrual or provisions for loss contingencies that may result from these proceedings.

NOTE 14- PRIOR PERIOD ADJUSTMENT

During the year, the City wrote off a check of \$96,400 that had been outstanding since 2014. The amount was recorded as a prior period adjustment. The effect on beginning net position is detailed in the table below”

	Governmental Activities	General Fund
Net position at December 31, 2015 (beginning)	\$ 88,034,959	\$ 36,260,355
Prior period adjustment	96,400	96,400
Net position at December 31, 2015 (restated)	<u>\$ 88,131,359</u>	<u>\$ 36,356,755</u>

NOTE 15- BP SETTLEMENT PROCEEDS

During the year, the City received settlement proceeds of \$12 million for economic damages sustained due to the Deepwater Horizon Oil Spill that occurred in April 2010. The City incurred \$2 million in legal fees to recover the damages.

NOTE 16- SUBSEQUENT EVENTS

Subsequent events were evaluated from January 1, 2016 to the financial statement issuance date of June 23, 2017.

REQUIRED SUPPLEMENTARY INFORMATION

THE CITY OF ORANGE BEACH, ALABAMA
GENERAL FUND
SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES
IN FUND BALANCE - BUDGET AND ACTUAL
FOR THE YEAR ENDED DECEMBER 31, 2016

	Budgeted Amounts		Actual Amounts	Variance with
	Original	Final	(Budgetary Basis)	Final Budget Over (Under)
Resources (inflows)				
Property taxes	\$ 3,300,000	\$ 3,300,000	\$ 3,461,385	\$ 161,385
Intergovernmental:				
State tax	47,000	47,000	78,879	31,879
Local tax	19,885,000	19,885,000	27,182,015	7,297,015
Federal operating grant	189,500	189,500	52,523	(136,977)
BP state grant	-	-	116,064	116,064
Personnel service reimbursement	50,000	50,000	72,994	22,994
Other licenses, permits and fees	3,800,800	3,800,800	4,126,585	325,785
Fines and forfeitures	246,000	246,000	359,227	113,227
Charges for services	800,000	800,000	1,099,927	299,927
Rent	73,700	73,700	78,779	5,079
Investment earnings	30,000	30,000	42,468	12,468
Contracts	402,500	402,500	410,430	7,930
BP settlement proceeds	-	-	12,000,000	12,000,000
Miscellaneous	302,639	302,639	345,125	42,486
Amounts Available for Appropriations	<u>29,127,139</u>	<u>29,127,139</u>	<u>49,426,401</u>	<u>20,299,262</u>
Charges to appropriations (outflows)				
General government	2,855,600	2,855,600	4,946,854	2,091,254
Court	377,050	377,050	409,819	32,769
Finance	781,700	781,700	741,460	(40,240)
Police	4,580,900	4,580,900	5,553,046	972,146
Corrections	576,700	576,700	578,726	2,026
Engineering and environmental	2,068,295	2,068,295	2,817,735	749,440
Communications	447,550	447,550	479,838	32,288
Fire	4,884,884	4,884,884	5,205,196	320,312
Public works	2,564,630	2,564,630	2,802,271	237,641
Landscape	1,629,520	1,629,520	1,484,448	(145,072)
Parks and recreation	2,764,050	2,764,050	2,535,437	(228,613)
BP Oil Spill	120,000	120,000	51,302	(68,698)
Library	641,469	641,469	1,626	(639,843)
Capital expenditures	1,856,900	1,856,900	2,181,293	324,393
Total Charges to Appropriations	<u>26,149,248</u>	<u>26,149,248</u>	<u>29,789,051</u>	<u>3,639,803</u>
Excess of Amounts Available for				
Over Charges to Appropriations	<u>2,977,891</u>	<u>2,977,891</u>	<u>19,637,350</u>	<u>16,659,459</u>
Other financing sources (uses)				
Gain on disposal of assets	-	-	32,852	32,852
Transfers from other funds	1,167,000	1,167,000	1,170,782	3,782
Transfers to other funds	(5,806,148)	(5,806,148)	(5,519,378)	286,770
Total Other Financing Uses	<u>(4,639,148)</u>	<u>(4,639,148)</u>	<u>(4,315,744)</u>	<u>323,404</u>
Statutory revenue reduction	<u>(2,605,002)</u>	<u>(2,605,002)</u>	<u>-</u>	<u>2,605,002</u>
Excess (Deficiency) of Resources Over				
Charges to Appropriations	<u>\$ (4,266,259)</u>	<u>\$ (4,266,259)</u>	<u>\$ 15,321,606</u>	<u>\$ 19,587,865</u>

The accompanying notes are an integral part of the financial statements.

THE CITY OF ORANGE BEACH, ALABAMA
SEWER FUND
SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES
IN FUND BALANCE - BUDGET AND ACTUAL
FOR THE YEAR ENDED DECEMBER 31, 2016

	Budgeted Amounts		Actual Amounts	Variance with
	Original	Final	(Budgetary Basis)	Final Budget Over (Under)
Revenues				
Charges for services	\$ 6,481,000	\$ 6,481,000	\$ 6,925,046	\$ 444,046
Miscellaneous income	35,000	35,000	57,282	22,282
Total Operating Revenues	<u>6,516,000</u>	<u>6,516,000</u>	<u>6,982,328</u>	<u>466,328</u>
Expenses				
Salaries, wages and employee benefits	1,350,500	1,350,500	1,375,385	24,885
Utilities	711,000	711,000	873,912	162,912
Repairs and maintenance	1,847,000	1,847,000	528,040	(1,318,960)
Other supplies and expenses	167,000	167,000	194,888	27,888
Insurance claims and expenses	23,700	23,700	20,882	(2,818)
Bond premium amortization	-	-	6,164	6,164
Depreciation	-	-	1,638,627	1,638,627
Total Operating Expenses	<u>4,099,200</u>	<u>4,099,200</u>	<u>4,637,898</u>	<u>538,698</u>
Non-Operating Revenues (Expenses) and Transfers (Out) In				
Interest income	4,000	4,000	7,682	3,682
Interest expense	(1,147,300)	(1,147,300)	(1,065,993)	81,307
Transfers to other funds	(2,161,500)	(2,161,500)	(692,824)	1,468,676
Total Other Financing Sources (Uses)	<u>(3,304,800)</u>	<u>(3,304,800)</u>	<u>(1,751,135)</u>	<u>1,553,665</u>
Change in Net Position	(888,000)	(888,000)	593,295	1,481,295
Net Position - Beginning of Year	<u>14,006,101</u>	<u>14,006,101</u>	<u>14,006,101</u>	<u>-</u>
Net Position - End of Year	<u>\$ 13,118,101</u>	<u>\$ 13,118,101</u>	<u>\$ 14,599,396</u>	<u>\$ 1,481,295</u>

The accompanying notes are an integral part of the financial statements.

THE CITY OF ORANGE BEACH, ALABAMA
REFUSE FUND
SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES
IN FUND BALANCE - BUDGET AND ACTUAL
FOR THE YEAR ENDED DECEMBER 31, 2016

	Budgeted Amounts		Actual Amounts	Variance with
	Original	Final	(Budgetary Basis)	Final Budget Over (Under)
Revenues				
Charges for services	\$ 2,500,000	\$ 2,500,000	\$ 2,500,446	\$ 446
Miscellaneous income	10,000	10,000	4,318	(5,682)
Total Operating Revenues	<u>2,510,000</u>	<u>2,510,000</u>	<u>2,504,764</u>	<u>(5,236)</u>
Expenses				
Salaries, wages and employee benefits	422,940	422,940	408,740	(14,200)
Contractual services	1,852,200	1,852,200	1,858,650	6,450
Repairs and maintenance	35,000	35,000	39,381	4,381
Other supplies and expenses	128,800	128,800	64,772	(64,028)
Insurance claims and expenses	26,400	26,400	8,613	(17,787)
Depreciation	-	-	65,334	65,334
Total Operating Expenses	<u>2,465,340</u>	<u>2,465,340</u>	<u>2,445,490</u>	<u>(19,850)</u>
Change in Net Position	44,660	44,660	59,274	14,614
Net Position - Beginning of Year	<u>(345,051)</u>	<u>(345,051)</u>	<u>(345,051)</u>	-
Net Position - End of Year	<u>\$ (300,391)</u>	<u>\$ (300,391)</u>	<u>\$ (285,777)</u>	<u>\$ 14,614</u>

The accompanying notes are an integral part of the financial statements.

THE CITY OF ORANGE BEACH, ALABAMA
SCHEDULE OF EMPLOYER CONTRIBUTIONS TO THE RETIREMENT SYSTEMS OF ALABAMA
FOR THE YEAR ENDED DECEMBER 31, 2016

	2016	2015
Actuarially determined contribution	\$ 850,584	\$ 800,331
Contributions in relation to the actuarially determined contribution	<u>850,584</u>	<u>800,331</u>
Contribution deficiency (excess)	<u>\$ -</u>	<u>\$ -</u>
 Covered-employee payroll	 \$ 14,393,677	 \$ 13,508,477
Contributions as a percentage of covered-employee payroll	5.91%	5.92%

Notes to Schedule

Actuarially determined contribution rates are calculated as of September 30, two years prior to the end of the fiscal year in which contributions are reported. Contributions for fiscal year 2016 were based on the September 30, 2013 actuarial valuation.

Methods and assumptions used to determine contribution rates:

Actuarial cost method	Entry age
Amortization method	Level percent closed
Remaining amortization period	14 years
Asset valuation method	Five year smoothed market
Inflation	3.00%
Salary increases	3.75-7.25% including inflation
Investment rate of return	8.00%, net of pension plan investment expense, including inflation

THE CITY OF ORANGE BEACH, ALABAMA
SCHEDULE OF CHANGES IN THE NET PENSION LIABILITY
FOR THE YEAR ENDED DECEMBER 31, 2016

	2016	2015	2014
Total pension liability			
Service Cost	\$ 1,213,069	\$ 1,168,947	\$ 1,090,244
Interest	2,401,553	2,113,138	1,915,434
Changes of benefit terms	-	-	-
Differences between expected and actual experience	23,081	920,209	-
Changes of assumptions	1,601,749	-	-
Benefit payments, including refunds of employee contributions	(641,884)	(552,344)	(516,402)
Transfers among employers	29,622	-	-
Net change in total pension liability	<u>4,627,190</u>	<u>3,649,950</u>	<u>2,489,276</u>
Total pension liability-beginning	<u>30,340,353</u>	<u>26,690,403</u>	<u>24,201,127</u>
Total pension liability-ending (a)	<u><u>\$ 34,967,543</u></u>	<u><u>\$ 30,340,353</u></u>	<u><u>\$ 26,690,403</u></u>
Plan fiduciary net position			
Contributions - employer	\$ 806,700	\$ 801,525	\$ 782,020
Contributions - member	773,424	728,225	703,936
Net investment income	2,700,298	297,551	2,552,678
Benefit payments, including refunds of employee contributions	(641,884)	(552,344)	(516,402)
Transfers among employers	29,622	327,982	231,356
Net change in plan fiduciary net position	<u>3,668,160</u>	<u>1,602,939</u>	<u>3,753,588</u>
Plan net position - beginning	<u>26,030,796</u>	<u>24,427,857</u>	<u>20,674,269</u>
Plan net position - ending (b)	<u><u>\$ 29,698,956</u></u>	<u><u>\$ 26,030,796</u></u>	<u><u>\$ 24,427,857</u></u>
Net pension liability (asset) - ending	\$ 5,268,587	\$ 4,309,557	\$ 2,262,546
Plan fiduciary net position as a percentage of the total pension liability	84.93%	85.80%	91.52%
Covered-employee payroll	\$ 14,393,677	\$ 13,508,477	\$ 13,175,276
Net pension liability (asset) as a percentage of covered-employee payroll	37%	32%	17%

OTHER SUPPLEMENTARY INFORMATION

THE CITY OF ORANGE BEACH, ALABAMA
COMBINING BALANCE SHEET
NONMAJOR GOVERNMENTAL FUNDS
DECEMBER 31, 2016

	Debt Service	Special Revenues	Library	Total Nonmajor Governmental Funds
ASSETS				
Cash and cash equivalents	\$ -	\$ -	\$ 304,516	\$ 304,516
Restricted cash and cash equivalents	3,446,055	205,549	-	3,651,604
Accounts receivable - net	-	70,232	-	70,232
Total assets	<u>\$ 3,446,055</u>	<u>\$ 275,781</u>	<u>\$ 304,516</u>	<u>\$ 4,026,352</u>
LIABILITIES AND FUND BALANCES				
Liabilities:				
Accounts payable	2,226	-	-	2,226
Due to other funds	117,342	20,003	-	137,345
Accrued expenses	-	-	18,974	18,974
Total liabilities	<u>119,568</u>	<u>20,003</u>	<u>18,974</u>	<u>158,545</u>
Fund balances:				
Nonspendable	-	-	-	-
Spendable:				
Restricted	3,326,487	255,778	-	3,582,265
Committed	-	-	-	-
Assigned	-	-	285,542	285,542
Unassigned	-	-	-	-
Total fund balances	<u>3,326,487</u>	<u>255,778</u>	<u>285,542</u>	<u>3,867,807</u>
Total liabilities, deferred inflows, and fund balances	<u>\$ 3,446,055</u>	<u>\$ 275,781</u>	<u>\$ 304,516</u>	<u>\$ 4,026,352</u>

The accompanying notes are an integral part of the financial statements.

THE CITY OF ORANGE BEACH, ALABAMA
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE
NONMAJOR GOVERNMENTAL FUNDS
FOR THE YEAR ENDED DECEMBER 31, 2016

	Debt Service	Special Revenues	Library	Total Nonmajor Governmental Funds
REVENUES				
Intergovernmental:				
State tax	\$ -	\$ 313,781	\$ -	\$ 313,781
Grants	-	-	4,000	4,000
Other licenses, permits and fees	-	1,792	-	1,792
Fines and forfeitures	-	51,902	-	51,902
Investment earnings	4,791	225	323	5,339
Miscellaneous	-	115,170	32,951	148,121
TOTAL REVENUES	<u>4,791</u>	<u>482,870</u>	<u>37,274</u>	<u>524,935</u>
EXPENDITURES				
Library	-	-	641,052	641,052
Securities lending:				
Fiscal agent fees	4,096	-	-	4,096
Debt service:				
Principal payments	4,138,550	-	-	4,138,550
Interest and other	733,200	-	-	733,200
TOTAL EXPENDITURES	<u>4,875,846</u>	<u>-</u>	<u>641,052</u>	<u>5,516,898</u>
Excess (deficiency) of revenues over expenditures	<u>\$ (4,871,055)</u>	<u>\$ 482,870</u>	<u>\$ (603,778)</u>	<u>\$ (4,991,963)</u>
OTHER FINANCING SOURCES (USES)				
Transfers in	4,913,598	-	605,780	5,519,378
Transfers out	(2,176)	(475,783)	-	(477,959)
TOTAL OTHER FINANCING SOURCES (USES)	<u>4,911,422</u>	<u>(475,783)</u>	<u>605,780</u>	<u>5,041,419</u>
Net change in fund balances	40,367	7,087	2,002	49,456
Fund balances - beginning	<u>3,286,120</u>	<u>248,691</u>	<u>283,540</u>	<u>3,818,351</u>
Fund balances - ending	<u>\$ 3,326,487</u>	<u>\$ 255,778</u>	<u>\$ 285,542</u>	<u>\$ 3,867,807</u>

The accompanying notes are an integral part of the financial statements.

THE CITY OF ORANGE BEACH, ALABAMA
STATEMENT OF NET POSITION
NONMAJOR PROPRIETARY FUNDS
DECEMBER 31, 2016

	Events Center	Arts Center	BCBC	Total Nonmajor Proprietary Funds
ASSETS				
Current assets				
Cash and cash equivalents	\$ -	\$ 17,143	\$ -	\$ 17,143
Accounts receivable	-	-	1,079,857	1,079,857
Total current assets	-	17,143	1,079,857	1,097,000
Noncurrent assets				
Capital assets:				
Land	158,648	-	-	158,648
Events center	1,667,976	-	-	1,667,976
Vehicles and equipment	52,449	-	-	52,449
Construction in progress	-	1,423,060	-	1,423,060
Less: Accumulated depreciation	(343,799)	-	-	(343,799)
Accounts receivable	-	-	2,086,124	2,086,124
Total noncurrent assets	1,535,274	1,423,060	2,086,124	5,044,458
TOTAL ASSETS	1,535,274	1,440,203	3,165,981	6,141,458
LIABILITIES				
Current liabilities:				
Accounts payable	\$ 43,984	\$ 139,220	\$ -	\$ 183,204
Retainage payable	-	60,619	-	60,619
Due to other funds	703,238	2,278,469	5,337,308	8,319,015
Accrued expenses	5,646	8,949	-	14,595
Accrued compensated absences	4,770	6,069	-	10,839
Total current liabilities	757,638	2,493,326	5,337,308	8,588,272
Noncurrent liabilities:				
Accrued compensated absences	-	257	-	257
Total noncurrent liabilities	-	257	-	257
TOTAL LIABILITIES	757,638	2,493,583	5,337,308	8,588,529
NET POSITION				
Invested in Capital Assets, net of related debt	1,535,274	-	-	1,535,274
Unrestricted	(757,638)	(1,053,380)	(2,171,327)	(3,982,345)
TOTAL NET POSITION	\$ 777,636	\$ (1,053,380)	\$ (2,171,327)	\$ (2,447,071)

The accompanying notes are an integral part of the financial statements.

THE CITY OF ORANGE BEACH, ALABAMA
STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN FUND NET POSITION
NONMAJOR PROPRIETARY FUNDS
FOR THE YEAR ENDED DECEMBER 31, 2016

	Events Center	Arts Center	BCBC	Total Nonmajor Proprietary Funds
OPERATING REVENUES				
Charges for services	\$ 201,574	\$ 118,880	\$ -	\$ 320,454
Miscellaneous income	-	18,997	-	18,997
Merchandise sales	-	83,900	-	83,900
TOTAL OPERATING REVENUES	201,574	221,777	-	423,351
COST OF GOODS SOLD	-	46,779	-	46,779
GROSS PROFIT	201,574	174,998	-	376,572
OPERATING EXPENSES				
Salaries, wages and employee benefits	193,278	313,165	-	506,443
Utilities	41,915	28,669	-	70,584
Repairs and maintenance	107,612	8,165	-	115,777
Other supplies and expenses	64,810	84,220	-	149,030
Depreciation	66,089	-	-	66,089
TOTAL OPERATING EXPENSES	473,704	434,219	-	907,923
OPERATING INCOME (LOSS)	(272,130)	(259,221)	-	(531,351)
NON-OPERATING REVENUES (EXPENSES)				
Interest income	-	34	31	65
Interest expense	-	-	(148,699)	(148,699)
TOTAL NON-OPERATING REVENUES (EXPENSES)	-	34	(148,668)	(148,634)
CHANGE IN NET POSITION	(272,130)	(259,187)	(148,668)	(679,985)
NET POSITION - BEGINNING OF YEAR	1,049,766	(794,193)	(2,022,659)	(1,767,086)
NET POSITION - END OF YEAR	\$ 777,636	\$ (1,053,380)	\$ (2,171,327)	\$ (2,447,071)

The accompanying notes are an integral part of the financial statements.

THE CITY OF ORANGE BEACH, ALABAMA
STATEMENT OF CASH FLOWS
NONMAJOR PROPRIETARY FUNDS
FOR THE YEAR ENDED DECEMBER 31, 2016

	Events Center	Arts Center	BCBC	Total Nonmajor Proprietary Funds
Cash flows from operating activities:				
Receipts from customers	\$ 201,574	\$ 221,776	\$ 1,079,858	\$ 1,503,208
Payments to employees for services	(191,438)	(313,066)	-	(504,504)
Payments to suppliers of goods & services	(183,265)	(38,499)	-	(221,764)
Payments to other funds	173,129	1,385,980	5,337,308	6,896,417
Net cash provided (used) by operating activities	-	1,256,191	6,417,166	7,673,357
Cash flows from capital and related financing activities:				
Interest income	-	34	31	65
Principal repayments related to capital purposes	-	-	(6,338,046)	(6,338,046)
Interest paid on other debt	-	-	(164,310)	(164,310)
Acquisition of property and equipment	-	(1,254,818)	-	(1,254,818)
Net cash provided (used) by capital and related financing activities	-	(1,254,784)	(6,502,325)	(7,757,109)
Net increase (decrease) in cash	-	1,407	(85,159)	(83,752)
Cash and equivalents at beginning of year	-	15,736	85,159	100,895
Cash and equivalents at end of year	\$ -	\$ 17,143	\$ -	\$ 17,143
Operating income (loss)	\$ (272,130)	\$ (259,221)	\$ -	\$ (531,351)
Adjustments to reconcile operating income to net cash provided (used) by operating activities:				
Depreciation	66,089	-	-	66,089
(Increase) decrease in:				
Accounts receivable - net	-	-	1,079,858	1,079,858
Due to other funds	173,129	1,385,980	5,337,308	6,896,417
Increase (decrease) in:				
Accounts payable	31,072	129,333	-	160,405
Accrued expenses	704	672	-	1,376
Accrued compensated absences	1,136	(573)	-	563
Total adjustments	272,130	1,515,412	6,417,166	8,204,708
Net cash provided (used) by operating activities	\$ -	\$ 1,256,191	\$ 6,417,166	\$ 7,673,357
<u>Supplemental Disclosures</u>				
Noncash Investing and Financing Activities: NONE				
Cash Paid During the Year for Interest	\$ -	\$ -	\$ 148,699	\$ -

The accompanying notes are an integral part of this financial statement.

COMPLIANCE AND INTERNAL CONTROL SECTION

GRANT, SANDERS & TAYLOR, P.C.

CERTIFIED PUBLIC ACCOUNTANTS

BERTRAM L. SANDERS, II, CPA
MATTHEW R. TAYLOR, CPA
JASON B. JACKSON, CPA

1530 W. 2ND STREET
POST OFFICE BOX 2109
GULF SHORES, ALABAMA 36547-2109
TELEPHONE 251.968.2727
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WWW.GRANTSANDERTAYLOR.COM

Members
American Institute of Certified
Public Accountants
Alabama Society of Certified
Public Accountants
Florida Institute of
Certified Public Accountants

REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH *GOVERNMENT AUDITING STANDARDS*

To the Honorable Mayor and Members of the City Council
Orange Beach, Alabama

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities, the business-type activities, each major fund, blended component units, and the aggregate remaining fund information of the City of Orange Beach, Alabama, as of and for the year ended December 31, 2016, and the related notes to the financial statements, which collectively comprise the City of Orange Beach, Alabama's basic financial statements and have issued our report thereon dated June 23, 2017.

Internal Control over Financial Reporting

In planning and performing our audit of the financial statements, we considered the City of Orange Beach, Alabama's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the City of Orange Beach, Alabama's internal control. Accordingly, we do not express an opinion on the effectiveness of the City of Orange Beach, Alabama's internal control.

Our consideration of internal control was for the limited purpose described in the preceding paragraph and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies and therefore, material weaknesses or significant deficiencies may exist that were not identified. However, as described in the accompanying schedule of findings and questioned costs, we identified certain deficiencies in internal control that we consider to be material weaknesses and significant deficiencies.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A material weakness is a deficiency, or a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. We consider the deficiencies described in the accompanying schedule of findings and questioned costs to be material weaknesses. [2016-1].

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the City of Orange Beach, Alabama's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements, noncompliance with which could have a direct and material effect on the determination of the financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards* and which are described in the accompanying schedule of findings and questioned costs.

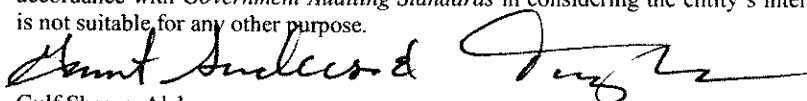
We also noted certain matters that we reported to management of The City of Orange Beach, Alabama in a separate letter dated June 20, 2016.

City of Orange Beach, Alabama's Response to Findings

The City of Orange Beach, Alabama's response to the finding identified in our audit is described in the accompanying schedule of findings and questioned costs. We did not audit the City of Orange Beach, Alabama's responses and, accordingly we express no opinion on them.

Purpose of this Report

This report of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.



Gulf Shores, Alabama
June 23, 2017

FINDING – INTERNAL CONTROL OVER FINANCIAL REPORTING

Significant control deficiencies in internal control reportable under *Generally Accepted Auditing Standards*, which are material weaknesses:

2016-1

Condition: Lack of controls over the period-end financial reporting process over nonrecurring transactions, including initiation, authorization, recording and processing of journal entries into the general ledger; and recording nonrecurring adjustments to the financial statements.

Criteria: Internal controls should be in place to provide reasonable assurance that non-routine payables, receivables and deferrals are correctly recorded.

Effect: The prior year audit entry for accrued payroll was not reversed. As a result, payroll expense and accrued payroll liability were overstated by \$501,258.

Recommendations: The finance department should perform a year end post-closing review of all accruals recorded.

Views of responsible officials and planned corrective action plan: The City will establish procedures over non-reoccurring transactions.

SUMMARY SCHEDULE OF PRIOR AUDIT FINDINGS

2015-1

Condition: Lack of controls over the period-end financial reporting process over nonrecurring transactions, including initiation, authorization, recording and processing of journal entries into the general ledger; and recording nonrecurring adjustments to the financial statements.

Criteria: Internal controls should be in place to provide reasonable assurance that non-routine payables, receivables and deferrals are correctly recorded.

Effect: CONDITION 1 > The year end accrual for payroll was incorrect, resulting in a \$501,258 understatement of payroll expense and accrued payroll liability.

CONDITION 2 > Grant revenues were accrued that had been earned and accrued in prior years but not received as of December 31, 2015. As a result, grant revenues and grant receivables were overstated by \$97,720.

Recommendations: The finance department should include posting non routine accrual in the monthly end closing process and should perform a year end post-closing review of all accruals recorded.

Views of responsible officials and planned corrective action plan: The City will establish procedures over non-reoccurring transactions.



**COMMITTEE OF THE WHOLE MEETING
SEPTEMBER 5, 2017**

Departments: Engineering and Environmental

Description of Topic:

Discuss city funding for utility repair associated with Fire Station 2 Drainage Improvement Project. (KA)

Action Options/Recommendation:

Drainage improvements to Fire Station 2 stormwater management outfall required storm sewer upgrades within newly acquired drainage easements on Harbor Cove Condominium site. Excavation within parking lot damaged electric service to condominium parking lot light poles and the onsite irrigation system. Repair of the utilities is outside the scope of the contractor's work. Staff is requesting approval to pay for the utility repair.

Source of Funding (if applicable) :

Irrigation repair: \$1504.05

Electric service repair: \$4047.49

TOTAL: \$5551.54

ATTACHMENTS:

Description

- ▣ Irrigation Repair Invoice
- ▣ Electric Service Repair Invoice
- ▣ Condo Acceptance Letter
- ▣ Contractor Letter - Utility Service Damage

PO BOX 6112
GULF SHORES, AL 36547

Office: 251.968.5619 Fax: 251.968.5609
www.kutters.net accounting@kutters.net

Invoice

34937

Date: 6/29/17 **Due:** 7/9/17


P.O. No.

Bill To:
Harbor Cove Condominiums
PO Box 3395
Gulf Shores , AL 36547

Service Location:
Harbor Cove Condominiums
27282 Canal Road
Orange Beach, AL 36561

PAID
07/17/17

Thank You! Your Business is Appreciated!

DESCRIPTION OF SERVICE	TOTAL
6/28/17 Irrigation Repairs; created tie-in and made all needed repairs for island damaged from construction at zone #3. Materials & Labor: (20') ¾" Schedule 40 PVC Pipe (4) ¾" Schedule 40 PVC 90° (2) ¾" PVC Tees (2) ¾" PVC Slip-Fix (4) ¾" PVC Couplings (5') Funny Pipe (2) ½" Barbed 90° (1) 4" Pop-Up Spray (1) 15VAN Nozzle (6½) Man Hours	323.43
<div>  "A Kutt Above The Rest" Total Due: \$0.00 </div>	



PO Box 6112, Gulf Shores, AL 36547
251.968.5619 accounting@kutters.net

Invoice

Invoice No.: 34611
Invoice Date: 5/18/17
Due Date: 5/28/17
PO No.:

Bill To

Harbor Cove Condominiums
PO Box 3395
Gulf Shores, AL 36547

PAID
05/26/17

Job Name

Harbor Cove Condominiums
27282 Canal Road
Orange Beach, AL 36561

Thank You! Your business is appreciated!

Description	Amt
5/11/17 Irrigation Repairs; added time to zones and set to run daily. Tried running through zones but there is no water, construction ripped up a zone valve and piping and they turned the water off. Will return to get up with Mark. 1 1/4 Man Hours Labor Today	56.25
5/16/17 Irrigation Repairs; techs met with Mark to go over repairs needed due to construction damage. Tied back in tore up main, installed new zone valve, rewired torn up wire, will return tomorrow to finish. Note: only zones 2, 7, 11, 13, 14 & 15 will run tonight. Materials & Labor: (1) RainBird DV100 Valve (1) 1" PVC 90° (3) 1" PVC Caps (1) 3/4" PVC Cap (1) 1 1/2" PVC Tee (1) 1 1/2" PVC Slip-Fix (1) 2" PVC Slip-Fix (1) 2" PVC Coupling (1) 2" x 1 1/2" PVC Reducer (40') 1 1/2" PVC Pipe (10') 1" PVC Pipe (30') 7-Strand Timer Wire (10') 3-Strand Timer Wire (24) Gel Wire Nuts (1) 6" Round Valve Box w/Lid (1) 10" Round Valve Box w/Lid (10) Man Hours Labor (discounted our usual labor rate)	507.17
5/17/17 Irrigation Repairs; continue repairs from yesterday. Finished zone they tore up; piping, heads, etc. Ran through system and all zones but 3 & 4 are running. Mark said to wait until construction is finished before coming back to repair. Materials & Labor: (1) 10" Valve Box w/Lid (2) 1" PVC Tees (8) 1" PVC 90° (4) 1" x 3/4" PVC Reducers (20') 1" PVC Pipe (2) 12" Pop-Up Sprays (4) 4" Pop-Up Sprays (6) 15VAN Nozzles (2) 1" PVC Dead End 90° (5') Funny Pipe (4) 1/2" Barbed 90° (7) Man Hours Labor (discounted our usual labor rate)	332.07

Catch Us on the Web!

www.kutters.net

Total Due

\$895.49



PO BOX 6112
GULF SHORES, AL 36547

Office: 251.968.5619 Fax: 251.968.5609
www.kutters.net accounting@kutters.net

Invoice

34816


Date: 6/20/17 **Due:** 6/30/17
P.O. No.

Bill To:
Harbor Cove Condominiums
PO Box 3395
Gulf Shores , AL 36547

PAID
06/28/17

Service Location:
Harbor Cove Condominiums
27282 Canal Road
Orange Beach, AL 36561

Thank You! Your Business is Appreciated!

DESCRIPTION OF SERVICE	TOTAL
6/14/17 Irrigation Repairs—WO #2406; make repairs on two zones that were damaged during parking lot construction. Zone #3: Repaired zone, capped one lateral that they broke to center island. They will have to cut out asphalt so we can re-run a pipe to tie back in; Mark will inform us when it's ready. Zone #4: Repaired zone, capped leak under asphalt. Tested system and all zones running good! Materials & Labor: (1) ¾" PVC Slip-Fix (1) ¾" PVC Coupling (20') 1" PVC Pipe (1) 1" PVC Coupling (1) 1" x ½" Service Tee (1) ½" Barbed 90° (1) ¾" Barbed 90° (5') Funny Pipe (1) RainBird 3.0 Rotor (1) ½" PVC Threaded Cap (2) 6" Pop-Up Sprays (2) 155ST Nozzles (5) Man Hours Labor	285.13
 "A Kutt Above The Rest"	Total Due: \$0.00

Job Total Balance

\$45.00

General Electrical Maintenance Services, LLC

4630 Pine Blvd.
Orange Beach, AL 36561
251.981.2820

Invoice

Bill To
Marc Rounsaville Harbor Cove 27282 Canel Rd. Orange Beach, Al 36561 703-772-7507

Date	Invoice #
7/11/2017	2696

Due Upon Receipt

Quantity	Description	Rate	Amount
	6/26/17		
6	Electrician w/truck	75.00	450.00
6	Electrician's helper	35.00	210.00
6	Electrician's helper	35.00	210.00
	- Toned and located where parking lot lights wires feed from		
	- Disconnected them and repaired broken conduit in ground serval times		
	6/27/17		
9.5	Electrician w/truck	75.00	712.50
9.5	Electrician's helper	35.00	332.50
	- Cleared out all conduit		
	- Removed wires and debris from pipe		
	- Pulled run of #6 wire from the panel to 1st parking lot pole		
	6/28/17		
6.5	Electrician w/truck	75.00	487.50
6.5	Electrician's helper	35.00	227.50
6.5	Electrician's helper	35.00	227.50
	- Repelled wires for parking lot lights		
	- Pulled ground wire		
	6/29/17		
5.5	Electrician w/ truck	75.00	412.50
5.5	Electrician's helper	35.00	192.50
	- Rewired parking lot lights		
	- Trouble shot why lights were not working		
	- Found that light needs to be replaced		
	Materials Used		
400	ft #6 wire	0.83	332.00
400	ft of #10	0.42	168.00
1	2" box pvc	13.31	13.31
4	2" couplings	0.82	3.28
1	can pvc glue	9.25	9.25
		Total	

gems_on_the_coast@yahoo.com

Pay online at: <https://ipn.intuit.com/login/qb>

Page 1

4630 Pine Blvd.
Orange Beach, AL 36561
251.981.2820

Date	Invoice #
7/11/2017	2696

Marc Rounsaville
Harbor Cove
27282 Canel Rd.
Orange Beach, Al 36561
703-772-7507

[illegible]

August 26, 2017

All,

I have reviewed the work Blade Construction completed on Harbor Cove property and we are satisfied. Jeff, of HMR Engineering did an excellent job of keeping me informed and assuring quality work.

I would also like to thank the City of Orange Beach for taking on this project.

If there are questions please feel free to contact me.

Regards,

Marc Rounsaville

Marc Rounsaville

BLADE

CONSTRUCTION

August 24, 2017

Hutchinson, Moore & Rauch, LLC
PO Box 1127
Daphne, AL 36526

Re: Harbor Cove

To whom it may concern,

The damage to the utilities at Harbor Cove was due to the unknown location of the utility lines. It was discussed during pre-construction that the location of the utilities in Harbor Cove parking area were unknown. During demo of the asphalt, the lines were in the asphalt. Blade Construction did absorb some of the cost to fix the lines. Harbor Cove's contractor fixed some as well. (i.e. invoice produced by Harbor Cove). Given the fact that the utilities were not located, Blade Construction is not responsible for the damage.

Sincerely,



Colin Uter
President

PHYSICAL ADDRESS: 18234 COUNTY ROAD 12; FOLEY, AL 36535
MAILING ADDRESS: P.O. Box 359; BON SECOUR, AL 36511
PHONE 251.970.1050 FAX 800.927.6031
WWW.BLADECONSTRUCTION.COM

ITEM 5.



**COMMITTEE OF THE WHOLE MEETING
SEPTEMBER 5, 2017**

Departments: Administration

Description of Topic:

Discuss 2% increase in lodgings tax. (TK)

Action Options/Recommendation:

Source of Funding (if applicable) :



**COMMITTEE OF THE WHOLE MEETING
SEPTEMBER 5, 2017**

Departments: Community Development

Description of Topic:

Resolution authorizing the Mayor to execute a professional services agreement with Amec Foster Wheeler Environment & Infrastructure, Inc., for engineering services. (LS)

Action Options/Recommendation:

This contract replaces the expired contract with MACTEC Engineering and Consulting, Inc., to provide consulting for FEMA standard building safety evaluations and other engineering services.

Source of Funding (if applicable) :

Budgeted under professional services for Engineering & Environmental

ATTACHMENTS:

Description

- ▣ Resolution
- ▣ Agreement

RESOLUTION NO. 17-xxx

**A RESOLUTION AUTHORIZING THE EXECUTION OF A
PROFESSIONAL SERVICES AGREEMENT WITH
AMEC FOSTER WHEELER ENVIRONMENT & INFRASTRUCTURE, INC.
FOR ENGINEERING SERVICES**

FINDINGS:

1. The City of Orange Beach and Amec Foster Wheeler Environment & Infrastructure, Inc., have reached an agreement (attached Exhibit A) whereby Amec Foster Wheeler Environment & Infrastructure, Inc., will provide engineering services for the City of Orange Beach.
2. After having reviewed the agreement, the City Council has determined that the provisions are in the best interest of the City of Orange Beach, Alabama.
3. The term of this agreement shall be for twelve (12) months from the date of adoption by the Orange Beach City Council.

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

1. That the Mayor is hereby authorized to execute the agreement in substantially the form and of substantially the content now before the Council between the City of Orange Beach and Amec Foster Wheeler Environment & Infrastructure, Inc., as an act for and on behalf of the City of Orange Beach subject to final approval by the City Attorney; and
2. That this Resolution shall become effective immediately upon its adoption.

ADOPTED THIS 19th DAY OF SEPTEMBER, 2017.

Renee Eberly
City Clerk

C E R T I F I C A T E

I, Renee Eberly, City Clerk of the City of Orange Beach, Alabama, do hereby certify that the foregoing is a true and correct copy of Resolution No. 17-xxx, which was duly and legally adopted at a regular meeting of the City Council on September 19, 2017.

City Clerk



August 14, 2017

Mr. Landon K. Smith, CBO
City of Orange Beach
P.O. Box 458
Orange Beach, AL 36561

Subject: Performance Contract Agreement

Dear Mr. Smith,

Please find attached a signed copy of the Performance Contract between Amec Foster Wheeler Environment & Infrastructure, Inc. and the City of Orange Beach, Alabama.

We have included a copy of our 2017 Rate Schedule and a general certificate of insurance showing proof of coverage. If there is any additional information required, please let us know.

If you have any questions, please contact John Rigrish at 251-433-0880, ext. 4018. Thank you again for the opportunity to provide engineering services to the City of Orange Beach.

Sincerely,

Amec Foster Wheeler Environment & Infrastructure, Inc.

A handwritten signature in black ink, appearing to read "JR", with a stylized flourish extending to the right.

John Rigrish, P.E.
Senior Engineer

A handwritten signature in blue ink, appearing to read "Steven D. Stewart", with a stylized flourish extending to the right.

Steven D. Stewart, P.E.
Branch Manager

Attachment: Performance Contract

PERFORMANCE CONTRACT

THIS PERFORMANCE CONTRACT (hereinafter "Agreement") is made and entered into by and between the City of Orange Beach, an Alabama Municipal Corporation (hereinafter "City"), and Amec Foster Wheeler Environment & Infrastructure, Inc. (hereinafter "Contractor"), as follows:

WHEREAS, Contractor is engaged in the business of providing Engineering services;

WHEREAS, City desires to engage Contractor to provide said services upon the following terms and conditions;

NOW THEREFORE,

WITNESSETH:

City and Contractor, for and in consideration of the mutual covenants and agreements hereinafter set forth to be kept and performed by the other, and other good and valuable consideration, the receipt and sufficiency of all of which are hereby acknowledged, do hereby covenant and agree as follows:

I. SERVICES TO BE PERFORMED

Contractor agrees to perform Engineering Services, and to represent the City as requested as their Engineering Service Provider on a variety of assigned project. Each project will be assigned to Contractor in the form of a written Task Order describing the scope of work. A copy of this Agreement shall be attached to each Task Order.

Contractor agrees to perform services that may include, but not be limited to, preliminary planning, project coordination, schematic layouts, preliminary design drawings, final design drawings, preparation of bid/construction documents, cost estimating services, bidding services, attending various inter-agency meetings, consultation to the City as requested, and other services as requested.

II. COMPENSATION

Fees for work completed and reimbursable expenses will be invoiced to the City on a monthly basis, based on the following hourly rate schedule:

See Attached Rate Schedule

III. TERM OF AGREEMENT

Unless terminated earlier in accordance with the termination provisions of this Agreement, the term of this Agreement shall commence upon its adoption by the Orange Beach City Council and shall continue thereafter for twelve months.

IV. GENERAL PROVISIONS

- A. Contractor agrees to permit at all reasonable times and places an audit of its books and records by City's duly authorized representatives.
- B. Notwithstanding any of the provisions of this Agreement, it is agreed that City has no financial interest in the business of Contractor and shall not be liable for any debts or obligations incurred by Contractor, nor shall City be deemed or construed to be a partner, joint venture or otherwise interested in the assets of Contractor, or in the sums earned or derived by Contractor, nor shall Contractor at any time or times use the name or credit of City

in purchasing or attempting to purchase any car, equipment, supplies or other thing or things whatsoever.

- C. Contractor shall act as a representative of the City, under the direct supervision of the City. Contractor shall have no authority to obligate the City in any way whatsoever. In the performance of his duties, the Contractor shall be deemed an independent contractor.
- D. Contractor acknowledges that its identity and peculiar capacity to provide the services described hereinabove constitute a material consideration for City's having entered into this Agreement. Therefore, Contractor shall not transfer or assign this Agreement or any of the rights or privileges granted herein without the prior written consent of City; which such consent shall be granted or denied solely at City's discretion.
- E. Contractor hereby agrees to comply strictly with all ordinances of the City of Orange Beach, Alabama, and the laws of the State of Alabama and of the United States while performing its obligations under the terms of this Agreement.
- F. Contractor agrees that upon the violation of any of the covenants and agreements herein contained, on account of any act or omission or commission of Contractor, City may, at its option, terminate and cancel this Agreement.
- G. Contractor agrees that it will comply with Title 6 of the Civil Rights Act of 1964 which provides that no person will be excluded from participation in, or be denied benefits of, or otherwise be subjected to discrimination on the grounds of race, sex, color, national origin, or disability, in connection with federally funded programs.
- H. City may terminate this Agreement with or without cause at any time by giving written notice to Contractor of such termination (herein called a "Notice of Termination"), specifying the effective date thereof not less than thirty (30) calendar days before the effective date of the termination. Contractor shall have the right to terminate this Agreement by giving City written notice and remaining in service for a sufficient time to allow City to seek a suitable replacement. Should Contractor be terminated pursuant to the terms of this subpart, then this Agreement shall terminate on the last day of Contractor's current month of employment and City shall not be liable for any compensation beyond that date.
- I. Contractor agrees to indemnify and hold the City, its elected officials, officers, agents, and employees whole and harmless from all costs, liabilities and claims for damages of any kind arising in any way out of the negligent acts, errors or omissions of the contractor in performance of this Agreement and/or the activities of the Contractor, its principals, directors, agents, servants and employees in the performance of this Agreement, for which the City is alleged to be liable. In the event the City, through no fault of its own, is made a party to any lawsuit or legal proceeding arising from Contractor's activities under this Agreement, Contractor agrees to indemnify and hold the City harmless from all costs, including attorneys' fees and expenses, associated with same. This indemnification extends only to third party claims and actions filed against the City as a result of any negligent actions by the Contractor under this Agreement. This duty shall survive the termination of this contract.
- J. All notices of cancellation, requests, demands, or other communications shall be in writing and duly delivered to the following address for City at:

Ken Grimes, City Administrator
P.O. Box 458
Orange Beach, Alabama 36561

And to Contractor at:

169 Dauphin Street, Suite 320, Mobile, AL 36602

- K. This Agreement is the final expression of the agreement between the parties, and the complete and exclusive statement of the terms agreed upon, and shall supersede all prior negotiations, understandings, or agreements. There are no representations, warranties, or stipulations, either oral or written, not contained herein.
- L. Any alterations, variations, modifications, or waivers of the provisions of this Agreement shall only be valid when they have been reduced to writing and signed by authorized representatives of the party against whom enforcement is sought.
- M. The provisions of this Agreement shall be deemed severable. If any part of this Agreement is rendered void, invalid or unenforceable, such rendering shall not affect the enforceability of the remainder of this Agreement unless the part or parts which are void, invalid or otherwise unenforceable shall substantially impair the value of the entire agreement with respect to any party.
- N. This Agreement shall be governed by the laws of the State of Alabama, and the appropriate venue for any actions arising out of this Agreement shall be Baldwin County, Alabama.
- O. Contractor shall obtain, at its own expense, all necessary licenses, permits, insurance, authorization and assurances necessary in order to abide by the terms of this Agreement.

V. INSURANCE

For the term of this Agreement, the Contractor shall acquire and maintain in full force and effect the following liability and comprehensive insurance issued by a company licensed and qualified to do business in the State of Alabama, which such insurance shall name the City of Orange Beach as an additional insured, and shall attach to this contract, as proof thereof, a certificate of insurance issued by an agent licensed and qualified to do business in the State of Alabama:

Worker's Compensation – as required by State of Alabama law

General Liability Insurance – public liability including premises, products, complete operations and automobile comprehensive and liability, including owned, non-owned, and hired vehicles.

Either:

- (1) Bodily injury liability
 - \$250,000 each person
 - \$500,000 each occurrence
- Property damage liability
 - \$100,000 each occurrence

Or,

(2) Bodily injury and property damage combined
\$500,000 per occurrence

Professional Errors and Omissions – coverage limits of \$3,000,000 each claim and policy aggregate, an extended discovery period to apply for at least two (2) years after work is accepted by the City of Orange Beach, and a deductible not to exceed \$10,000 for which the Contractor will remain solely responsible.

If the certificate of insurance referenced in this Agreement does not evidence insurance of owned vehicles, said certificate and this sentence shall evidence the Contractor's covenant that it does not own any vehicles and that it will not purchase or obtain any vehicles during the term of this Agreement.

Said certificate shall require that said insurance will not be altered or terminated unless City shall be given written notice of such alteration or termination delivered to City not less than thirty (30) days before the effective date of such alteration or termination.

IN WITNESS WHEREOF, we have hereunto set our hands and seals on this the _____ day of _____, 20____.

CITY OF ORANGE BEACH, A Municipal Corporation

By: _____
Mayor Anthony T. Kennon

ATTEST:

City Clerk

CONTRACTOR:

Amec Foster Wheeler Environment & Infrastructure, Inc.

By:  _____
Steven D. Stewart, Branch Manager



**AMEC FOSTER WHEELER ENVIRONMENT & INFRASTRUCTURE, INC.
2017 RATE SCHEDULE**

The hourly labor rates set forth below are valid from January 1, 2017 and are subject to annual revision thereafter. Amec Foster Wheeler will provide CLIENT thirty days advance written notice of any such revisions.

PROFESSIONAL SERVICES

CLIENT agrees to reimburse Amec Foster Wheeler for all hours worked by professionals at the following classifications and associated hourly labor rates. For expert witness testimony and related services in connection with litigation, CLIENT agrees to reimburse Amec Foster Wheeler for all hours worked by professionals at the following classifications, but at one and one half times the associated hourly labor rates.

<u>CLASSIFICATION</u>	<u>RATE/HOUR</u>	<u>CLASSIFICATION</u>	<u>RATE/HOUR</u>
Professional Levels 1	\$55.00	Professional Level 19	\$165.00
Professional Levels 2	\$60.00	Professional Level 20	\$170.00
Professional Levels 3	\$65.00	Professional Level 21	\$180.00
Professional Level 4	\$70.00	Professional Level 22	\$190.00
Professional Level 5	\$75.00	Professional Level 23	\$200.00
Professional Level 6	\$80.00	Professional Level 24	\$210.00
Professional Level 7	\$85.00	Professional Level 25	\$220.00
Professional Level 8	\$90.00	Professional Level 26	\$240.00
Professional Level 9	\$95.00	Professional Level 27	\$250.00
Professional Level 10	\$100.00	Professional Level 28	\$260.00
Professional Level 11	\$105.00	Professional Level 29	\$270.00
Professional Level 12	\$110.00	Professional Level 30	\$280.00
Professional Level 13	\$115.00	Professional Level 31	\$290.00
Professional Level 14	\$120.00	Professional Level 32	\$300.00
Professional Level 15	\$130.00	Professional Level 33	\$310.00
Professional Level 16	\$140.00	Professional Level 34	\$320.00
Professional Level 17	\$145.00	Professional Level 35	\$330.00
Professional Level 18	\$150.00		

TECHNICIAN SERVICES

CLIENT agrees to reimburse Amec Foster Wheeler for all hours worked by technicians at the following classifications and associated hourly labor rates.

<u>CLASSIFICATION</u>	<u>RATE/HOUR</u>	<u>OVERTIME</u>	<u>CLASSIFICATION</u>	<u>RATE/HOUR</u>	<u>OVERTIME</u>
Technician Level 1	\$27.50	\$41.25	Technician Level 16	\$85.00	\$127.50
Technician Level 2	\$30.00	\$45.00	Technician Level 17	\$90.00	\$135.00
Technician Level 3	\$32.50	\$48.75	Technician Level 18	\$95.00	\$142.50
Technician Level 4	\$35.00	\$52.50	Technician Level 19	\$100.00	\$150.00
Technician Level 5	\$37.50	\$56.25	Technician Level 20	\$105.00	\$157.50
Technician Level 6	\$40.00	\$60.00	Technician Level 21	\$110.00	\$165.00
Technician Level 7	\$42.50	\$63.75	Technician Level 22	\$115.00	\$172.50
Technician Level 8	\$45.00	\$67.50	Technician Level 23	\$120.00	\$180.00
Technician Level 9	\$47.50	\$71.25	Technician Level 24	\$125.00	\$187.50
Technician Level 10	\$55.00	\$82.50	Technician Level 25	\$130.00	\$195.00
Technician Level 11	\$60.00	\$90.00	Technician Level 26	\$135.00	\$202.50
Technician Level 12	\$65.00	\$97.50	Technician Level 27	\$140.00	\$210.00
Technician Level 13	\$70.00	\$105.00	Technician Level 28	\$145.00	\$217.50
Technician Level 14	\$75.00	\$112.50	Technician Level 29	\$150.00	\$225.00
Technician Level 15	\$80.00	\$120.00			



ADMINISTRATIVE SERVICES

CLIENT agrees to reimburse Amec Foster Wheeler for all hours worked by administrative staff at the following classifications and associated hourly labor rates.

<u>CLASSIFICATION</u>	<u>RATE/HOUR</u>	<u>OVERTIME</u>	<u>CLASSIFICATION</u>	<u>RATE/HOUR</u>	<u>OVERTIME</u>
Administrative Level 1	\$35.00	\$52.50	Administrative Level 8	\$70.00	\$105.00
Administrative Level 2	\$40.00	\$60.00	Administrative Level 9	\$75.00	\$112.50
Administrative Level 3	\$45.00	\$67.50	Administrative Level 10	\$80.00	\$120.00
Administrative Level 4	\$50.00	\$75.00	Administrative Level 11	\$85.00	\$127.50
Administrative Level 5	\$55.00	\$82.50	Administrative Level 12	\$90.00	\$135.00
Administrative Level 6	\$60.00	\$90.00	Administrative Level 13	\$100.00	\$150.00
Administrative Level 7	\$65.00	\$97.50	Administrative Level 14	\$110.00	\$165.00

MISCELLANEOUS EXPENSES – 6% of Labor Charges

CLIENT agrees to reimburse Amec Foster Wheeler for miscellaneous expenses incurred, such as consumable supplies, telephone & facsimile charges, photo processing, and small tools, etc., not otherwise invoiced as other direct expenses, at the rate of 6% of labor charges.

OTHER DIRECT EXPENSES

CLIENT agrees to reimburse Amec Foster Wheeler for all other direct expenses incurred at the following rates, except as otherwise specified by Amec Foster Wheeler in its proposal:

Travel Expenses: Transportation (mileage, air travel, car rental, etc.), lodging, meals, & incidental expenses	Cost plus 15%
Subcontract Expenses: Supplies or services furnished to Amec Foster Wheeler in support of project activities by any supplier or firm, except temporary agency or consultant staff charged at above hourly rates	Cost plus 15%
Direct Expenses: Other expenses in support of project activities	Cost Plus 15%



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
04/27/2017

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

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

PRODUCER Construction Risk Partners a JLT Group Company Campus View Plaza 1250 Route 28, Suite 201 Branchburg, NJ 08876		1-908-566-1010		CONTACT NAME: Lauren Bowman	
INSURED AMEC USA Holdings, Inc. a/o Subsidiary Companies 1979 Lakeside Parkway, Suite 500 Tucker, GA 30084		PHONE (A/C, No, Ext): 908-566-1010		FAX (A/C, No): 908-566-1020	
		E-MAIL ADDRESS: amecfw@constructionriskpartners.com			
		INSURER(S) AFFORDING COVERAGE			
		INSURER A: ACE AMER INS CO		NAIC # 22667	
		INSURER B: ZURICH AMER INS CO		16535	
		INSURER C: ACE PROP & CAS INS CO		20699	
		INSURER D: AMERICAN ZURICH INS CO		40142	
		INSURER E:			
		INSURER F:			

COVERAGES**CERTIFICATE NUMBER:** 49720348**REVISION NUMBER:**

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

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PROJECT <input checked="" type="checkbox"/> LOC OTHER:		HDO G27851162	05/01/17	05/01/18	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 2,000,000 GENERAL AGGREGATE \$ 4,000,000 PRODUCTS - COMP/OP AGG \$ 4,000,000
B	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input checked="" type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY <input checked="" type="checkbox"/> Comp \$1,000 <input checked="" type="checkbox"/> Coll \$1,000		BAP 9483148-06	05/01/17	05/01/18	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
C	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$ 10,000		XOO G27240665	05/01/17	05/01/18	EACH OCCURRENCE \$ 1,000,000 AGGREGATE \$ 1,000,000
D	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y/N D ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N/A	WC 3504866-16 WC 3867133-10	05/01/17 05/01/17	05/01/18 05/01/18	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
B	Architects & Engineers Prof		EOC1008375-02	05/01/17	05/01/18	Any One Claim/Agg 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Evidence of Insurance for AMEC USA Holdings Inc. and/or subsidiary companies.

AMEC USA Holdings, Inc., Amec Foster Wheeler Ventures, Inc. (formerly National Ventures, Inc.), Amec Foster Wheeler AES Inc. (formerly AMEC AES, Inc.), Amec Foster Wheeler Environment & Infrastructure, Inc. (formerly AMEC Environment & Infrastructure, Inc.), Amec Foster Wheeler Oil & Gas, Inc., (formerly AMEC Oil & Gas, Inc.), Amec Foster Wheeler E&C Services, Inc. (formerly AMEC E&C Services, Inc.), Amec Foster Wheeler Kamtech, Inc. (formerly AMEC Kamtech, Inc.), Terra Nova Technologies, Inc., Amec Foster Wheeler Constructors, Inc., Amec Foster Wheeler North America Corp., Amec Foster Wheeler USA Corporation.

CERTIFICATE HOLDER**CANCELLATION**

AMEC USA Holdings, Inc. a/o Subsidiary Companies 1979 Lakeside Parkway, Suite 500 Tucker, GA 30084 USA	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE William R. Hamilton

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ACORD 25 (2016/03)

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Nhuddy
49720348



**COMMITTEE OF THE WHOLE MEETING
SEPTEMBER 5, 2017**

Departments: Administration

Description of Topic:

Resolution authorizing the Mayor to execute a professional services agreement with Hutchinson, Moore & Rauch, LLC, for engineering services. (KA)

Action Options/Recommendation:

Previous agreement with HMR expired June 2017.

Source of Funding (if applicable) :

Budgeted under professional services for Engineering & Environmental Department.

ATTACHMENTS:

Description

- ▣ Resolution
- ▣ Agreement

RESOLUTION NO. 17-xxx

**A RESOLUTION AUTHORIZING THE EXECUTION OF A
PROFESSIONAL SERVICES AGREEMENT WITH
HUTCHINSON, MOORE & RAUCH, LLC
FOR ENGINEERING SERVICES**

FINDINGS:

1. The City of Orange Beach and Hutchinson, Moore & Rauch, LLC, have reached an agreement (attached Exhibit A) whereby Hutchinson, Moore & Rauch, LLC, will provide engineering services for the City of Orange Beach.
2. After having reviewed the agreement, the City Council has determined that the provisions are in the best interest of the City of Orange Beach, Alabama.
3. The term of this agreement shall be for twenty-four (24) months from the date of adoption by the Orange Beach City Council.

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

1. That the Mayor is hereby authorized to execute the agreement in substantially the form and of substantially the content now before the Council between the City of Orange Beach and Hutchinson, Moore & Rauch, LLC, as an act for and on behalf of the City of Orange Beach subject to final approval by the City Attorney; and
2. That this Resolution shall become effective immediately upon its adoption.

ADOPTED THIS 19th DAY OF SEPTEMBER, 2017.

Renee Eberly
City Clerk

C E R T I F I C A T E

I, Renee Eberly, City Clerk of the City of Orange Beach, Alabama, do hereby certify that the foregoing is a true and correct copy of Resolution No. 17-xxx, which was duly and legally adopted at a regular meeting of the City Council on September 19, 2017.

City Clerk

HUTCHINSON, MOORE & RAUCH, LLC

Professional Services Agreement

PART 1. GENERAL

THIS AGREEMENT, including attachments as hereinafter noted, made and entered into and between Hutchinson, Moore & Rauch, LLC and the Client identified herein, provides for the Professional Services described under Part 3 of this Agreement.

Client: City of Orange Beach

Address: Post Office Box 458

City/State/Zip Code: Orange Beach, AL 36561

Contact Person: Ken Grimes

Phone: 251.981.6979 **Fax:** 251.981.2551 **Cell:**

Short Title: General Consultant Services, or the "Project"

PART 2. GENERAL DESCRIPTION OF PROJECT SITE:

Orange Beach, Alabama

PART 3. DESCRIPTION OF PROFESSIONAL SERVICES to be provided by Hutchinson, Moore & Rauch, LLC are identified below:

See Attachment A of this Contract

PART 4. THE COMPENSATION TO BE PAID Hutchinson, Moore & Rauch, LLC for providing the requested Services shall be as follows:

See Attachment B of this Contract.

IN WITNESS WHEREOF, this Agreement, which is subject to the General Terms and Conditions (Part 5.) is accepted on the later date written below.

CITY OF ORANGE BEACH, ALABAMA:

SIGNED:

TYPED NAME: Tony Kennon

TITLE: Mayor

DATE:

Attest: City Clerk
Renee Eberly

HUTCHINSON, MOORE & RAUCH, LLC:

SIGNED:

TYPED NAME: Douglas A. Bailey, P.E.

TITLE: Vice President

DATE: August 17, 2017

PART 5. TERMS AND CONDITIONS

- 5.1 DATE OF COMMENCEMENT AND DURATION:** The Date of Commencement of this Agreement shall be the date last appearing on the signature page. This Agreement shall remain in effect for 24 months from the acceptance date of this agreement, or until terminated as provided herein, or extended by mutual agreement in writing.
- 5.2 IF HUTCHINSON, MOORE & RAUCH, LLC's SERVICES UNDER THIS AGREEMENT ARE DELAYED** for reasons beyond HUTCHINSON, MOORE & RAUCH, LLC's control, the completion date specified in this Agreement shall be modified accordingly and the fees shall be renegotiated for any unfinished services as of the effective date of such change.
- 5.3 COMPENSATION DEFINITIONS:** Reimbursable costs include: fees of Professional Subcontractors (whose expertise is required to complete the project) and out-of-pocket expenses, the cost of which shall be charged at actual costs plus an administrative charge of ten percent (10%) and shall be itemized and included in the invoice.
- 5.4 INVOICE PROCEDURES AND PAYMENT:** Hutchinson, Moore & Rauch, LLC shall submit invoices to the Client for Services accomplished during each calendar month. For Services provided on a Lump Sum basis, the amount of each monthly invoice shall be determined on the "percentage of completion method" whereby Hutchinson, Moore & Rauch, LLC will estimate the percentage of the total Services (provided on a Lump Sum basis) accomplished during the invoicing period. Monthly invoices shall include, separately listed, any charges for Services for which time charges and/or unit costs shall apply. Such invoices shall also include, separately listed, any charges for Professional Subcontractors and reimbursable costs. Hutchinson, Moore & Rauch, LLC shall submit such invoices as soon as possible after the end of the month in which the Services were accomplished and shall be due and payable by the Client upon receipt.
- The Client, as owner or authorized agent for the owner, hereby agrees that payment will be made for said Services within thirty (30) days from the date of the invoice; and, in default of such payment, hereby agrees to pay all costs of collection, including reasonable attorney's fees, regardless of whether legal action is initiated. The Client hereby acknowledges that unpaid invoices shall accrue interest at twelve percent (12%) per annum after they have been outstanding for over sixty (60) days. If an invoice remains unpaid ninety days (90) after the date of the invoice, Hutchinson, Moore & Rauch, LLC may, upon giving seven (7) days written notice of its intent to do so, suspend all Services on the Client's project. This suspension shall remain in effect until all unpaid invoices are paid in full. If an invoice remains unpaid one hundred and twenty days (120) after the date of the invoice, Hutchinson, Moore & Rauch, LLC may, upon giving seven (7) days written notice of its intent to do so, terminate this Agreement and pursue its remedies for collection.
- 5.5 EXPERT WITNESS SERVICES:** It is understood and agreed that Hutchinson, Moore & Rauch, LLC services under this Agreement do not include participation, whatsoever, in any litigation. Should such services be required, a Professional Services Agreement Addendum may be negotiated between the Client and Hutchinson, Moore & Rauch, LLC describing the services desired and providing a basis for compensation to Hutchinson, Moore & Rauch, LLC.
- 5.6 COST ESTIMATES:** Client hereby acknowledges that Hutchinson, Moore & Rauch, LLC cannot warrant that estimates of probable construction or operating costs provided by Hutchinson, Moore & Rauch, LLC will not vary from actual costs incurred by the Client.
- 5.7 LIMIT OF LIABILITY:** The limit of liability of Hutchinson, Moore & Rauch, LLC to the Client for any cause or combination of causes resulting from the Services hereunder rendered, shall be, in total amount, limited to the fees paid under this Agreement.
- 5.8 CONSTRUCTION SERVICES:** If, under this Agreement, professional services are provided during the construction phase of the project, Hutchinson, Moore & Rauch, LLC shall not be responsible for or have control over means, methods, techniques, sequences, or procedures; or for safety precautions and programs in connection with the Work. Nor shall Hutchinson, Moore & Rauch, LLC be responsible for the Contractor's failure to carry out the Work in accordance with the Contract Documents or for Contractor's failure to comply with applicable laws, ordinances, rules or regulations. Under no circumstances will Hutchinson, Moore & Rauch, LLC have any direct contractual relationship with the contractor, any subcontractors or material suppliers.
- 5.9 INSURANCE:** Hutchinson, Moore & Rauch, LLC shall at all times carry, on all operations hereunder, worker's compensation insurance, public liability and property insurance, automotive public liability and property damage insurance, and professional errors and omissions insurance. At the request of the Client, Hutchinson, Moore & Rauch, LLC will have the client listed as additional insured where appropriate.
- 5.10 ASSIGNMENT:** Neither the Client nor Hutchinson, Moore & Rauch, LLC will assign or transfer its interest in this Agreement without the written consent of the other. Hutchinson, Moore & Rauch, LLC, however, does reserve the right to subcontract any portion of the Services.
- 5.11 SUSPENSION, TERMINATION, CANCELLATION OR ABANDONMENT:** In the event the Project described in, or the Services of Hutchinson, Moore & Rauch, LLC called for under this Agreement, is/are suspended, canceled, terminated, or abandoned by the Client, Hutchinson, Moore & Rauch, LLC shall be given seven (7) days prior written notice of such action and shall be compensated for the Services provided up to the date of suspension, termination, cancellation, or abandonment including reimbursable expenses in accordance with the provisions of this Agreement.
- 5.12 ENTIRETY OF AGREEMENT:** This Agreement embodies the entire Agreement and understanding between the parties, their successors and assigns hereto, and there are no other agreements and understandings, oral or written, with reference to the subject matter hereof that are not merged herein and superseded hereby. No alteration, change or modification of the terms of this Agreement shall be valid unless made in writing and signed by both parties hereto. The laws of the State of Alabama shall govern this Agreement unless specifically stated otherwise. This Agreement includes this document.
- 5.13 HOLD HARMLESS:** The Client will hold harmless and indemnify Hutchinson, Moore & Rauch, LLC for any design changes, construction changes, or damages resulting from the use of a topographic survey or other information prepared by others and provided by the Client.
- 5.14 GENERAL CONDITIONS:** HMR will not provide a certification letter(s) for Site Plans designed by HMR without verifying, at a minimum and not limited to the following: finished floor elevations, storm sewer pipe sizes and invert elevations, sanitary sewer pipe sizes and invert elevations, water line pipe sizes, detention and outfall structure dimensions and elevations, curb and asphalt elevations.

Unless specifically detailed in the Scope of Work for this contract, the fees for these services are considered separate from and in addition to all other services and will be paid for by Client as a negotiated lump sum fee or hourly per the attached Rate Schedule.

Initials_____

ATTACHMENT A
SCOPE OF SERVICES

Hutchinson, Moore & Rauch, LLC (HMR) shall perform professional engineering services, and represent the City as their Engineer on a variety of projects. Each project shall be assigned to HMR. Said assignment shall be in writing, describe scope of work and be attached to this agreement as an exhibit.

A. TYPE OF SERVICES TO BE RENDERED

The type of services to be provided shall include, but not be limited to the following:

1. Preliminary investigations, studies and reports, and related surveying services.
2. Preliminary general plans and cost estimates.
3. Preliminary general plans and cost estimates in support of grant applications.
4. Provide consultation to the City as requested.
5. Perform property surveys, write legal descriptions and prepare maps for property acquisition, condemnation proceedings, annexation, etc.
6. As-needed survey services.
7. Prepare general and detailed plans, specifications, contract documents, cost estimates, reports and maps.
8. Provide construction observation services, resident or nonresident, as requested by the City.
9. Permit applications.
10. Other services as requested.

B. TYPES OF PROJECTS

HMR will be required to perform various engineering functions on numerous types of projects. The types shall include, but are not limited to, the following types of work:

1. Stormwater Management
2. Street and Highway Improvements
3. Utility Projects
4. Recreational Facilities
5. Master Planning
6. Environmental Permitting

ATTACHMENT B

HUTCHINSON, MOORE & RAUCH, LLC

Engineers ♦ Surveyors ♦ Land Planners

RATE SCHEDULE

August 2017

PROJECT PRINCIPAL	\$175.00 PER HOUR
PROJECT MANAGER	\$140.00 PER HOUR
PROFESSIONAL LAND SURVEYOR	\$110.00 PER HOUR
PROJECT ENGINEER	\$110.00 PER HOUR
ENGINEER	\$ 90.00 PER HOUR
ENGINEERING TECHNICIAN	\$ 90.00 PER HOUR
CADD TECHNICIAN	\$ 70.00 PER HOUR
SURVEY TECHNICIAN	\$ 75.00 PER HOUR
SENIOR CONSTRUCTION REPRESENTATIVE	\$ 75.00 PER HOUR
CONSTRUCTION REPRESENTATIVE	\$ 65.00 PER HOUR
CLERICAL	\$ 50.00 PER HOUR
2 MAN CREW	\$125.00 PER HOUR
3 MAN CREW	\$155.00 PER HOUR

Initials_____



**COMMITTEE OF THE WHOLE MEETING
SEPTEMBER 5, 2017**

Departments: Administration

Description of Topic:

Resolution authorizing the execution of a Task Order with Hutchinson, Moore & Rauch, LLC, for a topographic survey related to the extension of Roscoe Road sewer utilities infrastructure in an amount not to exceed \$9,000. (JH)

Action Options/Recommendation:

Source of Funding (if applicable) :

ATTACHMENTS:

Description

- ▣ Resolution
- ▣ Task Order

RESOLUTION NO. 17-xxx

**A RESOLUTION AUTHORIZING EXECUTION OF A TASK ORDER
WITH HUTCHINSON, MOORE & RAUCH, LLC, FOR A
TOPOGRAPHIC SURVEY RELATED TO THE EXTENSION OF ROSCOE ROAD
SEWER UTILITIES INFRASTRUCTURE
IN AN AMOUNT NOT TO EXCEED \$9,000**

FINDINGS:

1. The Orange Beach City Council, by Resolution No. 17-____, adopted September 19, 2017, approved a contract with Hutchinson, Moore & Rauch, LLC, to perform certain professional engineering and construction management services (“the Contract”).
2. The Contract authorized work to be assigned by one or more task orders approved from time to time by the City Council.
3. The City’s Utilities Department has submitted the Task Order attached as Exhibit A for Council approval.
4. The proposed Task Order requires Hutchinson, Moore & Rauch, LLC, to provide a topographic survey of properties related to the extension of Roscoe Road sewer utilities infrastructure.
5. The scope of work described in the Task Order is authorized by the Contract and furthers public health, safety, and welfare.

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

1. That the Mayor is hereby authorized to execute the Task Order as presented to Council between the City of Orange Beach and Hutchinson, Moore & Rauch, LLC, on behalf of the City of Orange Beach subject to final approval by the City Attorney;
2. That the City Council authorizes payment in an amount not to exceed \$9,000.00 to Hutchinson, Moore & Rauch, LLC, to complete the Task Order as presented; and
3. That this Resolution shall become effective immediately upon its adoption.

ADOPTED THIS 19th DAY OF SEPTEMBER, 2017.

Renee Eberly
City Clerk

C E R T I F I C A T E

I, Renee Eberly, City Clerk of the City of Orange Beach, Alabama, do hereby certify that the foregoing is a true and correct copy of Resolution No. 17-xxx, which was duly and legally adopted at a regular meeting of the City Council on September 19, 2017.

City Clerk

Upgrade / Extension of Roscoe Road Sewer

SCOPE OF SERVICES

Hutchinson, Moore & Rauch, LLC (HMR) shall perform the following professional services.

- Topographic Survey from existing lift station on County Road 4 at Brown lane west to Roscoe Road, north to Bradford Road, then east to the Beach Express along the east side of the Beach Express to Roscoe Road, and north along Roscoe Road to Russian Road.

Proposed Lump Sum Fee \$9,000.00

CITY OF ORANGE BEACH, ALABAMA:

SIGNED: _____
TYPED NAME: Tony Kennon
TITLE: Mayor
DATE: _____

Attest: City Clerk
Renee Eberly

HUTCHINSON, MOORE & RAUCH, LLC:

SIGNED: _____
TYPED NAME: Douglas A. Bailey, P.E.
TITLE: Vice President
DATE: August 7, 2017



SAWGR-1

OP ID: PS

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

08/15/2017

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

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

PRODUCER
J R Prewitt & Associates, Inc.
P. O. Box 55088
Birmingham, AL 35255
Raymond Greer

CONTACT NAME: **Raymond Greer**
PHONE (A/C, No, Ext): **205-933-9207** FAX (A/C, No): **205-930-0450**
E-MAIL ADDRESS: **rgreer@jrprewitt.com**

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A: Frankenmuth Mutual Insurance	13986
INSURER B: The Sheffield Fund	
INSURER C: Evanston Insurance Company	35378
INSURER D: Axis Insurance Company	37273
INSURER E: Underwriters at Lloyd's,	15792
INSURER F:	

INSURED **Sawgrass Consulting, LLC**
11143 Old Highway 31
Spanish Fort, AL 36527

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

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

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	X	BOP6300033	10/26/2016	10/26/2017	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 2,000,000 GENERAL AGGREGATE \$ 4,000,000 PRODUCTS - COMP/OP AGG \$ 4,000,000 Cyber Lia \$ 50,000
A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS		BA6300033	10/26/2016	10/26/2017	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$ 10000		BOP6300033	10/26/2016	10/26/2017	EACH OCCURRENCE \$ 4,000,000 AGGREGATE \$ 4,000,000 \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input type="checkbox"/> N/A	251-970-7900 3EE6135	01/01/2017 01/01/2017	01/01/2018 01/01/2018	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
D	Professional Liab		AEA000104-01-2015	09/08/2016	09/08/2017	Claim/Agg \$2m/\$2m
E	Cyber Liability		WN123228	08/03/2016	08/03/2017	Claim/Agg \$1m/\$1m

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

The City of Orange Beach is additional insured in regard to general liability when required by written contract per policy terms and conditions. Coverage for workers' compensation is limited to the provisions of the Alabama Workers' Compensation Law. Thirty days notice of cancellation direct from carrier, except ten day notice for non-payment of premium.

CERTIFICATE HOLDER**CANCELLATION**

CITY-02

City of Orange Beach
PO Box 458
Orange Beach, AL 36561

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

© 1988-2014 ACORD CORPORATION. All rights reserved.



SAWGR-1

OP ID: PS

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

08/15/2017

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PRODUCER J R Prewitt & Associates, Inc. P. O. Box 55088 Birmingham, AL 35255 Raymond Greer	CONTACT NAME: Raymond Greer	
	PHONE (A/C, No, Ext): 205-933-9207	FAX (A/C, No): 205-930-0450
	E-MAIL ADDRESS: rgreer@jrprewitt.com	
	INSURER(S) AFFORDING COVERAGE	NAIC #
INSURED Sawgrass Consulting, LLC 11143 Old Highway 31 Spanish Fort, AL 36527	INSURER A: Frankenmuth Mutual Insurance	13986
	INSURER B: The Sheffield Fund	
	INSURER C: Evanston Insurance Company	35378
	INSURER D: Axis Insurance Company	37273
	INSURER E: Underwriters at Lloyd's,	15792
	INSURER F:	

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

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

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER:	X	BOP6300033	10/26/2016	10/26/2017	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 2,000,000 GENERAL AGGREGATE \$ 4,000,000 PRODUCTS - COMP/OP AGG \$ 4,000,000 Cyber Lia \$ 50,000
A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS		BA6300033	10/26/2016	10/26/2017	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$ 10000		BOP6300033	10/26/2016	10/26/2017	EACH OCCURRENCE \$ 4,000,000 AGGREGATE \$ 4,000,000 \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input type="checkbox"/> N/A	251-970-7900 3EE6135	01/01/2017 01/01/2017	01/01/2018 01/01/2018	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
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DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

The City of Orange Beach is additional insured in regard to general liability when required by written contract per policy terms and conditions. Coverage for workers' compensation is limited to the provisions of the Alabama Workers' Compensation Law. Thirty days notice of cancellation direct from carrier, except ten day notice for non-payment of premium.

CERTIFICATE HOLDER

CITY-02

City of Orange Beach
PO Box 458
Orange Beach, AL 36561

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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Request for Inspection and/or Copying of Records

I (we), Brian Gibbons, request to inspect and/or have copied the following described records:

5310 Baldwin Ave nur
Orange Beach (house plans)

My (our) reason(s) for requesting this information is as follows:

House is neat and I want To
see How stairs come up Through
to Home into Living Area

I (we) agree to pay the charges for this service as provided in the Schedule of Fees (as shown on the reverse side of this request form), and I (we) certify that I (we) make the request as a:

Public requester ☒ Litigation requester ☐

I (we) understand that the request might not be accommodated on the same visit that I (we) make to request the document(s) because of the press of other business the City of Orange Beach may have at that time. I (we) also understand, however, that the City of Orange Beach will accommodate my (our) request in the most expedient fashion in which it is able to respond, given its demands of manpower and other requirements which may be of emergency or urgent nature.

Dated: 8-11, 2017

Brian Gibbons
Print Name

P.O. Box 1395 Orange Beach,
Address

[Signature]
Signature

*Made a
copy of a
section of plans
(2 pages) 8/14/17
JG*

251-424-5602



**COMMITTEE OF THE WHOLE MEETING
SEPTEMBER 5, 2017**

Departments: Administration

Description of Topic:

Resolution authorizing a franchise for Ride The Wave LLC. (RE)

Action Options/Recommendation:

New taxi/shuttle service for Orange Beach

Source of Funding (if applicable) :

ATTACHMENTS:

Description

- ▣ Resolution
- ▣ Franchise Application

RESOLUTION NO. 17-xxx

**A RESOLUTION AUTHORIZING A FRANCHISE FOR
RIDE THE WAVE LLC
TO OPERATE A TAXI SERVICE WITHIN THE CITY LIMITS AND
POLICE JURISDICTION OF THE CITY OF ORANGE BEACH**

FINDINGS:

1. Ride The Wave LLC, an Alabama company, has made application for a non-exclusive franchise for the use of city streets to operate a taxi service within the city limits and police jurisdiction.
2. The City of Orange Beach is willing to grant a non-exclusive franchise on the terms and conditions set out in the City's taxi ordinance.

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

1. That the Council authorizes the Mayor and City Clerk to execute and attest, respectively, the attached franchise agreement by and between the City of Orange Beach and Ride The Wave LLC subject to final review by the City Attorney; and
2. Ride The Wave LLC subject within 30 days, shall file its acceptance of the terms of the franchise in the form attached.

ADOPTED THIS 19th DAY OF SEPTEMBER, 2017.

Renee Eberly
City Clerk

C E R T I F I C A T E

I, Renee Eberly, City Clerk of the City of Orange Beach, Alabama, do hereby certify that the foregoing is a true and correct copy of Resolution No. 17-xxx, which was duly and legally adopted at a regular meeting of the City Council on September 19, 2017.

City Clerk

**FRANCHISE AGREEMENT AUTHORIZING
RIDE THE WAVE LLC
TO OPERATE A TAXI SERVICE WITHIN THE CITY LIMITS AND
POLICE JURISDICTION OF THE CITY OF ORANGE BEACH**

This Franchise Agreement is made and entered into by and between the City of Orange Beach, Alabama (hereinafter “City”) and **RIDE THE WAVE LLC** (hereinafter “Franchisee”).

The City, as a municipal corporation of the State of Alabama, has determined that public convenience and necessity warrants the grant of a franchise for the operation of a taxicab service within the corporate limits of the City.

Franchisee desires to acquire, and the City desires to grant, a franchise for the operation of a taxicab service within the City on the terms and conditions hereinafter set out.

In consideration of the foregoing and of the mutual covenants and agreements hereinafter set out, the receipt and sufficiency of which is hereby mutually acknowledged, it is hereby understood, acknowledged, covenanted, and agreed by and between the parties as follows:

SECTION 1 - Definitions

As used in this franchise, the following terms shall have the meaning assigned as follows:

Bus: Any vehicle designed, constructed or used for the transportation of 16 or more passengers, including the driver, or any vehicle required to obtain commercial licenses and permits pursuant to state and federal laws governing commercial vehicles.

Business: A single act of transporting a passenger or passengers for hire, excluding transportation provided by any public transit agencies.

Business License: The license required by Article III, Sections 50-51 thru 50-63 of the Code of the City of Orange Beach, to operate a taxicab or limousine within the City.

City: The City of Orange Beach and its police jurisdiction.

City Driver’s Permit: A permit issued by the police department for the operation of a taxicab or limousine by an applicant thereof.

Driver / Operator: Any person engaged in the business of operating a taxicab or limousine within the City or its police jurisdiction.

Franchise: The right or special privilege to conduct business in accordance with the methods, procedures, ordinances and regulations of the City of Orange Beach. The franchise is conferred upon the individual or corporation wishing to do business within the City or its police jurisdiction by signed agreement of the franchise applicant on a form provided by the City of Orange Beach, following acceptance and approval of the governing body.

Limousine: A motor vehicle used in the business of transporting passengers for hire in the City or its police jurisdiction, not operated on a fixed route. Limousines are unmetered, unmarked, ground transportation vehicles regularly engaged in the business of transporting passengers on a pre-reserved basis only. Provided, however, the classification “limousine” shall not apply to any motor vehicle which is:

- (1) Classified as a taxicab as herein defined.
- (2) Used exclusively by or under a written agreement with a hotel, motel, airport, hospital, club or other such entity for the transportation of its members, guests, patients or clients; provided, that each vehicle under such agreement will have the same distinctive visible outside painted appearance as each other vehicle under the agreement to any such hotel, motel, airport, hospital, club or other such entity.
- (3) Operated as a bus under a franchise granted by the City.

Owner: A person owning or controlling one or more taxicabs or limousines and driving or causing any such vehicle to be driven within the City or its police jurisdiction.

Passenger: A person or persons other than the driver, who is an occupant of a taxicab or limousine, who for the purposes of this ordinance, is presumed to be a passenger or passengers for hire.

Person: An individual, partnership, firm, association, corporation or any other legal entity.

Taxicab: A metered general transportation vehicle regularly engaged in the business of transporting passengers. Any automobile or similar vehicle having a regular seating capacity limited to the number of passengers for which there is an operational, manufacturer installed seatbelt for each individual passenger, engaged in carrying passengers for hire other than along a fixed route. Provided, however, the classification "taxicab" shall not apply to any motor vehicle which is:

- (1) Classified as a limousine as herein defined.
- (2) Used exclusively by or under a written agreement with a hotel, motel, airport, hospital, club or other such entity for the transportation of its members, guests, patients or clients; provided, that each vehicle under such agreement will have the same distinctive visible outside painted appearance as each other vehicle under the agreement to any such hotel, motel, airport, hospital, club or other such entity.
- (3) Operated as a bus under a franchise granted by the City.

Terminal: The fixed base of operations from which the applicant proposes to conduct the taxicab or limousine business.

SECTION 2 - Grant of Franchise

Franchisee is hereby granted a franchise to operate a taxicab service on the public rights of way of the City for the term and upon the terms and conditions set out herein and according to the requirements of Chapter 70, Article VI, Code of Ordinances, City of Orange Beach, the terms of which are incorporated in the statute.

SECTION 3 - Term of Franchise

Unless sooner terminated, suspended, or revoked, the term of this Franchise shall be twenty four (24) months, commencing on the 1st day of January, 2017.

SECTION 4 - Fares and Receipts

Fare rates, drop fees and mileage rates for any metered taxicab shall be posted in a place in such taxicab that is well lighted and clearly visible to any passenger within such vehicle. A receipt in writing for the amount of metered taxicab fare paid shall be given by the operator or driver of the taxicab to whom such fare is paid, or request of any person paying the same. Such receipt shall show the exact amount of the fare paid, the origin, destination, date and hour of the trip; the state license tag number of the taxicab; the name of the taxicab company and the name of the operator or driver.

SECTION 5 - Termination or Suspension of Franchise Rights

Franchisee's rights under this Franchise may be terminated or suspended by the City in its sole discretion upon Franchisee or any agent or employee of Franchisee violating or failing to comply with any of the provisions of this Franchise Agreement or City Code.

SECTION 6 - Compliance with All Applicable Laws and Regulations

Franchisee shall at all times be and remain in compliance with City Code, all other municipal laws and regulations, and all other State and Federal laws and regulations applicable to its business and operations, including, without limitation, all licensing and taxation laws and regulations.

SECTION 7 - General Provisions

- (a) The rights of Franchisee hereunder may not be assigned or transferred in whole or in part.
- (b) The rights of Franchisee hereunder are non-exclusive, and the City fully retains the right to grant additional franchises for the same or similar activities.
- (c) Nothing in this Franchise is to be construed as a limitation on the City's authority to further regulate the business or operation of taxicabs or other incidences of Franchisee's business or operations by municipal ordinance or on the City's plenary authority to regulate and control the use of its streets, alleys, and public ways.
- (d) The grant and continuance of this Franchise is expressly conditioned on payment of the appropriate franchise fees in the amount of 2% of gross receipts on the 15th day of the month following the end of each quarter during the term of this Franchise, on the payment of all expenses of publication of this Franchise and on the payment to the City of the expense of preparation of this Franchise upon its execution in the amount of \$250.00. A 25% penalty will be assessed if payment is not received within ten (10) days of the due date. Failure to make any such payment when due shall automatically render this Franchise void.
- (e) Franchisee shall indemnify the City and its officers, agents and employees from any actions or damages of any character to any person, including personal injuries resulting in death or property damage by the conduct of Franchisee's business. Franchisee shall pay any judgment, with costs, obtained against the City, its officers, agents, or employees arising out of any such injury or damage, including costs and expenses of defense.
- (f) In the event the City finds it necessary to employ legal counsel in connection with the enforcement of this Franchise Agreement or the defense of actions taken with regard to the termination of this Franchise Agreement, Franchisee shall reimburse the City for all expenses incurred, including reasonable attorneys' fees.

Tony Kennon, Mayor

ATTEST:

Renee Eberly, City Clerk

RIDE THE WAVE LLC
Franchisee

By: _____

Its: _____

Sworn to and subscribed before me
this _____ day of _____, 2017.

Notary Public, State of Alabama
My Commission Expires: _____

**ACCEPTANCE OF A FRANCHISE
IN THE CITY OF ORANGE BEACH, ALABAMA**

RECITALS:

1. The City of Orange Beach, Alabama ("City") by action of its City Council on September 19, 2017, adopted Resolution No. 17-xxx ("Resolution") approving a non-exclusive franchise for the use of the public streets to provide taxicab services under the terms and conditions set out in the Franchise Agreement for Ride The Wave LLC ("Provider").
2. The Resolution requires the Provider to accept the terms of the Resolution in a form and substance acceptable to the City.

NOW, THEREFORE, pursuant to the terms and requirements of the Resolution, and in consideration of the City's approval of the Franchise, Provider accepts the Franchise and makes the following representations and warranties to the City:

1. Provider is authorized to do business in Alabama and has full power, authority, and legal capacity to execute, deliver, and perform this Acceptance and perform the terms and conditions of the Franchise;
2. All actions necessary to authorize the execution and delivery of this Acceptance and the performance of the Franchise, have been duly authorized;
3. Provider has carefully read the terms and conditions of the Franchise and accepts all of the terms and conditions imposed thereunder, and agrees to abide by the same;
4. Provider acknowledges by acceptance of the Franchise that it has not been induced to accept the Franchise by reason of any promise, verbal or written, by or on behalf of the City, or by any third person, regarding any term or condition of the Franchise not expressed therein;
5. The Provider agrees to comply with all of the terms and conditions of the City's Ordinances and other laws and rules applicable to Providers' business;
6. Provider will immediately notify the City if it be engages in an activity that is neither contemplated nor authorized under the terms of the Agreement; and
7. Concurrent with this acceptance of the Agreement, Provider agrees to perform the following tasks within thirty (30) days of the adoption of the Resolution and any necessary publication, unless another date is specified in the Agreement:
 - A. Pay all required application fees required under the terms of the Agreement;
 - B. Pay the costs of any necessary publication;
 - C. File a certificate of insurance as required under the terms of the Agreement; and
 - D. Acquire a business license from the City of Orange Beach.

Failure to perform all such actions within a timely manner shall be deemed to be a rejection and repudiation of the Franchise Agreement.

Dated: _____

RIDE THE WAVE LLC

By: _____

Its: _____

Sworn to and subscribed before me
this _____ day of _____, 2017.

Notary Public, State of Alabama
My Commission Expires: _____



CITY of ORANGE BEACH
FRANCHISE APPLICATION
For Taxi and/or Limousine Service

☒ NEW
☐ RENEWAL

Business Name Ride the Wave Shuttle
Applicant's Name Shermit Ellis
Mailing Address 23837 D Cypress Grove Orange Beach AL
Physical Address Office same as above
Physical Address Vehicle Storage same as above
Telephone 601-341-0906 E-Mail e.enterprises.services@gmail.com
Type of Franchise Requested taxi/shuttle
Number of Vehicles Operating 1

Owner/Officers	Address	DOB
<u>Shermit Ellis</u>	<u>above</u>	<u>12-5-75</u>
<u>Jennifer Ellis</u>		<u>8-3-80</u>

Drivers	Address	DOB

\$250.00 NON-REFUNDABLE APPLICATION FEE SHALL BE PAID WITH APPLICATION

DATE PAID 8-24-17

1. Attach copy of driver's license for ALL owners, officers and drivers.
2. Attach a separate sheet listing at least two (2) personal references, with addresses, for applicant and each owner/officer listed. shown on back
3. Attach a copy of proof of insurance showing City of Orange Beach as additional insured.
4. Attach a financial statement showing in detail applicant's current financial condition.

~~Alabama Public Service Commission Permit No. _____ (For transport of passengers outside the corporate limits of Orange Beach/Gulf Shores.)
If applied for, please indicate date of application _____~~

~~Interstate Commerce Commission Permit No. _____ (For transport of passengers outside the State of Alabama)
If applied for, please indicate date of application _____~~

~~Applicant has read and understands City of Orange Beach Code of Ordinance Chapter 70 article VI and agrees to comply with all requirements to operate in the city.~~

~~Applicant agrees to pay all costs and expenses incurred by the City in preparation of the Franchise agreement and the enactment of the enabling ordinance, to include attorney's fees for drafting of the Franchise agreement.~~

APPLICANT UNDERSTANDS THAT THE FILING OF THIS APPLICATION DOES NOT, IN ITSELF, CONSTITUTE AUTHORITY TO OPERATE AND WILL SUBMIT SUCH ADDITIONAL INFORMATION IN CONNECTION WITH THIS APPLICATION AS THE COUNCIL MAY REQUIRE.

Applicant Signature Shemut Ellis Date Aug 1, 2017

ITEM 1.



COMMITTEE OF THE WHOLE MEETING SEPTEMBER 5, 2017

Departments: Community Development

Description of Topic:

Public hearing for an ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0802-PUD-17, GSPS Orange Beach Sales & Service PUD. (KA)

Action Options/Recommendation:

Source of Funding (if applicable) :

ITEM 2.



COMMITTEE OF THE WHOLE MEETING SEPTEMBER 5, 2017

Departments: Community Development

Description of Topic:

Ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0802-PUD-17, GSPS Orange Beach Sales & Service PUD. (KA)

Action Options/Recommendation:

Source of Funding (if applicable) :



**COMMITTEE OF THE WHOLE MEETING
SEPTEMBER 5, 2017**

Departments: Community Development

Description of Topic:

Set a public hearing date for an ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0801-PUD-17, Gulf Stream Final PUD Approval. (Suggested date 10/3/2017) (KA)

Action Options/Recommendation:

Source of Funding (if applicable) :

ATTACHMENTS:

Description

- ▣ APPLICATION COVER SHEET
- ▣ STAFF REPORT
- ▣ ACTION LETTER
- ▣ MASTER PLAN
- ▣ FLOOR PLANS
- ▣ PLAT



City of Orange Beach

COMMUNITY DEVELOPMENT DEPARTMENT

P.O. Box 2432

Orange Beach, AL 36561

251 981 2610 Fax 251 981 3725

<http://www.cityoforangebeach.com>

DEVELOPMENT PERMIT APPLICATION

To be completed by Community Development Department Staff

APPLICATION DATA

Application # 0801-PUD-17

Total Fees Paid N/A

Check Number. _____

TYPE OF APPLICATION

- ☐ Administrative Site Plan Review
- ☐ Site Plan Review
- ☐ Preliminary/Final Minor Subdivision Approval
- ☐ Preliminary Major Subdivision Approval
- ☐ Final Major Subdivision Approval
- ☐ Rezoning
- ☐ Preliminary PUD Approval
- ☒ Final PUD Approval
- ☐ PUD Modification
- ☐ Temporary Portable Building

NAME OF PROJECT:

GULF STREAM

PROJECT DESCRIPTION: (Provide Brief Description of Proposed Development, Subdivision, Rezoning, Portable Building, or Special Event; To include lot sizes, square footage of building coverage, number of lots, proposed land uses, number of units, number of buildings, a project narrative, etc., if more space is needed attach a separate page)

64 UNIT TOWNHOME DEVELOPMENT

PROPERTY INFORMATION:

Address: 24830 CANAL RD Tax Parcel #(s) 05-65-03-06-0-000-011.000

ORANGE BEACH, AL 36561

05-65-03-06-0-000-011.006

Existing Use: NONE Zoning: GB PPIN #(s) 047432 & 270197

APPLICANT INFORMATION:

Name: DEWBERRY | PREBLE-RISH Contact Person: STEVEN PUMPHREY

Address 9949 BELLATON AVE - DAPHNE, AL 36526

Phone # (251) 990-9950 Fax # () Email: MPJUMP@DEWBERRY.COM

OWNER INFORMATION:

Name: MICHAEL J. SPECCHIO Contact Person: _____

Address: 1490 CR 2800 N, RANTOUL, IL 61866

Phone # (217) 898-3303 Fax # () Email: spec3333@aol.com

Signature (Applicant) Steven Pumphrey Date: 7-8-17

Signature (Owner) Michael J. Specchio Date: 7-8-2017

Revised 02-06-2013

RECEIVED

JUL 13 2017

O.B. COMMUNITY DEV.



PLANNING & ZONING
COMMUNITY DEVELOPMENT DEPARTMENT
P.O. BOX 2432
ORANGE BEACH, ALABAMA 36561



Orange Beach City Council

Case No. 0801-PUD-17
Gulf Stream PUD
Final PUD Approval

STAFF REPORT

Owner/Applicant:

Michael J. Specchio (Owner)
1490 CR 2800 N, Rantoul, IL 61866
(217) 898-3303, spec3333@aol.com

Dewberry/Preble-Rish, Steven Pumphrey (Applicant)
9949 Bellaton Ave., Daphne, AL 36526
(251) 990-9950, mpumphrey@dewberry.com

Address of Property:
24830 Canal Rd.
4394 Canal Square Ln.

Tax Parcels:
05-65-03-06-0-000-011.000
05-65-03-06-0-000-011.006

PPIN:
47432
270197

I. GENERAL INFORMATION

Request: **Final PUD Approval**

Dewberry/Preble-Rish, on behalf of Michael J. Specchio, requests final PUD approval to rezone 10.8 acres from GB (General Business) to PUD (Planned Unit Development) for a 64-unit townhouse development.

**Planning
Commission:**

The Planning Commission held a public hearing and considered the application at its regular meeting on August 14, 2017. The Planning Commission's motion for positive recommendation passed (7-1) with the following conditions:

- Revising the plans to reduce the width of the sidewalks from five feet to four feet as requested by the applicant.
- Providing a dimension layout of the townhouse lots showing setbacks and driveway length between the building and sidewalk that will be included in the PUD submittal to City Council.
- In addition to the notation provided on the Canal Square Lane Improvements on sheet 13, the following notes need to be added:

- Roadway repaving – notation provided is sufficient
- Green areas within the right-of-way will be cleared of vegetation and properly stabilized.
- The roadway edge of pavement will be sawcut and properly rebuilt as needed.
- The roadside ditches will be reestablished, properly regraded with proper ditch bank side slopes and sodded.
- Additional improvements may be needed due to the length of time the road has been in a state of disrepair as determined by the City of Orange Beach Public Works Director.
- Piping shall be class 200 PVC with slip joint connections.
- MJ fittings shall be cement lined ductile iron restrained with Mega-Lug joint restraints.
- Add 3" check valve to the connection at Canal Road.

Location: The subject property is located at the end of Canal Square Lane. An ingress/egress easement on 60 feet north of the subject property will provide the project site access to Canal Square Lane. Utilities will be provided to the site through an easement on the west 30 feet of the 60-foot ingress/egress easement. The municipal addresses are 24830 Canal Road and 4394 Canal Square Lane.

Why is Planning Commission action required?

Article 4, Section 4.02, Requirements for Lot Area, Lot Width and Other Factors
Article 4, Section 4.03, Minimum Setbacks
Article 4, Section 4.04, Maximum Building Height and Maximum Density per Acre
Article 7, Section 7.03, Design Standards
Article 7, Section 7.04, Regulations
Article 7, Section 7.05, Procedures for Preliminary Approval
Article 8, Section 8.01, Required Off-Street Parking
Article 10, Section 10.03, Site Plan Requirements and Architectural Review
Article 12, Section 12.07, Amendments
Article 16, Tree Protection and Landscaping

Present Zoning: GB (General Business)

Present Use: Undeveloped

Surrounding Land

Use and Zoning: **North:** Undeveloped, GB (General Business)
South: Undeveloped, MHS (Mobile Home Subdivision)
East: Undeveloped, GB (General Business); Single-Family Residential, RS-1 (Single-Family Dwelling)
West: Undeveloped, GB (General Business); Single-Family Residential, GB (General Business)

Special Districts: **Overlay Zoning:** Restricted Height Overlay District
Airport Zone: Precision Instrument Approach
Flood Zone: X

Comprehensive Plan: **Future Land Use Map:** Commercial
Neighborhood District: Northwest Orange Beach

Nearby Streets: The subject property is located at the end of Canal Square Lane and will have access to the roadway through a 60-foot easement on property north of Lot 7 and west of Lot 6.

Site History:

<i>Date</i>	<i>Description</i>
March 2005	Planning Commission approved preliminary and final plat for the Cool Breeze Commercial Park Subdivision establishing Lot 6 and Lot 7. (Case No. 0301-SD-05)
November 2016	The applicant submitted request for preliminary PUD approval to rezone 10.6 acres from GB to PUD for a townhouse development containing 56 units. The Planning Commission did not give the request a favorable recommendation, and after the public hearing and first reading, City Council expressed concerns about the parking spaces provided. The applicant pulled the request to re-evaluate the parking. (Case No. 1005-PUD-16)
March 2017	The applicant amended its proposal and requested preliminary PUD approval to rezone 10.8 acres from GB to PUD for a townhouse development containing 64 units. The Planning Commission gave a positive recommendation, and City Council approved the request. (Case No. 1005-PUD-16 Amended)

II. COMPREHENSIVE PLAN REVIEW

Section 7.03 of the Zoning Ordinance states that it is the purpose and intent of the PUD Ordinance to have developments that promote the goals of the Comprehensive Plan and that no PUD shall be approved unless it is consistent with the goals of the Comprehensive Plan. The Comprehensive Plan shows the subject property as part of the **Northwest Orange Beach Neighborhood**. The proposed rezoning and project comply with the goals of this neighborhood as follows:

- 1. Encouraging commercial development that will bring economic vitality to the community and simultaneously be sensitive and compatible with the surrounding area.**

The applicant states the proposed townhouse development will bring a desired mixture of housing type to the community and will be compatible with the commercial developments along Canal Road.

- 2. Promoting mixed-residential developments with a mixture of housing types to accomplish a more balanced community.**

According to the applicant, the PUD plan complies with the District since it accomplishes the desired mixture of housing types.

- 3. Integrating Traditional Neighborhood Design into single-family residential developments.**

The proposed project is consistent with the Traditional Neighborhood Design by introducing a different housing type to the area.

- 4. Requiring future residential developments to design streets that connect to existing adjacent neighborhoods and limiting the use of cul-de-sacs but also cognizant of the wetlands in the area.**

The development will have a circular roadway named Gulf Stream Circle. This roadway will be within the development and will connect to Canal Square Lane through a 60-foot easement on the property north of Lot 7 and west of Lot 6.

- 5. Creating neighborhood plans for existing and future single-family residential neighborhoods as this area continues to develop.**

The applicant states that there are no proposed businesses in this development, but the site is near existing businesses and general business zoning that helps maintain between the residential and commercial components in this area.

III. PUD DESIGN STANDARDS

Section 7.03 of the Zoning Ordinance states that all PUD proposals shall achieve one or more of the following design standard objectives:

- 1. A maximum choice in the types of environment; occupancy tenure, such as cooperatives, individual ownership, condominium and leasehold; housing type; lot sizes; and community facilities available to existing and potential residents at all economic levels. (Section 7.03, A.)**

The applicant states the townhouse development will offer another housing type to Orange Beach.

- 2. More usable and suitably located open space, recreation areas and other common facilities. (Section 7.03, B.)**

The applicant indicates all areas outside of the buildings are common areas which will be under a single ownership of a property owners association, and all landscaping will be uniform throughout the development and maintained accordingly.

3. **A creative use of land related physical development which allows an orderly transition from urban and suburban uses to rural or undeveloped areas. (Section 7.03, G.)**

The applicant asserts the proposed development provides a good transition from the existing GB zoning to the north and west and to the existing MHS zoning to the south. There is also an existing PUD to the southwest of the site.

4. **Better utilization of sites characterized by special features of geographic location, topography, size or shape. (Section 7.03, J.)**

The applicant states there will be no impacts to the existing wetlands on the site.

5. **Superior development and redevelopment which is more desirable than that which would occur through strict application of the zoning code. (Section 7.03, K.)**

The applicant believes the proposed development is more desirable than that which would occur through strict application of the zoning code. (Under the existing GB zoning and based on a two-story building, as proposed in this development, the allowed density would be 162 units at 16 units per acre.)

IV. PUD MASTER PLAN REVIEW

Section 7.04 of the Zoning Ordinance states that an approved PUD shall be considered a separate zoning district in which development plans, as approved, establish the specific restrictions and regulations customized to fit the type of plan proposed by which the development shall be governed. Restrictions may be greater or lesser than the ones otherwise imposed by the Zoning Ordinance and Subdivision Regulations to achieve a development with fits the City's Comprehensive Plan and PUD Design Standards.

1. **Density: The criteria for establishing an average density includes the land use plan for the area, existing surrounding density, density permitted by the existing zoning classification, adequacy of existing and proposed public facilities and services and site characteristics. Density must generally conform to the requirements as set out in Article 4 of this ordinance and conform to the Comprehensive Plan. (Section 7.04, A.)**

The proposed density is 5.93 units per acre based on 64 units and 10.8 acres. Since the building height is two floors, the maximum density allowed by the Zoning Ordinance is 16 units per acre, and the maximum allowable units are 162.

The townhouse development will have 12 buildings. Eight of the buildings will be six-unit buildings, and four will be four-unit buildings.

2. **Common Open Space: At least 20% of the area covered by a Final Development Plan shall be landscaped or provide common open space owned and operated by the owner/developer or dedicated to a homeowner association or similar group. (Section 7.04, B.)**

The Gulf Stream PUD will contain 10.8 total acres. The overall impervious coverage is 3.13 acres or 29% of the total site, and the remaining 71% of the site is greenspace and the lakes that will serve as stormwater detention ponds. Common areas, including the private right-of-way, equate to 4.1 acres. The development's property owners association will own and maintain the right-of-way, street, and common areas.

3. **Access and Parking:** All streets, thoroughfares and access ways shall be designed to effectively relate to the major thoroughfare plans of the City of Orange Beach. Adequate off-street parking shall generally conform to the off-street parking requirements set forth in Article 8 of the Zoning Ordinance unless otherwise approved. (Section 7.04, C.)

Each unit will have three bedrooms. The gross floor area per unit is roughly 1,600 square feet.

For three-bedroom units, Section 8.01 of the Zoning Ordinance requires two parking spaces. Each unit will have two parking spaces, one in the garage and the other in the driveway in front of the unit.

There will be 66 guest parking spaces located throughout the development. Fifty-two spaces will be located along Gulf Stream Circle, while the remaining 14 spaces will be provided in a crushed aggregate surface lot in the southeastern corner of the project. Section 8.01 requires multi-family residential developments to provide one guest parking space per every five units proposed ($5/64 = 12.8$ rounded to 13 spaces).

There will be no on-street parking allowed.

4. **Perimeter Requirements:** The Planning Commission the City Council may impose the requirement that structures, buildings and streets located at the perimeter of the development be permanently screened to protect the privacy of the adjacent existing uses. (Section 7.04, D.)

The project will have 20-foot perimeter setbacks on the east, north and south sides and a 10-foot buffer from the wetlands located predominantly on the west side.

The adjoining property to the southeast is zoned RS-1 and contains a single-family dwelling. The project will have an eight-foot high privacy fence along the upland portion of the east property line.

Section 4.05 of the Zoning Ordinance requires a 30-foot land use buffer between a proposed high intense land use and an existing low intense land use. In this case, the project will have a 20-foot setback from the east property line and will have an eight-foot high privacy fence on the property line. The Planning Commission has the discretion to reduce the distance of the 30-foot land use buffer if acceptable alternatives (heavy landscaping, privacy fence) are provided.

There is a single-family residential use on the adjoining property to the west. The distance between the west property line and the westernmost townhouse building is about 200 feet.

5. **Signage:** The size, location, design and nature of signs, if any, and the intensity and direction of area floodlighting shall be detailed in the application and must generally conform to the sign regulations in Article 15, unless the massing and scale of the PUD would make additional or different requirements desirable. Signs must nonetheless fit the design character of the development. (Section 7.04, E.)

A monument sign will be located at the development's entrance on Canal Square Lane.

6. **Height Limitation:** The criteria for establishing height limitations includes the land use plan for the area, existing surrounding building heights, heights permitted by the existing zoning classification, adequacy of existing and proposed public facilities and services and site characteristics. Height limitations must generally conform to the requirements as set out in Article 4 of this ordinance and conform to the Comprehensive Plan as well as the architectural standards set out in Article 10. (Section 7.04, F.)

The subject property is in the 50-foot height limit area. The proposed townhouses will be two stories.

7. **Landscaping and Tree Protection:** The criteria for landscaping, removal of trees and protection of heritage trees should generally conform to the requirements of Article 16. (Section 7.04, G.)

The landscape plan has been reviewed and has generated no concerns.

The subject property contains 10.8 acres of which 7.09 acres are uplands and 3.71 are wetlands. Of the 3.71 acres of wetlands, .05 acres will be filled to accommodate the street and part of one of the buildings.

V. DEVIATIONS FROM THE ZONING ORDINANCE AND SUBDIVISION REGULATIONS

1. The PUD deviates from the Zoning Ordinance as follows:

- A. **Section 4.02 (Minimum Lot Width):** The width for each townhouse lots is 20 feet.
- B. **Section 4.02 (Minimum Lot Area):** The lot area for each townhouse lot is 1,120 square feet (20' x 56').
- C. **Section 4.03 (Setbacks):** Each townhouse lots will have a 10-foot front setback and no setbacks on the side and rear property lines. The distance between the front of the townhouse and the sidewalk is 19 feet.
- D. **Section 4.05 (Land Use Buffer):** The adjoining property to the southeast is zoned RS-1 and contains a single-family dwelling. Section 4.05 of the Zoning Ordinance requires a 30-foot land use buffer between a proposed high intense land use and an existing low intense land use. In this case, the project will have a 20-foot buffer, but at staff's request, the project will construct a six-foot high wooden fence along the east property line. The Planning Commission has the discretion to reduce the distance of the buffer if acceptable

alternatives (heavy landscaping, privacy fence) are provided. The applicant has committed to providing an eight-foot high privacy fence, which was approved with the preliminary PUD.

2. The PUD deviates from the Subdivision Regulations as follows:

- A. **Section 4.1.2 (Right-of-Way Width):** The development will be subdivided into 64 townhouse lots with a platted private right-of-way (ROW) and common areas. The proposed ROW width is 50 feet. The required ROW width in the Subdivision Regulations is 60 feet.

VI. STAFF COMMENTS

1. Canal Square Lane is a substandard street that has not been accepted by the City. The project developer will be enhancing Canal Square Lane as part of the PUD request.
2. Section 5.10 of the Zoning Ordinance requires the following guidelines for townhouse developments in Orange Beach:
 - A. No less than two nor more than six townhouses shall be located within a continuous building group and no interconnection or overlapping between building groups shall be less than that required for individual multi family structures otherwise stated in this Ordinance. Side yard requirements for the district in which townhouses are located will be waived so that individual housing units within a group can share common walls; however, no building group shall be nearer to the side lines of the overall lot than the required side yard setback for the district in which the townhouse development is located, and the distances between townhouse groups shall conform to the side yard setbacks. The proposed PUD complies.
 - B. The design of townhouse developments must provide for internal traffic circulation and appropriate access for service and emergency vehicles. The proposed PUD complies.
 - C. Townhouse developments shall comply with one of the following methods of land transfer and ownership:
 - (1) The subdivision of the whole tract into individual parcels in accordance with this Ordinance, together with the platting of the property for record in accordance with the City's Subdivision Regulations.
 - (2) Providing for the development of the entire tract in accordance with this Ordinance, retaining, however, title to all the lands in the name of the condominium owners, and providing for all other usual condominium documents and procedures.
 - (3) Providing for the development of the entire tract in accordance with this Ordinance, retaining, however, title to all the lands in a single ownership by recording a duly executed declaration of restrictions in the office of the Baldwin County Probate Judge, thereby stipulating that said tract shall not be eligible for further subdivision.

3. The subject property is located at the end of Canal Square Lane and will have ingress and egress to Canal Square Lane through a 60-foot easement on property to the north of Lot 7 and west of Lot 6. Utilities will be provided to the site through an easement on the west 30 feet of the 60-foot ingress/egress easement.
4. The following table presents the building footprint and gross floor area for the proposed development:

	<i>4-Unit Buildings</i>	<i>6-Unit Buildings</i>	<i>Overall PUD</i>
Number of Buildings	4	8	12
Individual Building Footprint	3,877 SF	5,737 SF	
Individual Gross Floor Area	6,236 SF	9,338 SF	
Total Building Footprint	15,508 SF	45,896 SF	61,404 SF
Total Gross Floor Area	24,944 SF	74,704 SF	99,648 SF

5. The individual units will have about 1,600 square feet of gross floor area and will have three bedrooms.
6. There will be no on-street parking allowed. The development's POA will enforce the no parking rules.

VII. CITY COUNCIL ACTION

1. **APPROVAL** of final PUD to rezone 10.8 acres from GB (General Business) to PUD (Planned Unit Development) for the purpose of constructing a 64-unit townhouse development.
2. **APPROVAL WITH CONDITIONS** of final PUD.

STAFF CONDITIONS:

Planning & Zoning:

- Revising the plans to reduce the width of the sidewalks from five feet to four feet as requested by the applicant.
- Providing a dimension layout of the townhouse lots showing setbacks and driveway length between the building and sidewalk that will be included in the PUD submittal to City Council.

Drainage & Stormwater:

- In addition to the notation provided on the Canal Square Lane Improvements on sheet 13, the following notes need to be added:
 - a) Roadway repaving – notation provided is sufficient

- b) Green areas within the right-of-way will be cleared of vegetation and properly stabilized.
- c) The roadway edge of pavement will be sawcut and properly rebuilt as needed.
- d) The roadside ditches will be reestablished, properly regraded with proper ditch bank side slopes and sodded.
- e) Additional improvements may be needed due to the length of time the road has been in a state of disrepair as determined by the City of Orange Beach Public Works Director.

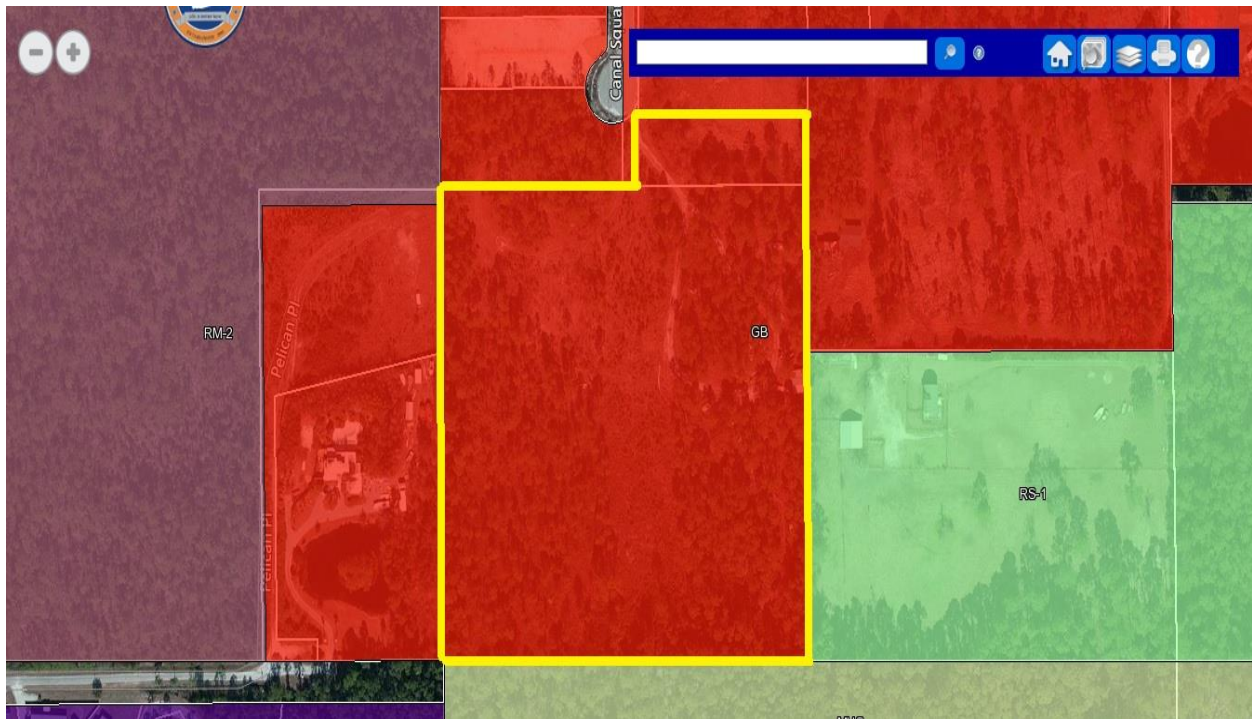
Utilities:

- Piping shall be class 200 PVC with slip joint connections.
- MJ fittings shall be cement lined ductile iron restrained with Mega-Lug joint restraints.
- Add 3" check valve to the connection at Canal Road.

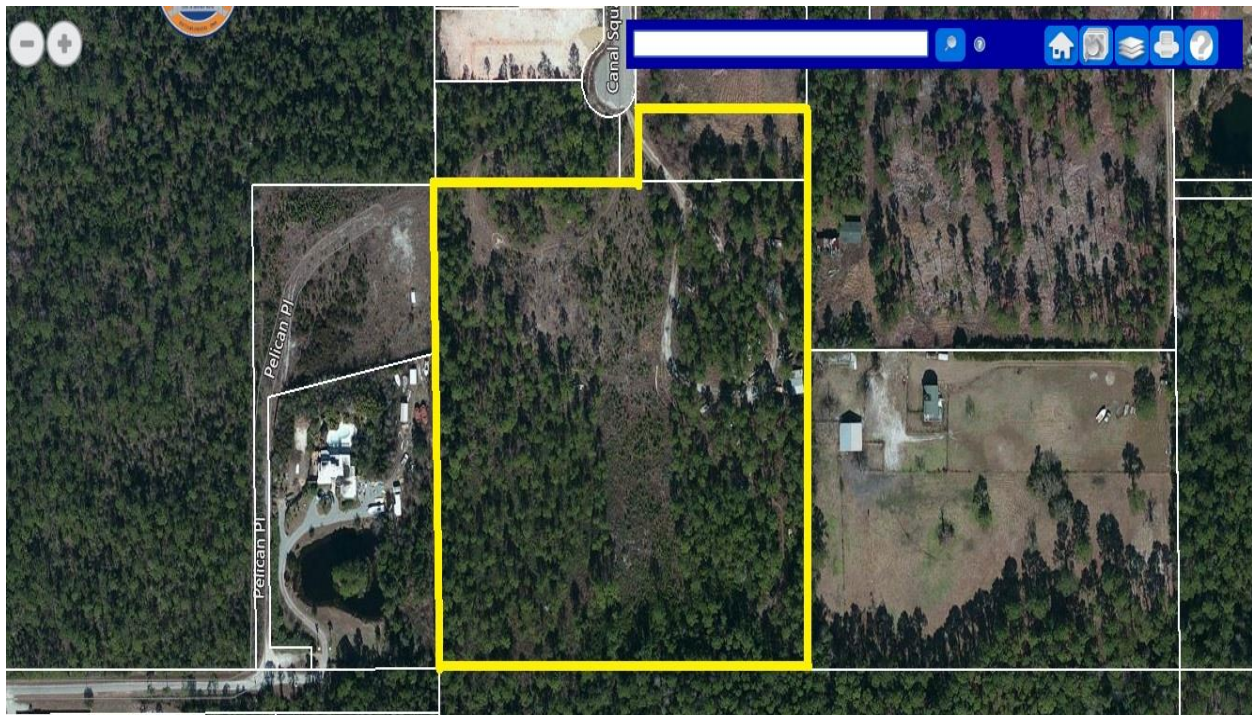
3. **DENIAL** of final PUD.

VIII. MAPS & PLANS

Zoning Map



Aerial Map



RESUBDIVISION OF CANAL SQUARE SLIDE 2088

LOT 3C

LOT 3D

LOT 4

LOT 5

GB

GB

30' INGRESS/EGRESS EASEMENT AS PER DEED RECORDED IN RP 770, PAGES 1735-1736

30' INGRESS/EGRESS EASEMENT AS PER DEED RECORDED IN RP-770, PAGES 1737-1738

58°55'10"E 665.0' (R)
N89°49'08"E 664.94'

Common Area 1

Common Area 2

ORANGE BEACH PARKING

PROPOSED

RECEIVED
FEB 7 7 2017

MHS

N89°29'54"W 659.84'
N89°16'00"W 659.60' (R)

QNG PROPERTIES
24829 CANAL RD
ORANGE BEACH AL 36561

FREEMAN, DENSON F ETAL
FREEMAN, MARY E
RIVER ROUTE BOX 77
MAGNOLIA SPRINGS AL 36555

GUESS, DAVE
561 HOLCOMBE AVE
MOBILE AL 36606

GRANLEE, MACON W JR
C/O SANDRA ROGERS
204 S TEMPLE AVE (MA)
FAYETTE AL 36555

MOORE, CLARENCE H
2024 BLISSWOOD DR S
ORANGE BEACH AL 36561

N00°19'00"W 661.20' (R)
N00°00'00"W 660.99'

N00°09'00"E 668.7' (R)
S00°07'35"E 668.83'



PLANNING & ZONING
COMMUNITY DEVELOPMENT DEPARTMENT
P.O. BOX 2432
ORANGE BEACH, ALABAMA 36561



SENT VIA EMAIL TO mpumphrey@dewberry.com

August 16, 2017

Steven Pumphrey
Dewberry/Preble-Rish
9949 Bellaton Ave.
Daphne, AL 36526

RE: Case No. 0801-PUD-17, Final PUD Approval, Gulf Stream PUD

Dear Mr. Pumphrey:

On Monday, August 14, 2017, the Orange Beach Planning Commission held a public hearing and considered the above referenced request. The Planning Commission approved its favorable recommendation of the application to City Council with the following conditions:

Planning & Zoning:

- Revising the plans to reduce the width of the sidewalks from five feet to four feet as requested by the applicant.
- Providing a dimension layout of the townhouse lots showing setbacks and driveway length between the building and sidewalk that will be included in the PUD submittal to City Council.

Drainage & Stormwater:

- In addition to the notation provided on the Canal Square Lane Improvements on sheet 13, the following notes need to be added:
 - a) Roadway repaving – notation provided is sufficient
 - b) Green areas within the right-of-way will be cleared of vegetation and properly stabilized.
 - c) The roadway edge of pavement will be sawcut and properly rebuilt as needed.
 - d) The roadside ditches will be reestablished, properly regraded with proper ditch bank side slopes and sodded.
 - e) Additional improvements may be needed due to the length of time the road has been in a state of disrepair as determined by the City of Orange Beach Public Works Director.

Utilities:

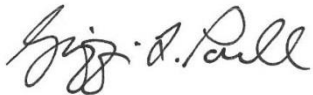
- Piping shall be class 200 PVC with slip joint connections.
- MJ fittings shall be cement lined ductile iron restrained with Mega-Lug joint restraints.
- Add 3" check valve to the connection at Canal Road.

Steven Pumphrey
August 16, 2017
Page 2

Please submit two large sets (24" x 36") and a PDF version of the revised plans to our office for City Council review and approval and the Mayor's signature by Tuesday, August 29, 2017. Our office will place this application on the Committee of the Whole agenda on Tuesday, September 5, 2017, to set a date for the public hearing and first reading before City Council.

If you have any questions, please feel free to contact our office at (251) 981-2610.

Sincerely,

A handwritten signature in black ink, appearing to read "Griffin L. Powell". The signature is fluid and cursive, with the first name "Griffin" being more prominent.

Griffin L. Powell
Planner II

cc: Kit Alexander, E&ES Director
Michael J. Specchio
Paulette Taylor, Planner I

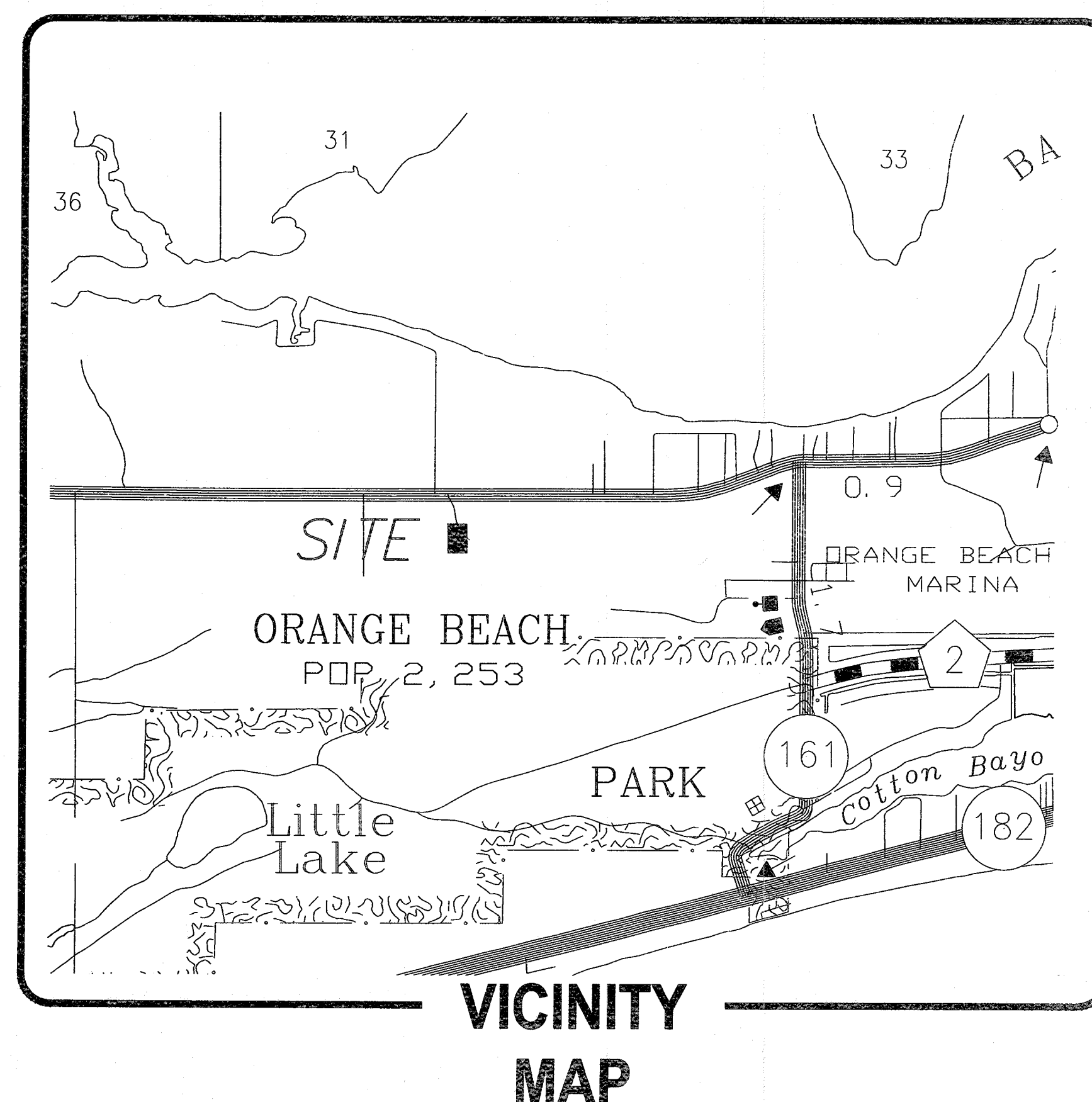
Construction Plans For:

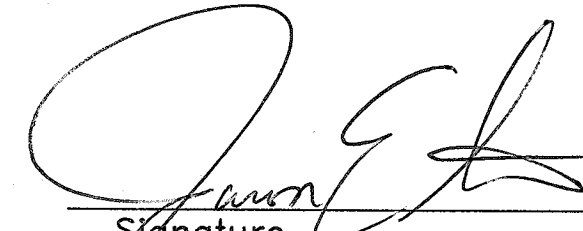
GULF STREAM TOWNHOMES

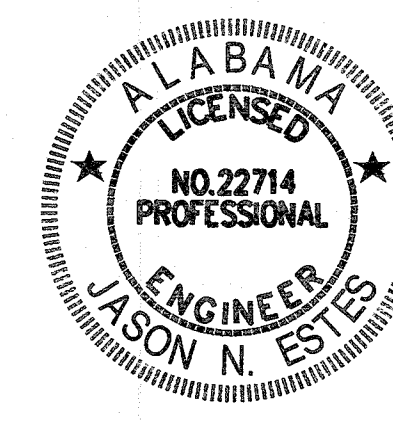
Orange Beach, Alabama

Prepared For:

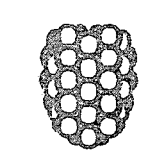
FORTUNA INVESTMENTS, LLC
Spanish Fort, Alabama




Signature Date: 8-29-17
(NOT VALID WITHOUT SIGNATURE)
JASON N. ESTES 22714
Project Engineer Reg. No.



Prepared By:

 **Dewberry** | **PREBLE-RISH**

9949 BELLATON AVENUE | DAPHNE, AL 36526 | 251.990.9950

Date: JULY 2017
Project Number: 50082140

SHEETS:	
1	TITLE SHEET
2	GENERAL NOTES
3	TYPICAL SECTION AND DETAILS
4	PLAT
5	OVERALL DRAINAGE PLAN
6	OVERALL UTILITY PLAN
7-9	PLAN AND PROFILE SHEETS
10	POND PLAN
11	SIDEWALK, STREETLIGHT, & SIGN PLAN
12	BMP PLAN
13	CANAL SQUARE LN IMPROVEMENTS
14	WATER & SEWER DETAILS
15	DRAINAGE DETAILS
16-19	CROSS SECTIONS

INDEX

ROAD CLASSIFICATION: LOCAL
POSTED SPEED LIMIT: 20 MPH

SPECIFICATIONS

08/01/17	REVISIONS PER CITY OF ORANGE BEACH COMMENTS
08/29/17	REVISIONS PER CITY OF ORANGE BEACH COMMENTS

REVISIONS

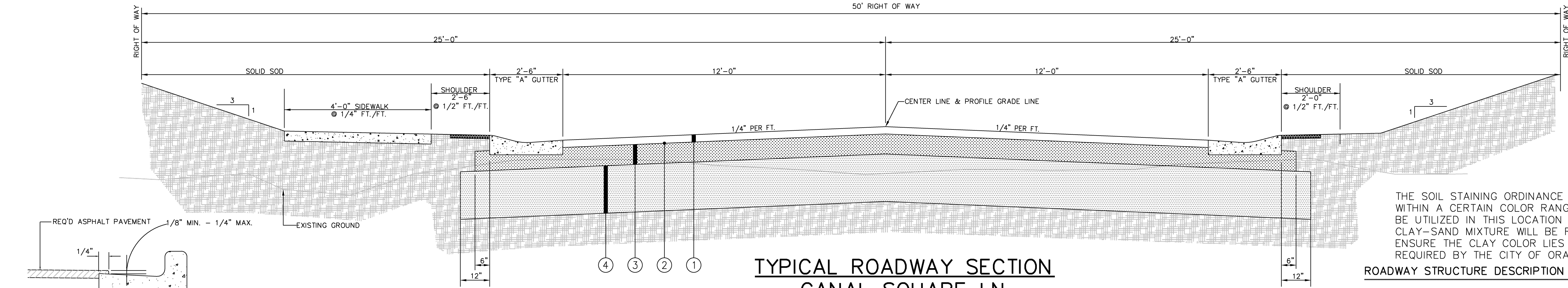
E

D

C

B

A



TYPICAL ROADWAY SECTION
CANAL SQUARE LN

THE SOIL STAINING ORDINANCE DOES NOT ALLOW FOR CLAY LINING WITHIN A CERTAIN COLOR RANGE AS DESIGNATED IN THE ORDINANCE TO BE UTILIZED IN THIS LOCATION ON THE ISLAND. A SAMPLE OF THE CLAY-SAND MIXTURE WILL BE REQUIRED PRIOR TO PERMITTING TO ENSURE THE CLAY COLOR LIES WITHIN THE ACCEPTABLE RANGE AS REQUIRED BY THE CITY OF ORANGE BEACH ORDINANCE.

ROADWAY STRUCTURE DESCRIPTION

- 1 IMPROVED BITUMINOUS CONCRETE WEARING SURFACE LAYER, 1/2" MAX AGGREGATE SIZE MIX, ESAL RANGE B (ALDOT 429-A), MINIMUM PLACEMENT OF 220 LBS/SY (APPROX. 2" THICK). MINIMUM DENSITY OVER GRANULAR BASE IS 92.0% REFERENCE ALDOT SPECIFICATION 306.03 (g), TABLE 3 FOR DENSITY REQUIREMENTS.
- 2 PRIME COAT: 0.25 GAL. PER SQ. YARD MINIMUM OF BITUMINOUS TREATMENT TYPE "A" PRIME COAT PER ALDOT SECTION 401 BITUMINOUS SURFACE TREATMENTS.
- 3 CRUSHED AGGREGATE BASE MATERIALS; 6" THICK OF SECTION 825 TYPE "B" (95% MODIFIED COMPACTION, AASHTO T-180) (ALDOT 301)
- 4 ROADBED PROCESSING: 8" THICK GRADED AND COMPACTED (100% STANDARD PROCTOR, AASHTO T-99) PER ALDOT SECTION 230.

NOTE : A) 4.0' FOOT WIDE CONCRETE SIDEWALK SHALL BE CONSTRUCTED IN FRONT OF ALL COMMON AREAS AT TIME OF SUBDIVISION CONSTRUCTION

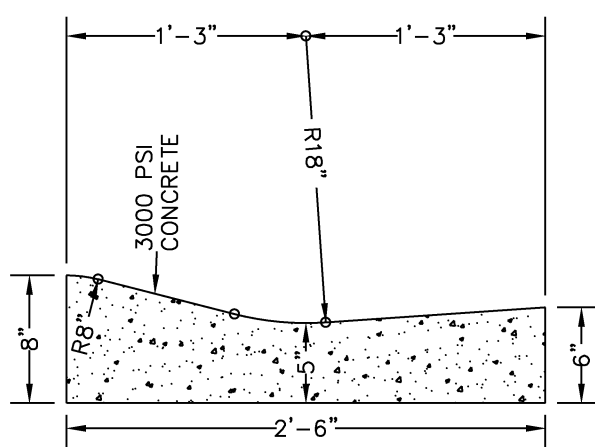
B) 4.0' FOOT WIDE CONCRETE SIDEWALK SHALL BE CONSTRUCTED IN FRONT OF ALL LOTS DURING HOME CONSTRUCTION

C) CONTRACTOR SHALL STAMP UTILITY SERVICE LOCATIONS IN VALLEY GUTTER. SEWER SERVICES SHALL BE DESIGNED WITH A "S" AND WATER SERVICES WITH A "W".

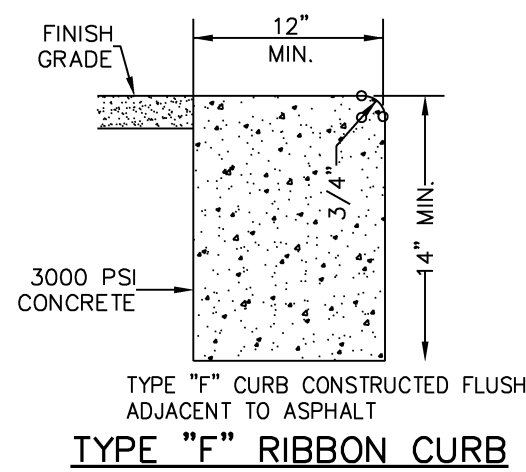
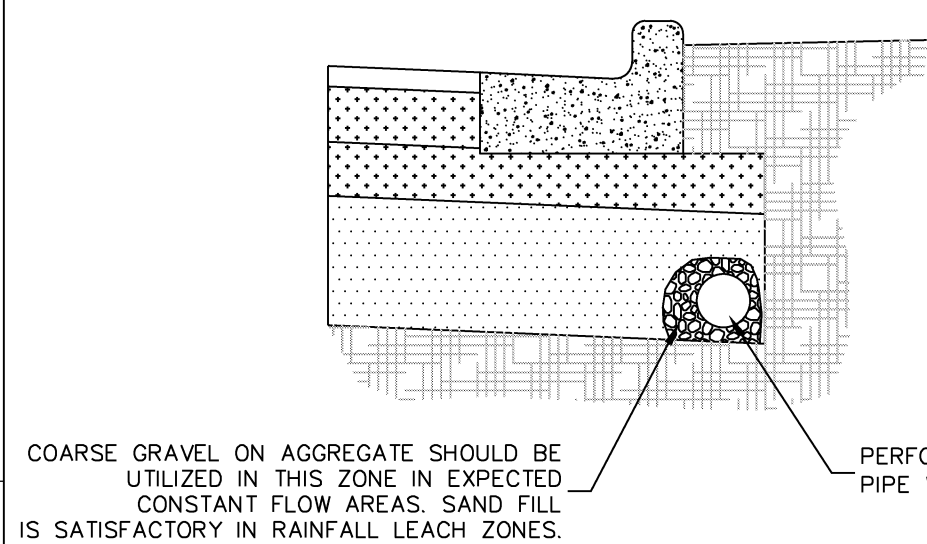
D) EXPANSION JOINTS SHALL BE INSTALLED AT INTERVALS NOT TO EXCEED 50' AND AT ALL PT'S AND PC'S.

E) CONSTRUCTION JOINTS SHALL BE INSTALLED EVERY 5'.

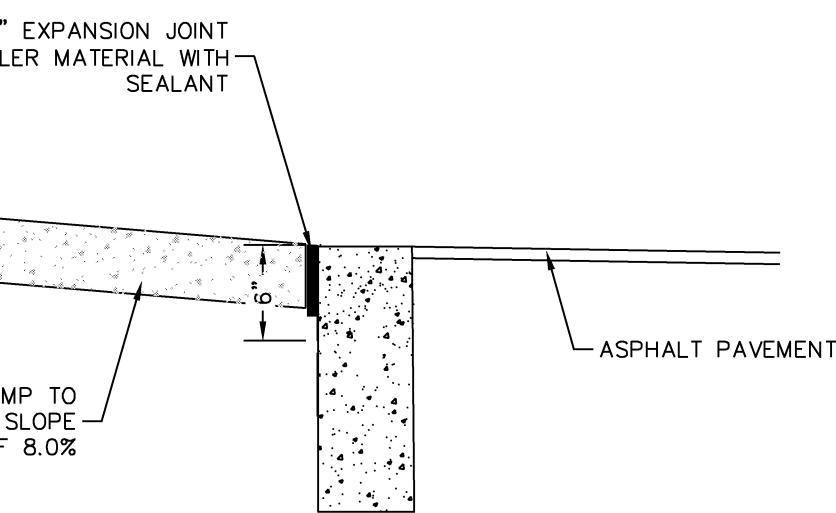
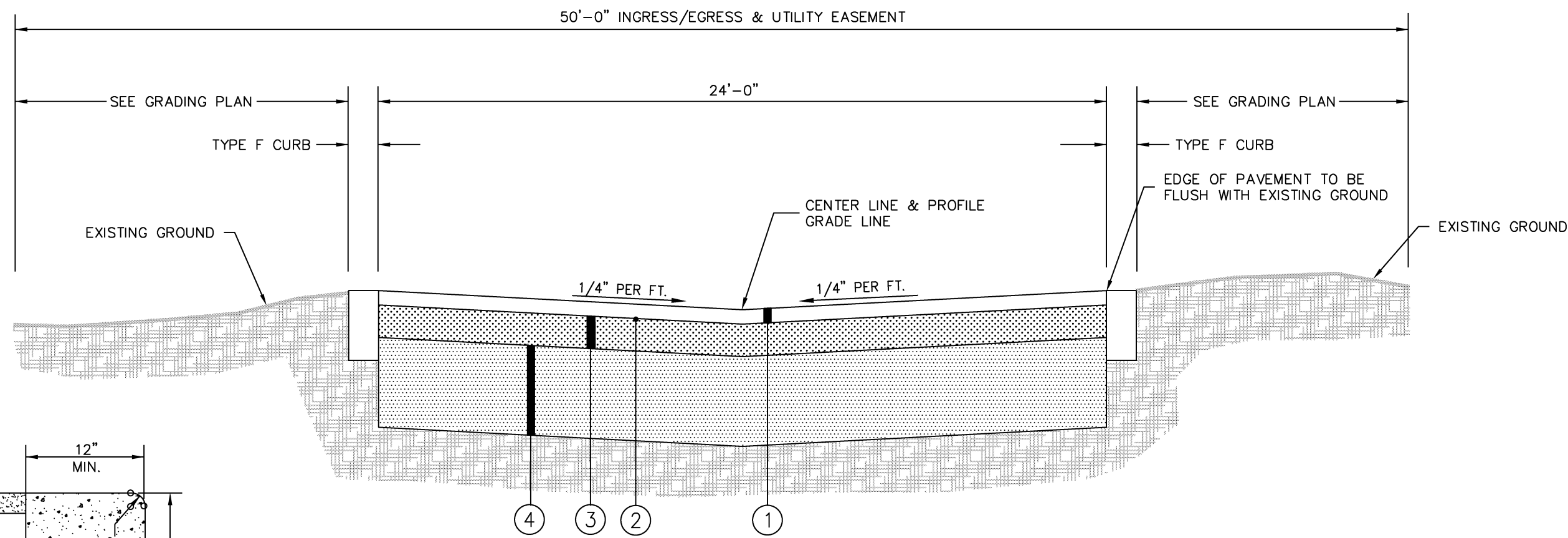
OVERLAPPING ASPHALT DETAIL



TYPE "A" VALLEY GUTTER



TYPICAL ROADWAY SECTION



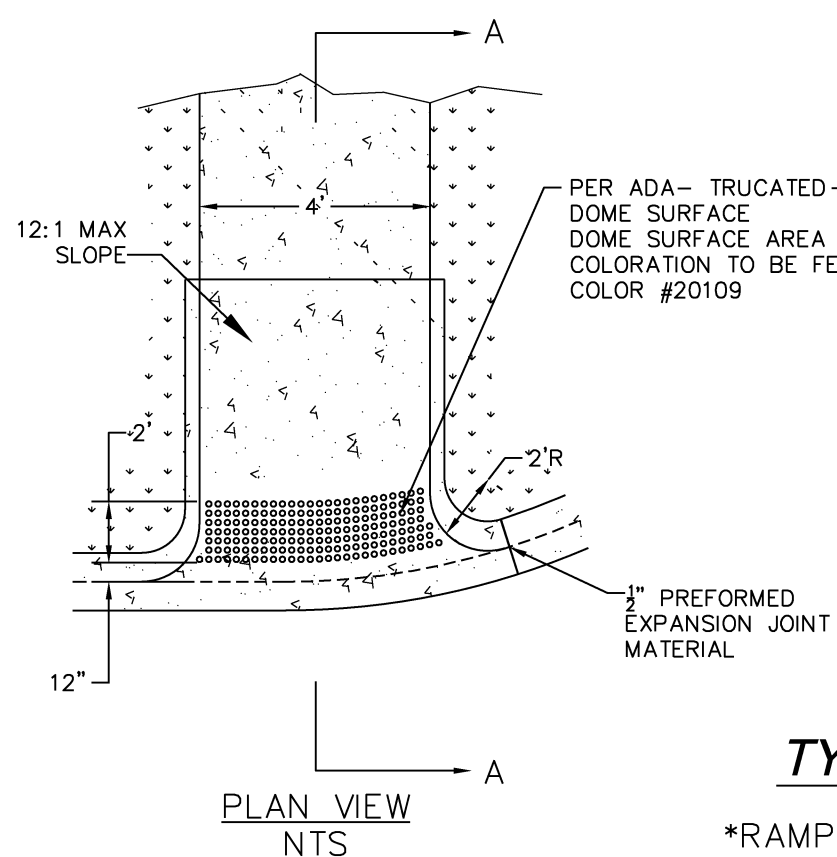
CONCRETE RAMP DETAIL

CANAL SQUARE LANE REQUIRED IMPROVEMENTS

- 1 RIGHT OF WAY TO BE CLEARED AND GRUBBED
- 2 ROADWAY TO BE PREPARED - ADD IMPROVED BITUMINOUS CONCRETE WEARING SURFACE LAYER TO CANAL SQUARE LANE, 1/2" MAX AGGREGATE SIZE MIX, ESAL RANGE B (ALDOT 429-A), MINIMUM PLACEMENT OF 110 LBS/SY (APPROX. 1" THICK).
- 3 ROADSIDE DITCHES TO BE SURVEYED FOR VERIFICATION OF POSITIVE SLOPE TO OUTFALL
- 4 SHALL ADHERE TO THE PREVIOUSLY ACCEPTED AS BUILT ENGINEERED PLANS FOR THE CANAL SQUARE SUBDIVISION.

REFER TO AS BUILT ENGINEERED DRAWINGS BY JOHN W. PETERSON L.L.C.

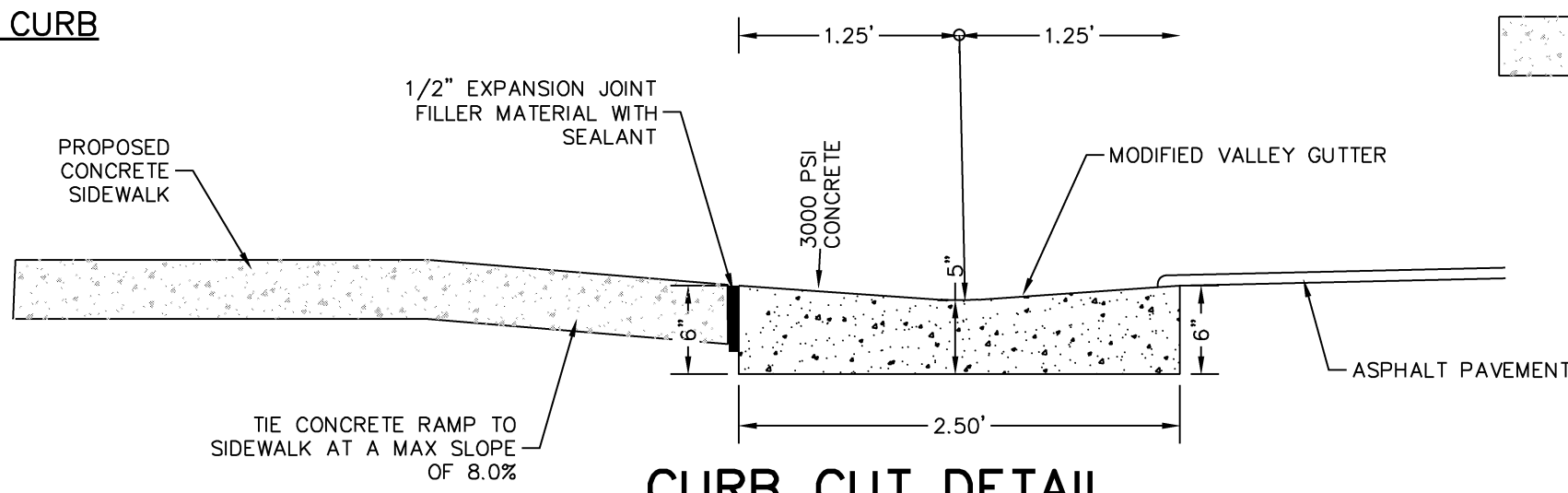
TYPICAL UNDERDRAIN INSTALLATION



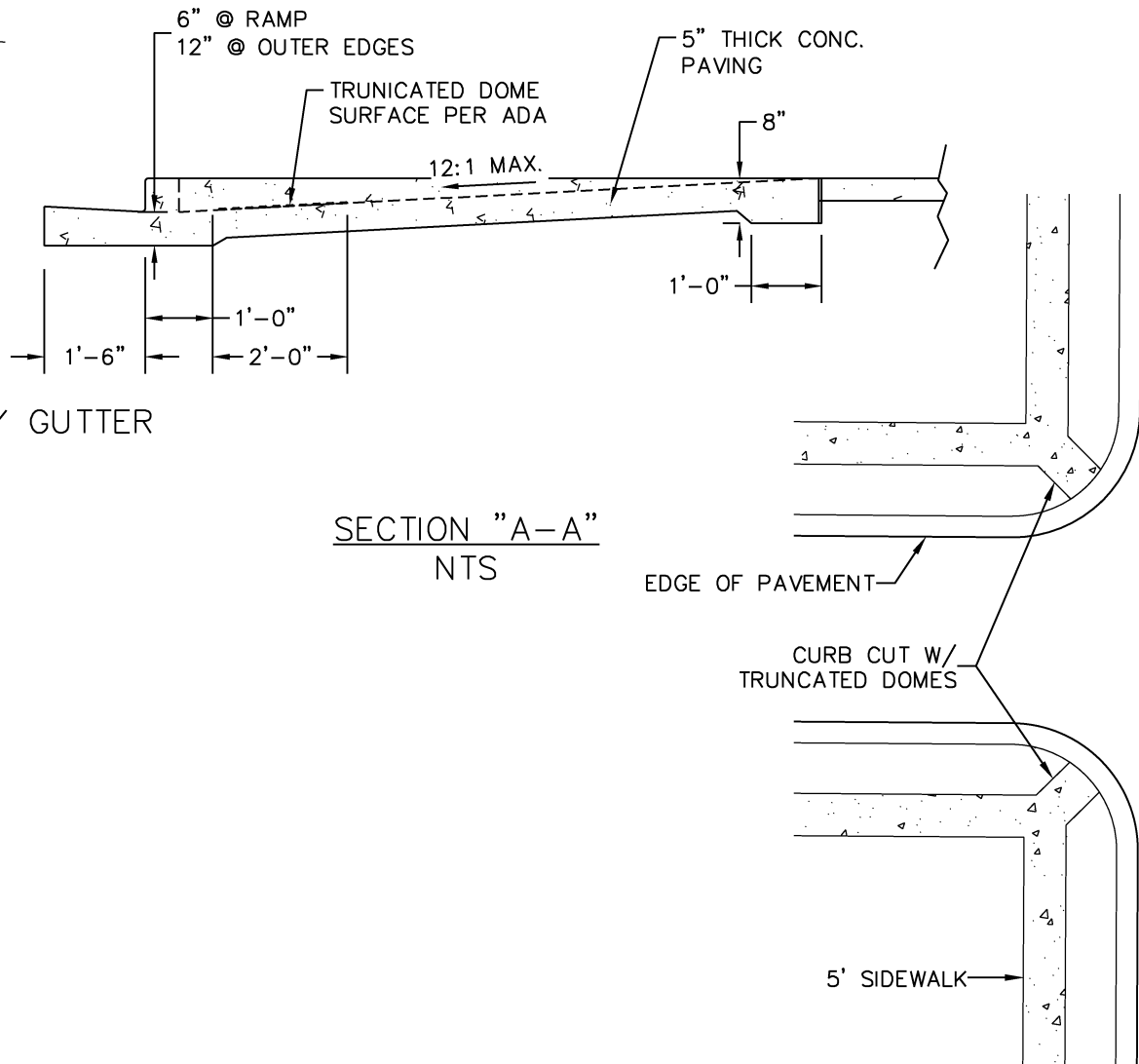
TYPICAL HANDICAPPED RAMP

*RAMP SLOPES SHALL MEET ADA REQUIREMENTS

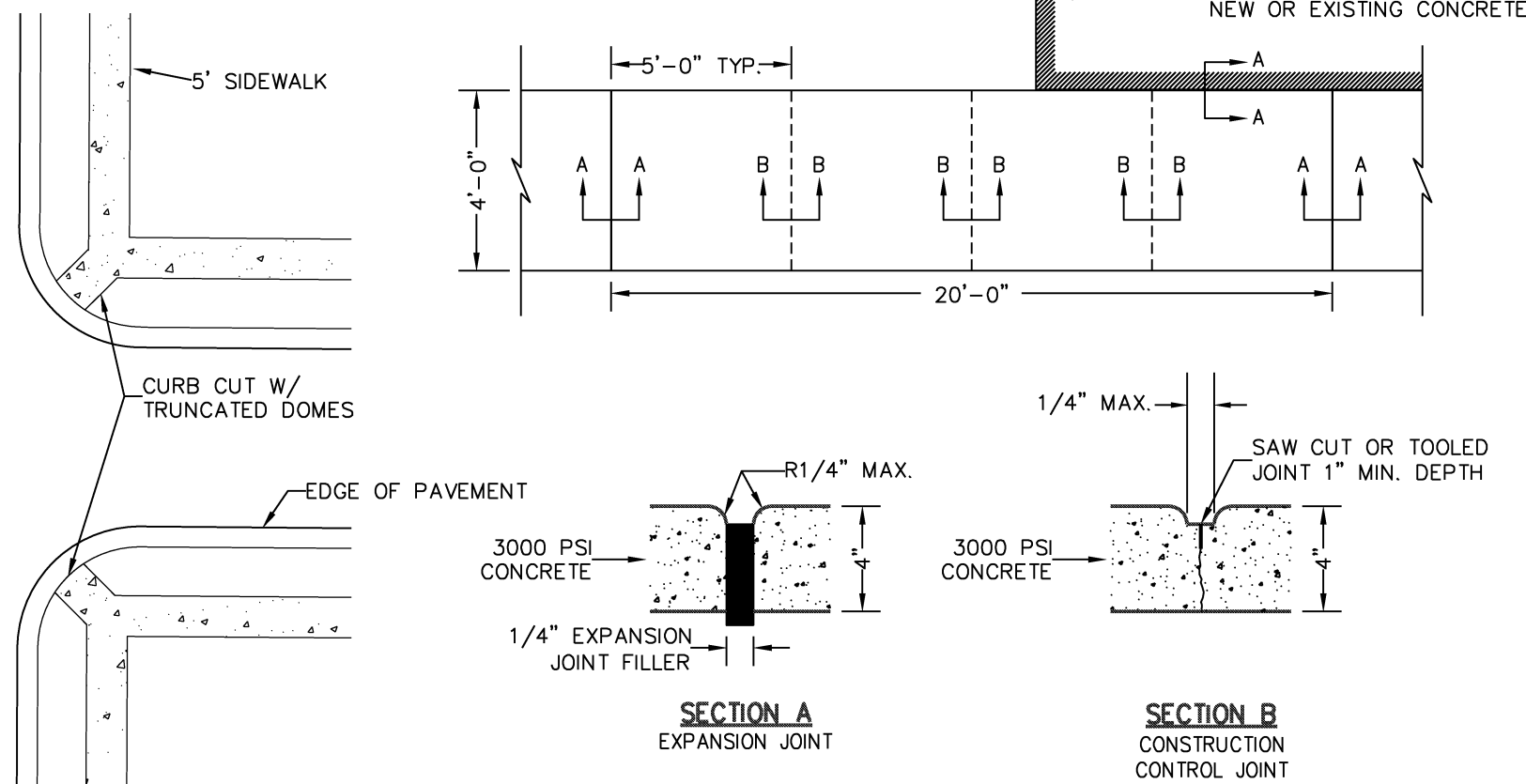
CURB CUT DETAIL



SECTION "A-A"



CONCRETE WALK DETAIL



SEAL



KEY PLAN

SCALE

N/A

NO.

DESCRIPTION

DATE

REVISIONS

DRAWN BY

JMB

APPROVED BY

JNE

CHECKED BY

JNE

DATE

JULY 2017

TITLE

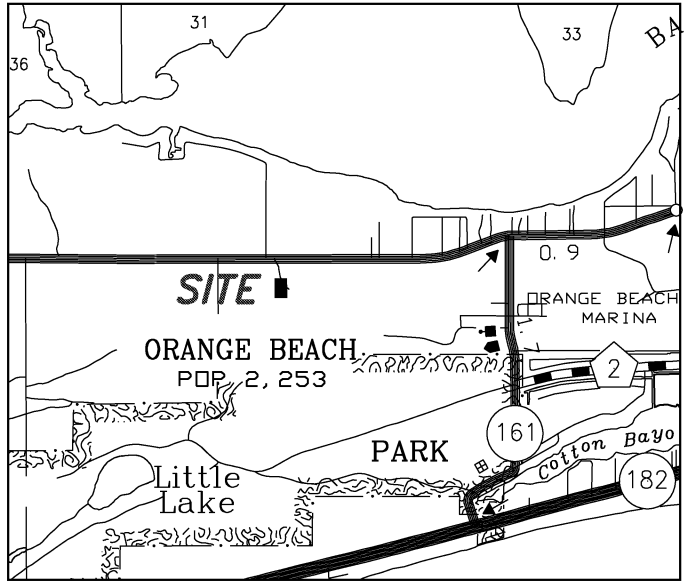
TYPICAL ROAD
DETAILS

PROJECT NO.

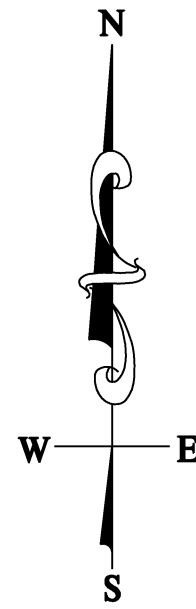
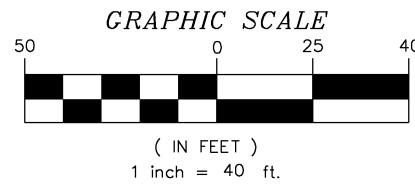
50082140

SHEET NO.

PROPERTY IS LOCATED IN THE SE QUARTER OF SECTION 6,
TOWNSHIP 9 SOUTH, RANGE 5 EAST, BALDWIN COUNTY, ALABAMA.



VICINITY MAP
1" = 1 MILE



SITE DATA
CURRENT ZONING GB
TOTAL AREA 10.80 ACRES
TOTAL LOTS 64
COMMON AREA 5.44 ACRES (INCLUDES PRIVATE R.O.W.)

REQUIRED PERIMETER SETBACKS:
NORTH: 20 FEET
SOUTH: 20 FEET
EAST: 20 FEET
WEST: 10 FEET FROM WETLANDS
***NOTE: ALL SETBACKS SHALL BE 10' FROM WETLANDS**

WATER SERVICE: ORANGE BEACH WATER AUTHORITY
SEWER SERVICE: CITY OF ORANGE BEACH
ELECTRIC SERVICE: BALDWIN COUNTY EMC
TELEPHONE SERVICE: CENTURYLINK

CURVE	RADIUS	ARC	TANGENT	CHORD BEARING	CHORD
C1	12.00'	18.80'	11.95'	S45°17'36"E	16.94'
C2	14.86'	23.36'	14.87'	S45°09'14"E	21.03'
C3	37.00'	58.15'	37.04'	S45°09'14"E	52.35'
C4	12.00'	18.86'	12.01'	S45°09'14"E	16.98'
C5	12.00'	18.85'	12.00'	S44°52'25"W	16.97'
C6	37.00'	58.12'	37.00'	S44°52'25"W	52.33'
C7	15.33'	24.09'	15.33'	S44°52'25"W	21.68'
C8	18.00'	28.27'	18.00'	N45°07'35"W	25.46'
C9	37.00'	58.12'	37.00'	N45°07'35"W	52.33'
C10	12.00'	18.85'	12.00'	N45°07'35"W	16.97'
C11	24.07'	37.79'	24.05'	N44°50'46"E	34.02'
C12	50.00'	78.49'	49.95'	N44°50'46"E	70.68'
C13	75.00'	85.08'	47.77'	N32°22'14"E	80.59'

CERTIFICATE OF APPROVAL BY ORANGE BEACH WATER AUTHORITY:

THE UNDERSIGNED, AS AUTHORIZED BY ORANGE BEACH WATER AUTHORITY HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA, THIS ____ DAY OF ____.

AUTHORIZED REPRESENTATIVE _____

CERTIFICATE OF APPROVAL BY THE CITY OF ORANGE BEACH:(SEWER)

THE UNDERSIGNED, AS AUTHORIZED BY THE CITY OF ORANGE BEACH HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA, THIS ____ DAY OF ____.

AUTHORIZED REPRESENTATIVE _____

CERTIFICATE OF APPROVAL BY BALDWIN COUNTY EMC

THE UNDERSIGNED, AS AUTHORIZED BY BALDWIN COUNTY EMC HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA, THIS ____ DAY OF ____.

AUTHORIZED REPRESENTATIVE _____

**CERTIFICATION OF APPROVAL BY THE
ORANGE BEACH PLANNING COMMISSION:**

THE WITHIN PLAT OF GULF STREAM, A PLANNED UNIT DEVELOPMENT, ORANGE BEACH, ALABAMA, IS HEREBY APPROVED BY THE PLANNING COMMISSION OF THE CITY OF ORANGE BEACH, ALABAMA, THIS THE ____ DAY OF ____.

CHAIRMAN _____

AFFIDAVIT OF LICENSED PROFESSIONAL ENGINEER:

I, JASON ESTES, A LICENSED PROFESSIONAL ENGINEER IN THE STATE OF ALABAMA, LICENSE NO. 22714, HEREBY CERTIFY THAT I HAVE DESIGNED THE WITHIN IMPROVEMENTS IN CONFORMITY WITH APPLICABLE CODES AND LAWS AND WITH THE PRINCIPLES OF GOOD ENGINEERING PRACTICE INCLUDING THE DRAINAGE DESIGN REQUIREMENTS OF THE DAPHNE SUBDIVISION REGULATIONS. I FURTHER CERTIFY THAT I HAVE PROVIDED OVERSIGHT OF THE CONSTRUCTION TO MY DESIGN, AND THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF THE WITHIN IS A TRUE AND ACCURATE REPRESENTATION OF IMPROVEMENTS AS INSTALLED.

JASON ESTES, ENGINEER _____ DATE _____
DEWBERRY | PREBLE-RISH

CERTIFICATION OF OWNERSHIP AND DEDICATION:

STATE OF ALABAMA
COUNTY OF BALDWIN

THIS IS TO CERTIFY THAT I (WE) _____ THE UNDERSIGNED AM (ARE) THE OWNER(S) OF THE LAND SHOWN AND DESCRIBED IN THE PLAT, AND THAT I (WE) HAVE CAUSED THE SAME TO BE SURVEYED AND SUBDIVIDED AS INDICATED HEREON, FOR THE USES AND PURPOSES HEREIN SET FORTH AND DO HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE DESIGN AND TITLE HEREON INDICATED; AND GRANT ALL EASEMENTS AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED, TOGETHER WITH SUCH RESTRICTIONS AND CONVENTS NOTED BELOW OR ATTACHED IN A SEPARATE LEGAL DOCUMENT.

DATED THIS ____ DAY OF ____

OWNER _____

OWNER _____

CERTIFICATION BY NOTARY PUBLIC:

STATE OF ALABAMA
COUNTY OF BALDWIN

I, _____ AS NOTARY PUBLIC, IN AND FOR SAID COUNTY AND STATE, DO HEREBY CERTIFY THAT _____ WHOSE NAME IS SIGNED TO THE FOREGOING CERTIFICATE AS A SURVEYOR, AND _____ WHOSE NAME IS SIGNED TO SAME AS OWNER(S) AND _____ WHOSE NAME IS SIGNED TO SAME AS MORTGAGEE(S) ALL OF WHOM ARE KNOWN TO ME, ACKNOWLEDGED BEFORE ME, OF THIS DATE THAT AFTER HAVING BEEN DULY INFORMED OF THE CONTENTS OF SAID CERTIFICATE, THEY EXECUTED SAME VOLUNTARILY AS SUCH INDIVIDUALS (OR IN ANY OTHER CAPACITIES) WITH FULL AUTHORITY THEREFOR.

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS ____ DAY OF ____

NOTARY PUBLIC _____

GENERAL NOTES:

1. FOR THE LOCATION OF ALL UTILITIES, SEE CONSTRUCTION PLANS.
2. ALL UTILITIES WILL BE CONSTRUCTED UNDERGROUND.
3. THE 50' PRIVATE RIGHT-OF-WAY SHOWN HEREON AS GULF STREAM DRIVE SHALL SERVE AS INGRESS/EGRESS FOR LOTS 1-56 AND AS A UTILITY EASEMENT.
4. ALL NEW PRINCIPAL STRUCTURES SHALL HAVE A MINIMUM FINISH FLOOR ELEVATION (F.F.E.) OF 12 INCHES ABOVE THE CENTERLINE OF THE NEAREST PAVED OR PUBLIC STREET OR COMPLY WITH THE MINIMUM F.F.E. AS REQUIRED BY THE CITY OF ORANGE BEACH FLOOD PLAN PREVENTION ORDINANCE, WHICHEVER IS GREATER.
5. NO ON-STREET PARKING IS ALLOWED WITHIN THIS DEVELOPMENT.

FIRST BAPTIST CHURCH INC
1201 HAND AVE
BAY MINETTE AL 36507
ZONED MHS

RESUBDIVISION OF LOT 3
CANAL SQUARE SUBDIVISION
SLIDE 2088-D

FREEMAN, DENSON F ETAL
FREEMAN, MARY F
RIVER ROUTE BOX 77
MAGNOLIA SPRINGS AL 36555
ZONED GB

30' INGRESS/EGRESS
EASEMENT
AS PER DEED RECORDED IN
RP 770, PAGES 1735-1738

30' INGRESS/EGRESS
EASEMENT
AS PER DEED RECORDED IN
RP 770, PAGES 1735-1738

ONG PROPERTIES
24829 CANAL RD
ORANGE BEACH AL 36561
ZONED GB

GRAVLEE, MACON, W. JR
C/O SANDRA ROGERS
204 S TEMPLE AVE (MA)
FAVETTE AL 35555
ZONED GB

GRAVLEE, MACON, W. JR
C/O SANDRA ROGERS
204 S TEMPLE AVE (MA)
FAVETTE AL 35555
ZONED GB

MCUFFEE, ELIZABETH M
29742 BAYSHORE DR S
ORANGE BEACH AL 36561
ZONED RS-1

HACKEL, JOSEPH G ETAL YARBROUGH, ROBERT
4727 MILGEW RD
COLUMBUS GA 31907
ZONED GB

RISER, THOMAS WAYNE ETUX DONNA
24701 E BELICAN PLACE
ORANGE BEACH AL 36561
ZONED GB

Common Area 3
0.87 AC
(UPLANDS)

Common Area 2
0.94 AC

6.40 AC
TOTAL UPLANDS

Common Area 1
2.24 AC
(UPLANDS)

N89°29'54"W 659.84'
N89°16'00"W 659.60' (R)

FLOOD CERTIFICATE:

THIS PROPERTY LIES WITHIN ZONE "X" AS SCALED FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP OF BALDWIN COUNTY, ALABAMA, MAP NUMBER 01003C0961L, COMMUNITY NUMBER 015000, PANEL NUMBER 0961, SUFFIX L, MAP REVISED JULY 17, 2007.

SURVEYOR'S NOTES:

1. ALL MEASUREMENTS WERE MADE IN ACCORDANCE WITH U.S. STANDARDS.
2. DESCRIPTION AS FURNISHED BY CLIENT.
3. THERE MAY BE RECORDED OR UNRECORDED DEEDS, EASEMENTS, RIGHT-OF-WAYS, OR OTHER INSTRUMENTS WHICH COULD AFFECT THE BOUNDARIES OF SAID PROPERTIES.
4. THERE WAS NO ATTEMPT TO DETERMINE THE EXISTENCE, LOCATION, OR EXTENT OF ANY SUB-SURFACE FEATURES.
5. THE LINES REPRESENTING THE CENTERLINE AND RIGHT-OF-WAYS OF THE STREETS ARE SHOWN FOR VISUAL PURPOSES ONLY AND WERE NOT SURVEYED UNLESS RIGHT-OF-WAY MONUMENTATION IS ALSO SHOWN.
6. SURVEY WAS CONDUCTED ON JUNE 9 AND 22, 2016; AND IS RECORDED IN FIELD BOOK #303, AT PAGES 29 AND 37, AND IN AN ELECTRONIC DATA FILE.
7. BEARINGS AND DISTANCES SHOWN HEREON WERE "COMPUTED" FROM ACTUAL FIELD TRAVERSES.
8. THIS SURVEY IS BASED UPON MONUMENTATION FOUND IN PLACE AND DOES NOT PURPORT TO BE A RETRACEMENT AND PROPORTIONING OF THE ORIGINAL GOVERNMENT SURVEY.

SURVEYOR'S CERTIFICATE:

STATE OF ALABAMA
COUNTY OF BALDWIN

WE, DEWBERRY | PREBLE-RISH, A FIRM OF LICENSED ENGINEERS AND LAND SURVEYORS OF DAPHNE, ALABAMA, HEREBY STATE THAT THE ABOVE IS A CORRECT MAP OR PLAT OF THE FOLLOWING DESCRIBED PROPERTY SITUATED IN BALDWIN COUNTY, ALABAMA, TO-WIT:

"LOT 7, COOL BREEZE COMMERCIAL PARK, ACCORDING TO MAP OR PLAT THEREOF RECORDED IN SLIDE 2203-C, RECORDED IN THE IN THE OFFICE OF OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA."

(DESCRIPTION COMPOSED FROM PROBATE RECORDS AND AN ACTUAL FIELD SURVEY).

WE FURTHER STATE THIS SURVEY HAS BEEN COMPLETED IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF ALABAMA, EFFECTIVE MAY 7, 2002.

DEWBERRY | PREBLE-RISH
DAVID E. DIEHL
07-07-2017
AL P.L.S. No. 26014

SURVEY NOT VALID WITHOUT ORIGINAL SIGNATURE AND SEAL




GULF STREAM

A PLANNED UNIT DEVELOPMENT

(A RE-SUB OF LOT 6&7 COOL BREEZE COMMERCIAL PARK)

JULY 10, 2017 - SHEET 1 OF 1 SHEETS

BOUNDARY SURVEY AND PLAT OF SUBDIVISION				
DESIGN	D.E.D.	DRAWN	A.E.F.	CHKD. D.E.D.
ENG	J.N.E	SURVEYOR	D.E.D.	PROJ MGR D.E.D.
 PREBLE-RISH				SCALE 1"=40'
9949 Bellaton Ave Daphne, AL 36526 351.990.9950 fax 351.990.9910 info@preble-rish.net				PROJ. NO.50082140
				FILE 50082140.DWG
				SHEET 1 of 1

1 2 3 4 5

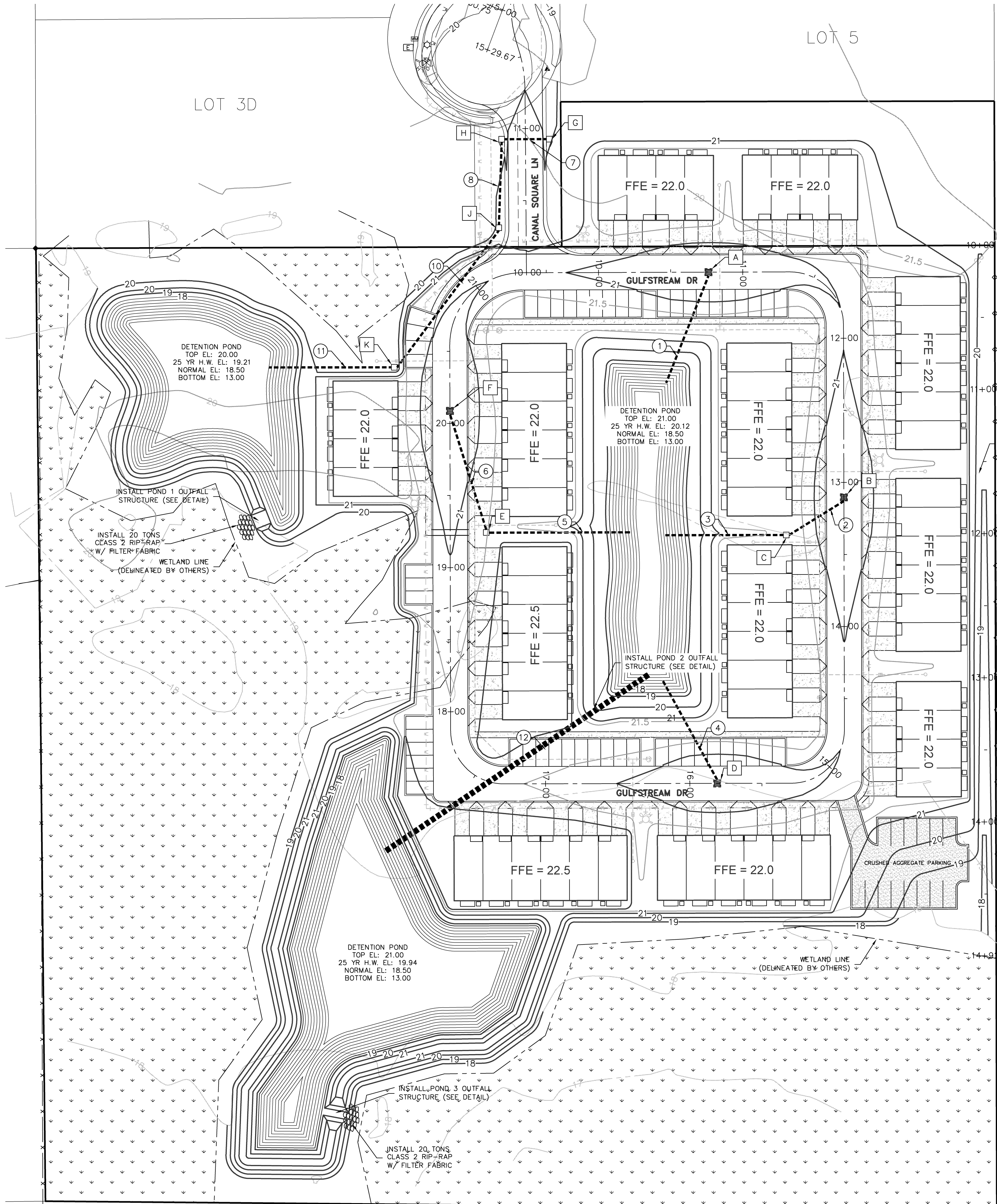
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B

A



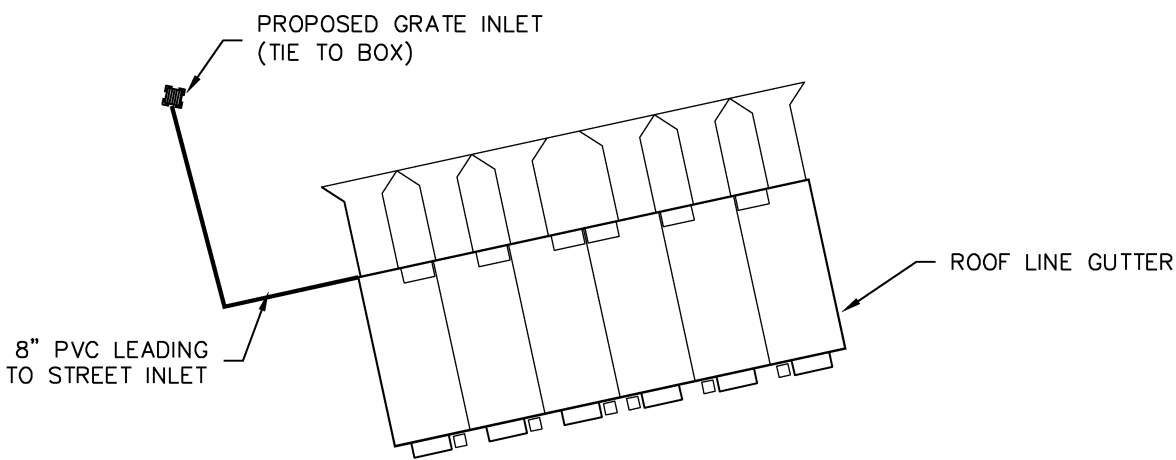
DRAINAGE STRUCTURES

- A INSTALL GRATE INLET
STA: 10+76.21
RIM: 20.56
INVERT: 15.57
- B INSTALL GRATE INLET
STA: 13+10.34
RIM: 20.56
INVERT: 17.06
- C INSTALL JUNCTION BOX
STA: 13+36.37
OFF: 45.00' RT
RIM: 20.40
INVERT: 14.84
- D INSTALL GRATE INLET
STA: 15+81.02
RIM: 20.58
INVERT: 15.14
- E INSTALL JUNCTION BOX
STA: 19+24.28
OFF: 25.00' RT
RIM: 21.30
INVERT: 15.01
- F INSTALL GRATE INLET
STA: 20+08.74
RIM: 20.56
INVERT: 17.06
- G INSTALL S1 INLET
STA: 11+92.68
OFF: 14.50' RT
THROAT: 19.55
INVERT: 16.76
- H INSTALL S1 INLET
STA: 10+92.68
OFF: 14.50' LT
THROAT: 19.55
INVERT: 16.49
- I OMIT
- J INSTALL JUNCTION BOX
STA: 10+31.40
OFF: 18.90' LT
RIM: 20.00
INVERT: 16.00
- K INSTALL YARD INLET
STA: 20+34.57
OFF: 37.00' LT
THROAT: 19.75
INVERT: 15.40

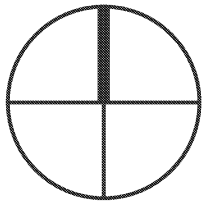
DRAINAGE PIPE

- 1 INSTALL 80 LF 24" RCP
INLET EL: 15.57
OUTLET EL: 14.50
- 2 INSTALL 45 LF 24" RCP
INLET EL: 17.06
OUTLET EL: 16.76
- 3 INSTALL 82 LF 24" RCP
INLET EL: 14.84
OUTLET EL: 14.00
- 4 INSTALL 78 LF 24" RCP
INLET EL: 15.14
OUTLET EL: 14.50
- 5 INSTALL 98 LF 24" RCP
INLET EL: 15.01
OUTLET EL: 14.00
- 6 INSTALL 84 LF 24" RCP
INLET EL: 17.06
OUTLET EL: 16.50
- 7 INSTALL 29 LF 18" RCP
INLET EL: 16.76
OUTLET EL: 16.49
- 8 INSTALL 58 LF 18" RCP
INLET EL: 16.49
OUTLET EL: 16.00
- 9 OMIT
- 10 INSTALL 119 LF 18" RCP
INLET EL: 16.00
OUTLET EL: 15.40
- 11 INSTALL 55 LF 24" RCP
INLET EL: 15.40
OUTLET EL: 14.90
- 12 INSTALL 220 LF 48" RCP
INLET EL: 13.10
OUTLET EL: 13.00

TYPICAL ROOF DRAINAGE PLAN



NOTE:
ALL ROOF RUNOFF WILL BE ROUTED TO PROPOSED POND

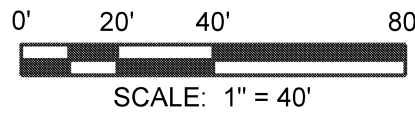


SEAL



KEY PLAN

SCALE

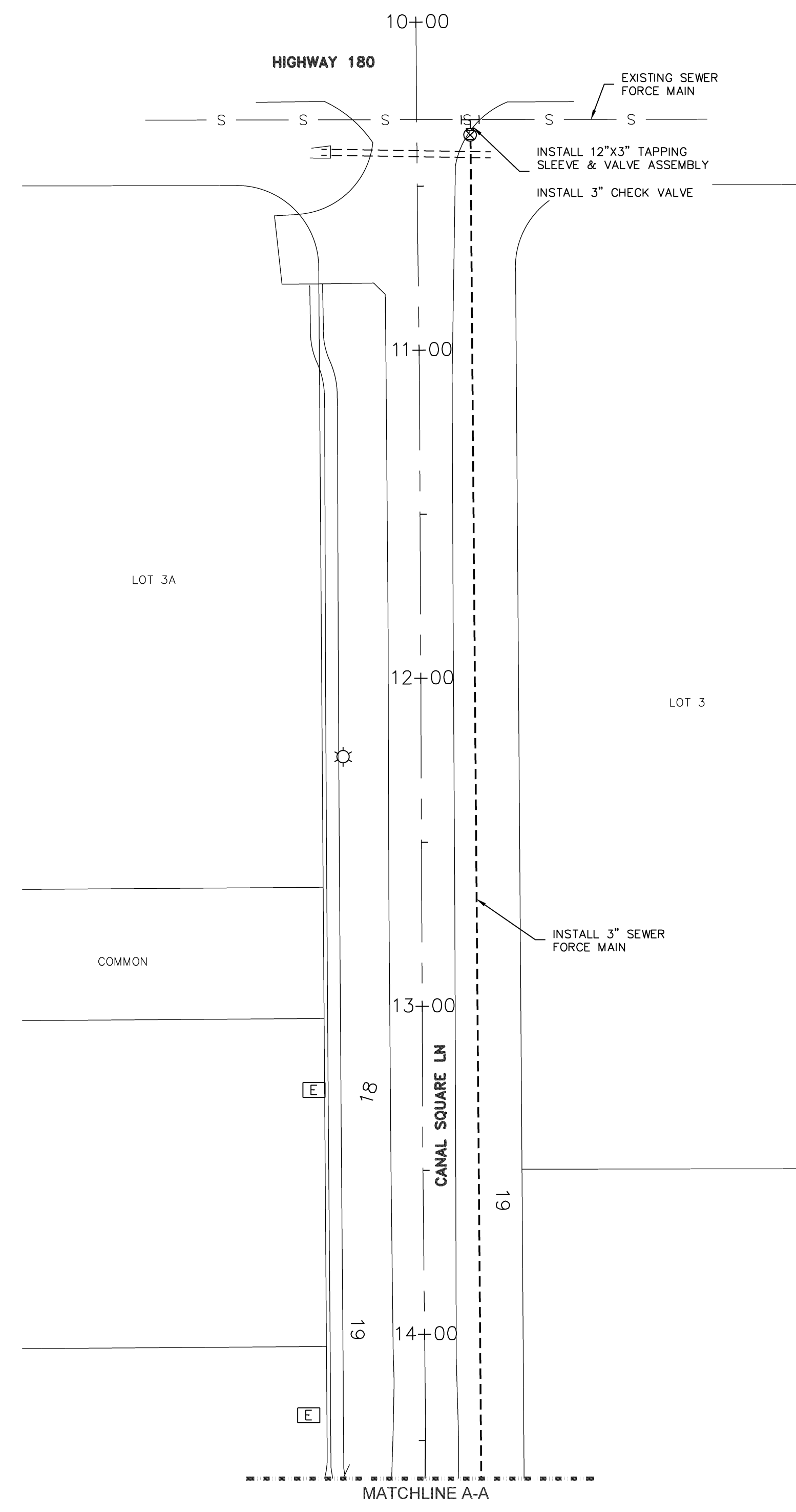
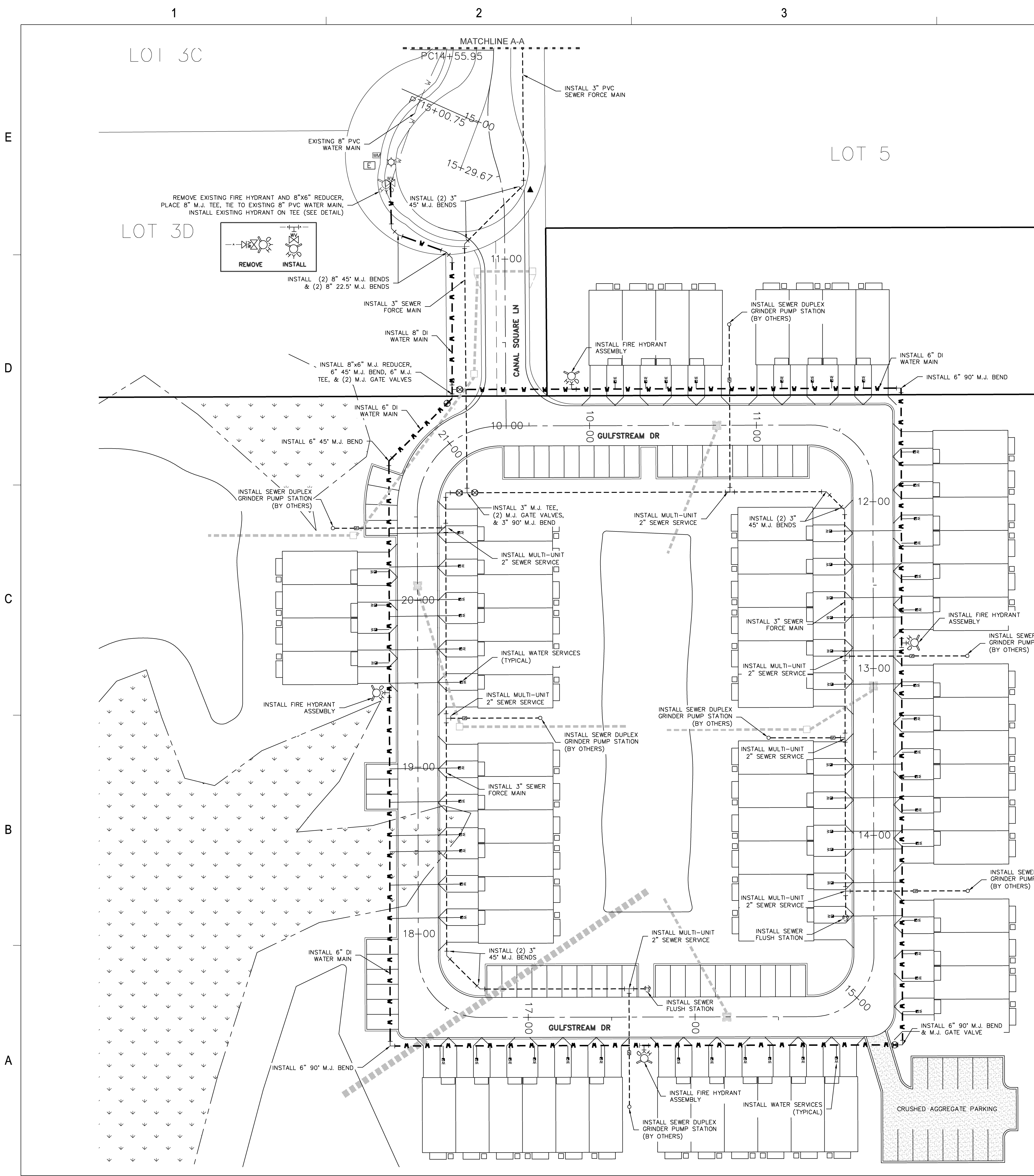


NO.	DESCRIPTION	DATE

REVISIONS

DRAWN BY	JMB
APPROVED BY	JNE
CHECKED BY	JNE
DATE	JULY 2017

TITLE
OVERALL DRAINAGE
PLAN

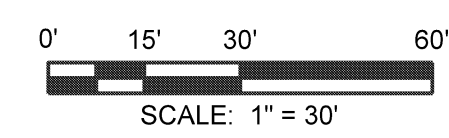


- NOTES:
- PIPING SHALL BE CLASS 200 PVC WITH SLIP JOINT CONNECTIONS AS PER THE CITY OF ORANGE BEACH
 - MJ FITTINGS SHALL BE CEMENT LINED DUCTILE IRON RESTRAINED WITH MEGA-LUG JOINT RESTRAINTS AS PER THE CITY OF ORANGE BEACH



KEY PLAN

SCALE



NO.	DESCRIPTION	DATE

REVISIONS

DRAWN BY	JMB
APPROVED BY	JNE
CHECKED BY	JNE
DATE	JULY 2017

TITLE

OVERALL UTILITY PLAN

PROJECT NO. 50082140

E

D

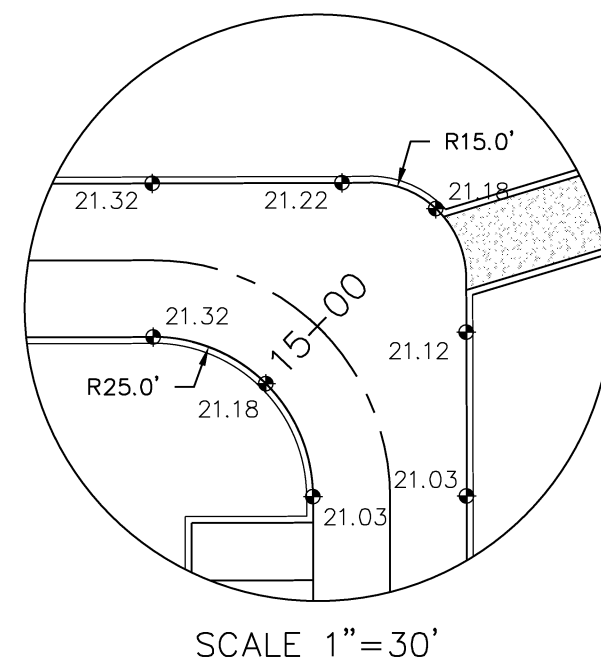
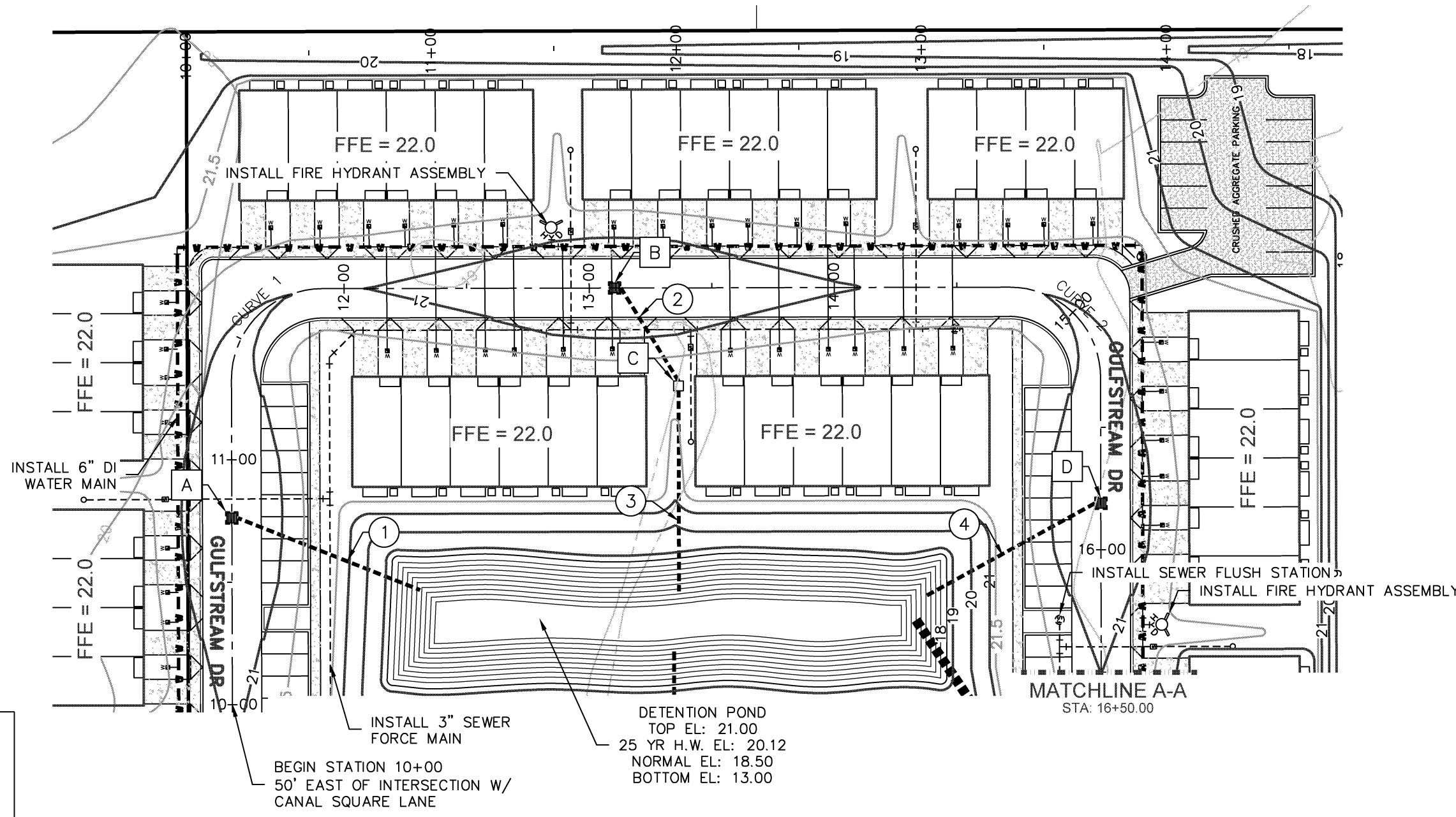
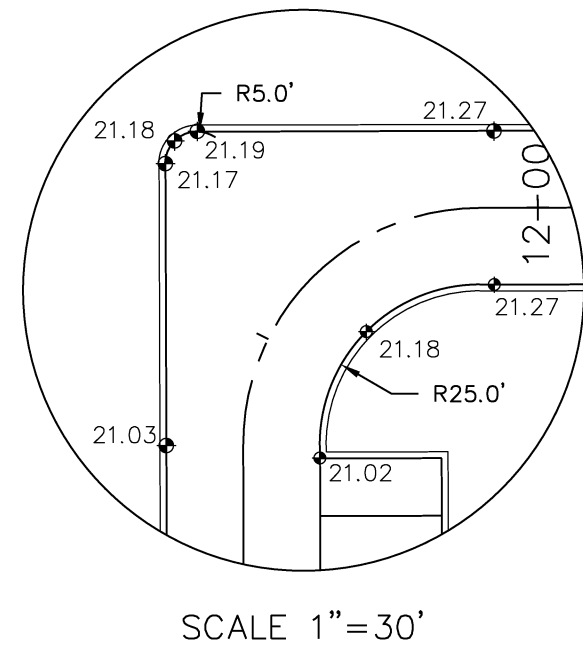
C

B

A

CURVE DATA:
CURVE 1
PC 11+32.75
PT 11+90.90
RADIUS: 37.00'
TANGENT: 37.04'
ARC LENGTH: 58.15'
DELTA: 90°03'17"
CHORD LENGTH: 52.35'
CHORD BEARING: N45°09'14"W

CURVE DATA:
CURVE 2
PC 14+71.59
PT 15+29.70
RADIUS: 37.00'
TANGENT: 37.00'
ARC LENGTH: 58.12'
DELTA: 90°00'00"
CHORD LENGTH: 52.33'
CHORD BEARING: S44°52'25"W

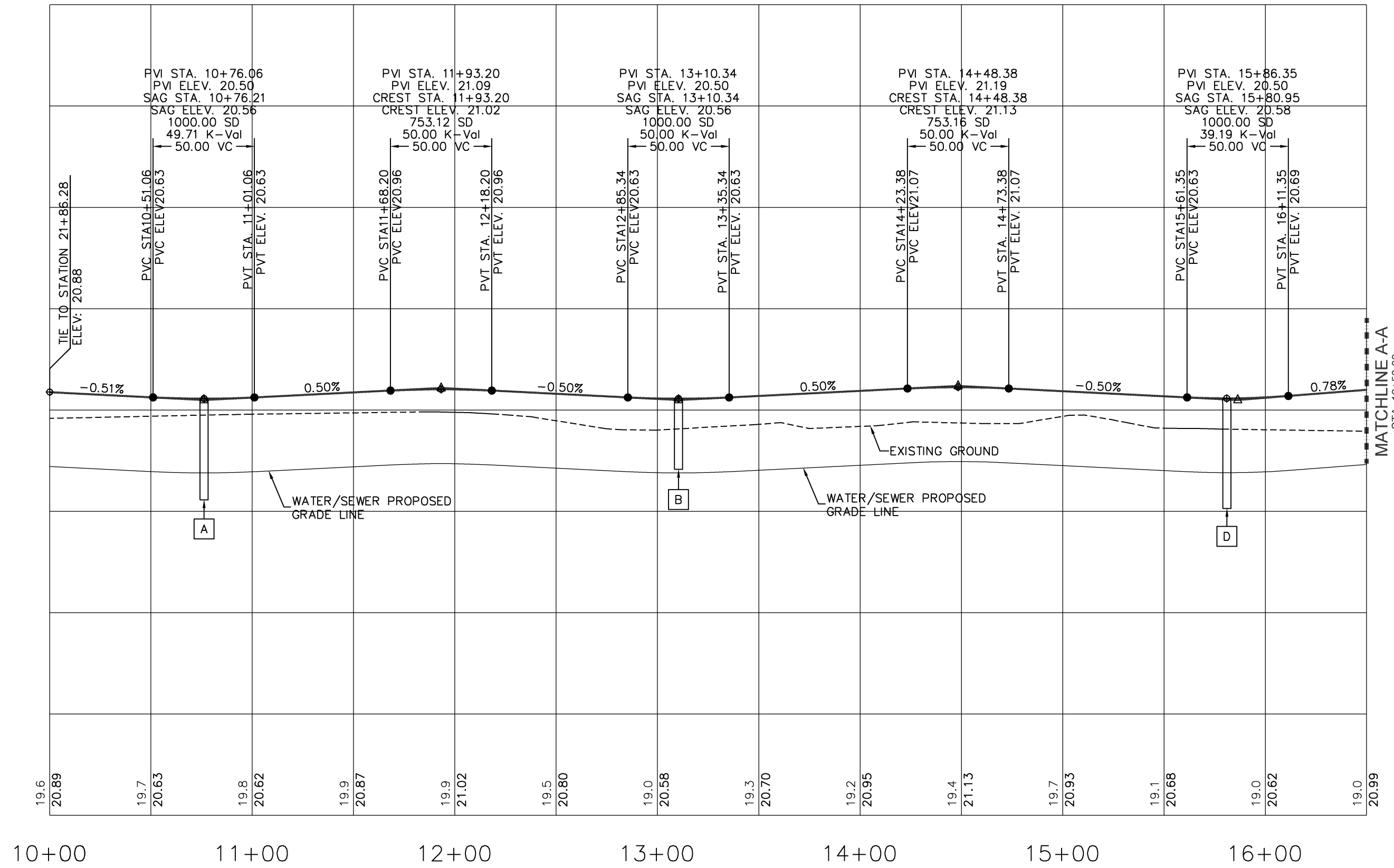


DRAINAGE STRUCTURES

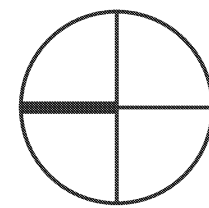
- A** INSTALL GRATE INLET
STA: 10+76.21
RIM: 20.56
INVERT: 15.57
- B** INSTALL GRATE INLET
STA: 13+36.37
RIM: 20.56
INVERT: 17.06
- C** INSTALL JUNCTION BOX
STA: 13+36.37
OFF: 45.00' RT
RIM: 20.40
INVERT: 14.84
- D** INSTALL GRATE INLET
STA: 15+61.02
RIM: 20.58
INVERT: 15.14

DRAINAGE PIPE

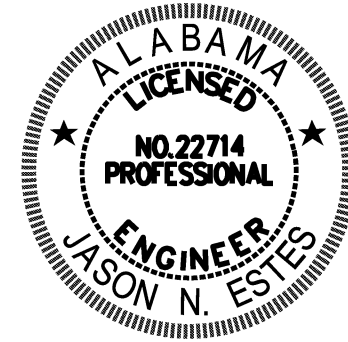
- 1** INSTALL 80 LF 24" RCP
INLET EL: 15.57
OUTLET EL: 14.50
- 2** INSTALL 45 LF 24" RCP
INLET EL: 17.06
OUTLET EL: 16.76
- 3** INSTALL 82 LF 24" RCP
INLET EL: 14.84
OUTLET EL: 14.00
- 4** INSTALL 78 LF 24" RCP
INLET EL: 15.14
OUTLET EL: 14.50



GULFSTREAM DR
STA 10+00.00 - STA 16+50.00

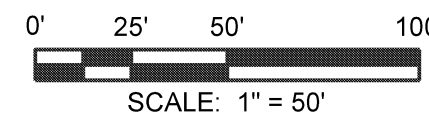


SEAL



KEY PLAN

SCALE



NO.	DESCRIPTION	DATE
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REVISIONS

DRAWN BY	JMB
APPROVED BY	JNE
CHECKED BY	JNE
DATE	JULY 2017

TITLE

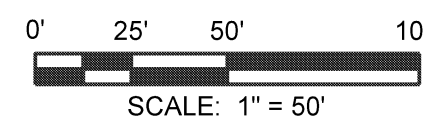
PLAN & PROFILE

PROJECT NO.	50082140
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KEY PLAN

SCALE



NO	DESCRIPTION	DATE
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REVISIONS

DRAWN BY JMB

APPROVED BY JNE

— CHECKED BY JNE

DATE JULY 2017

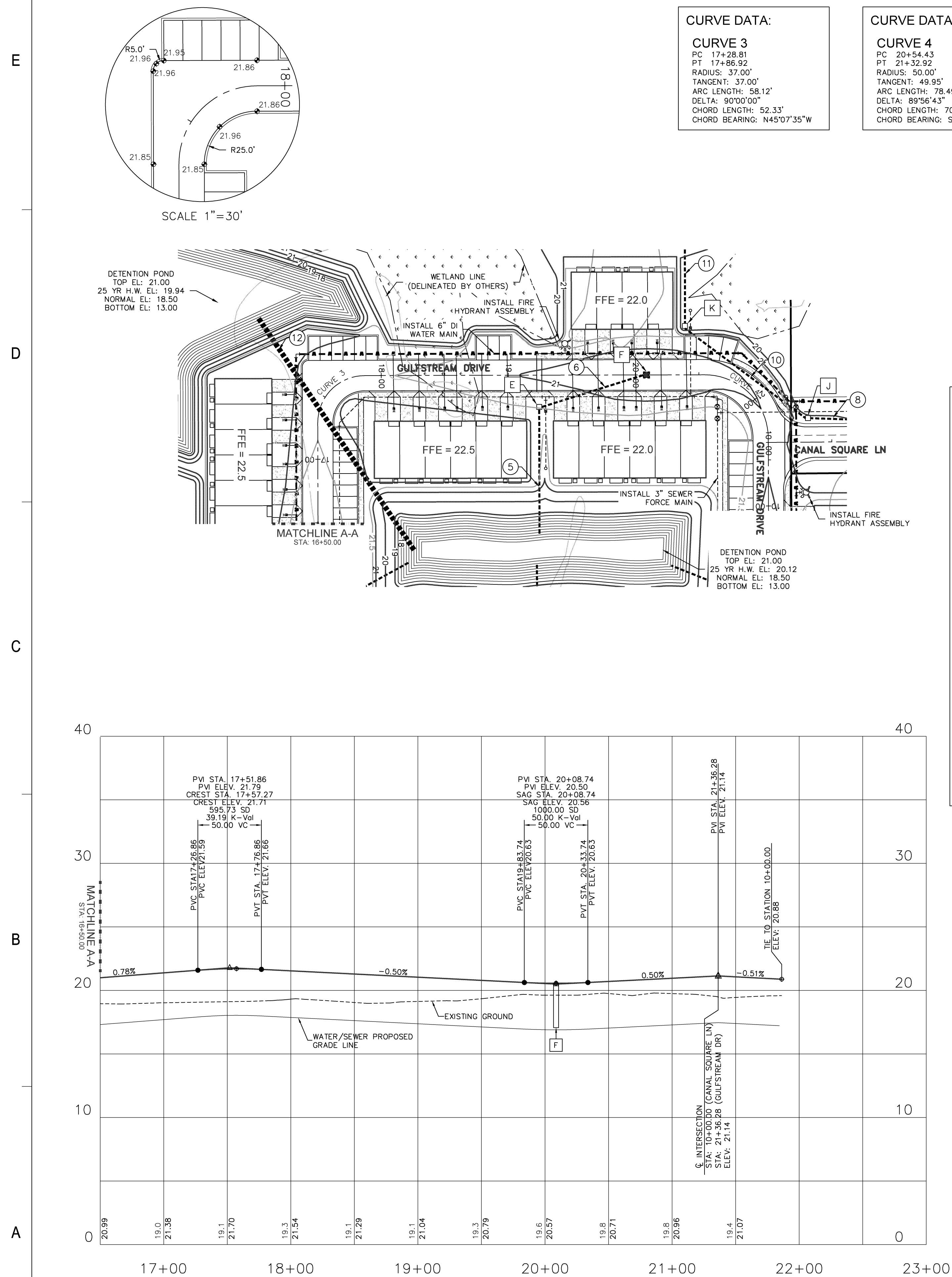
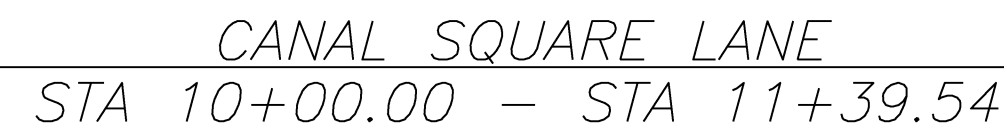
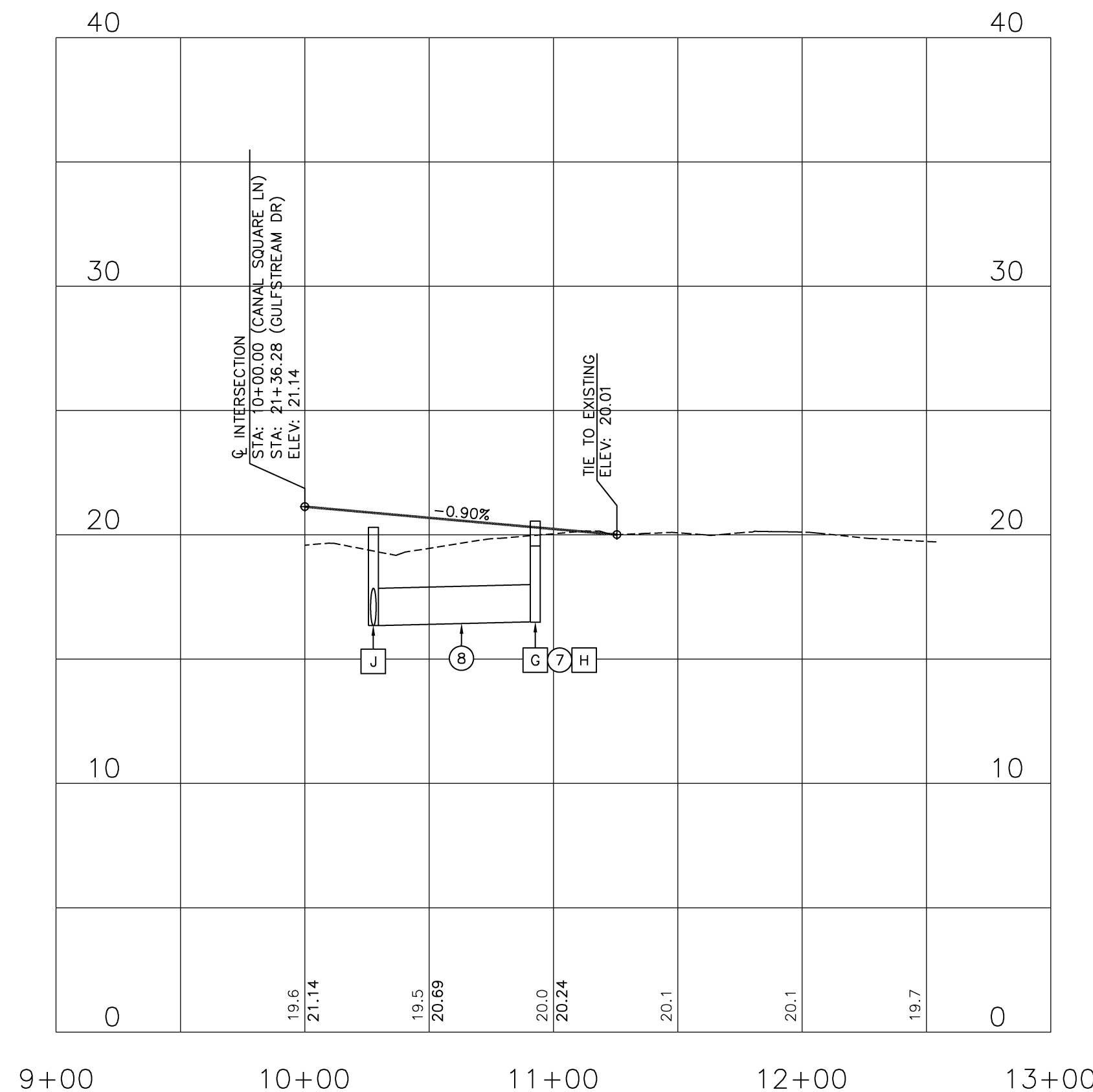
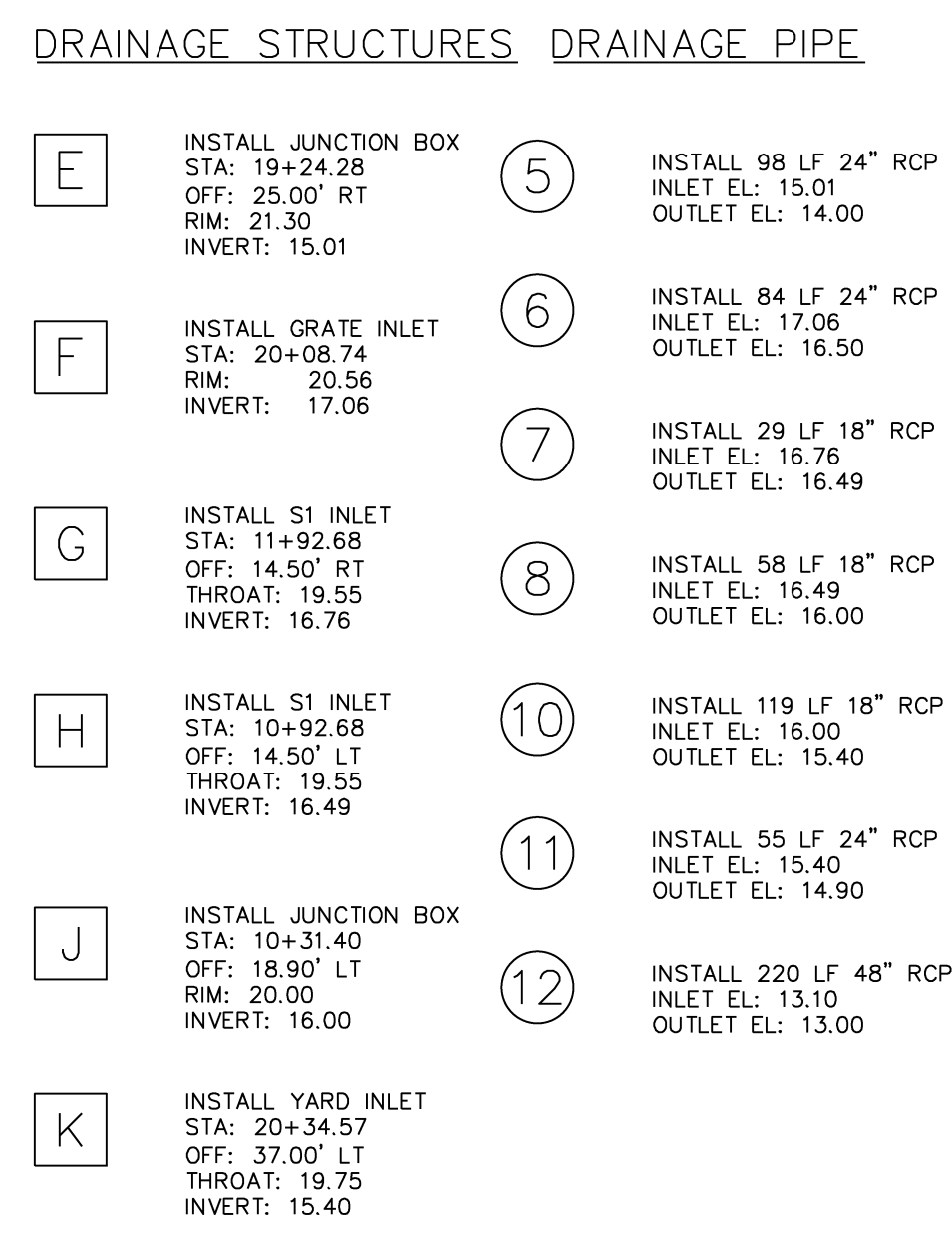
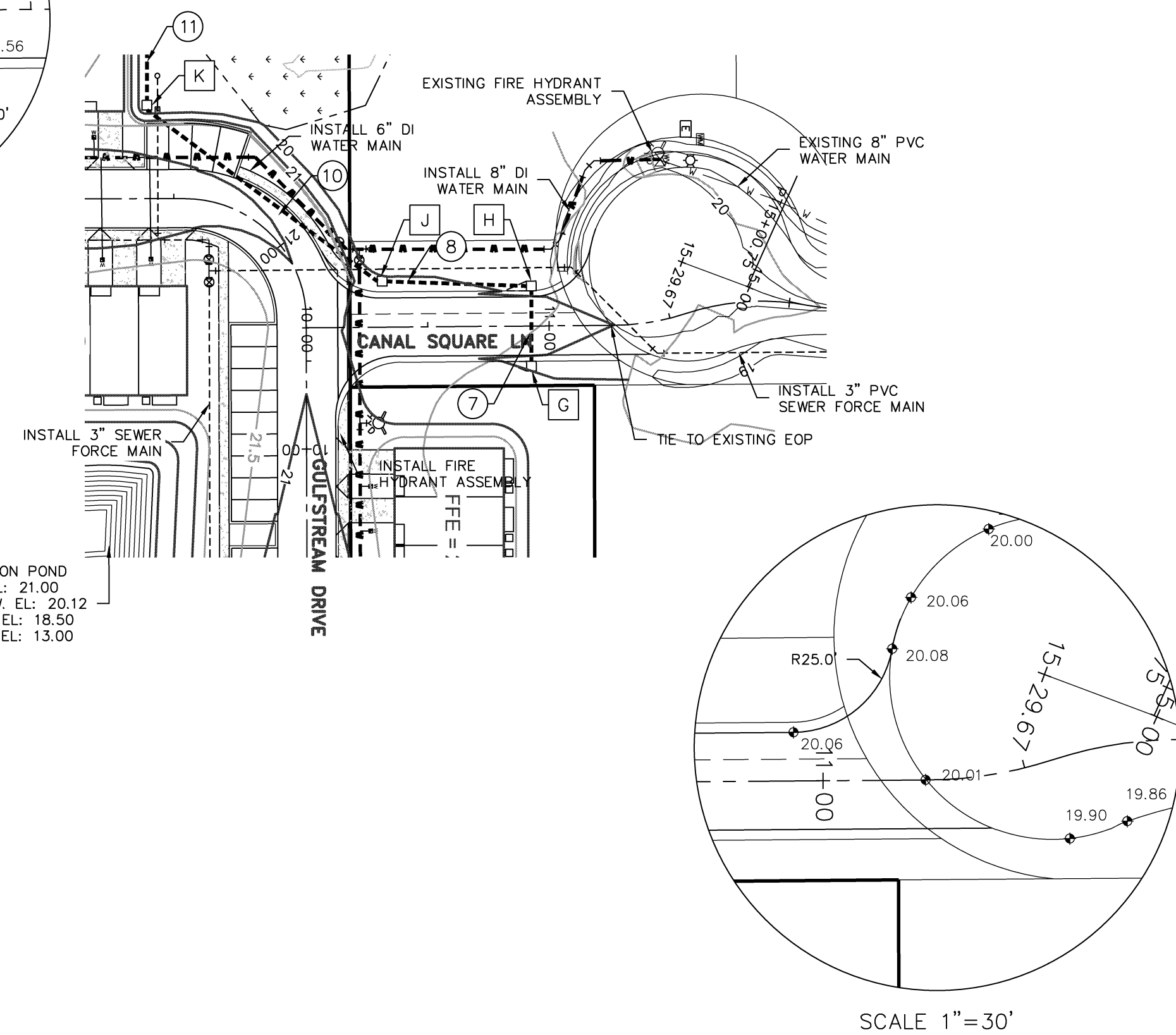
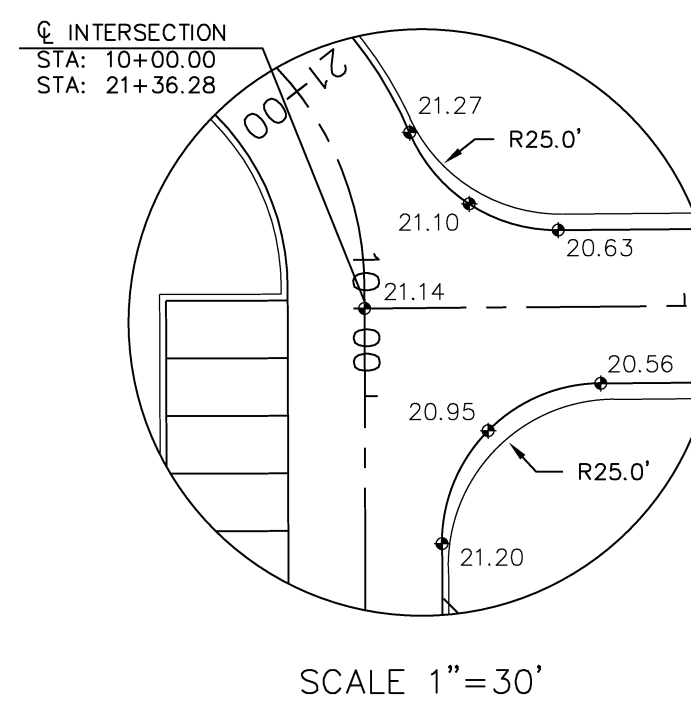
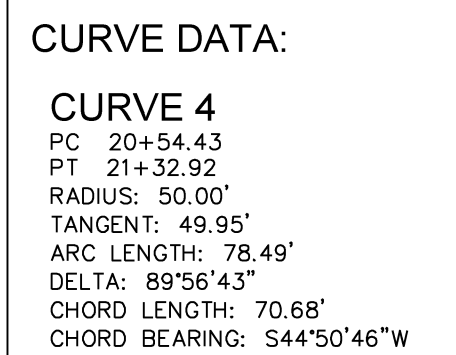
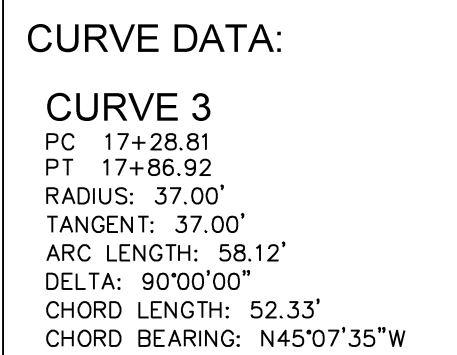
TITLE

PLAN & PROFILE

PROJECT NO. 50082140

8

SHEET NO.



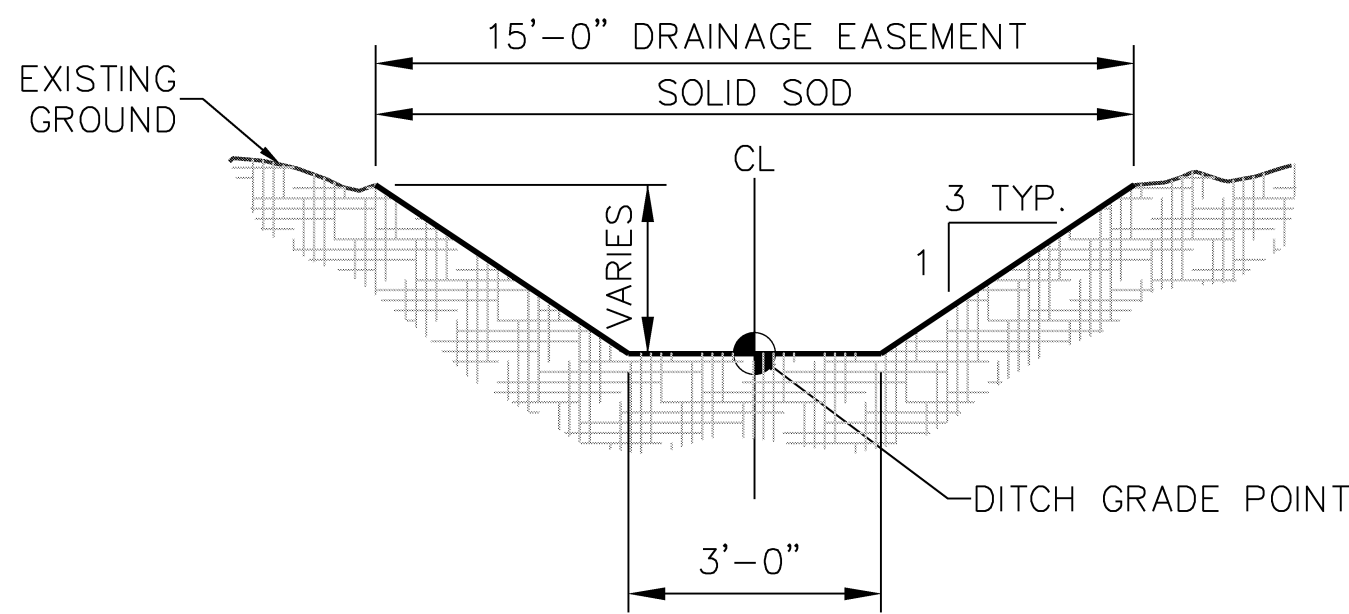
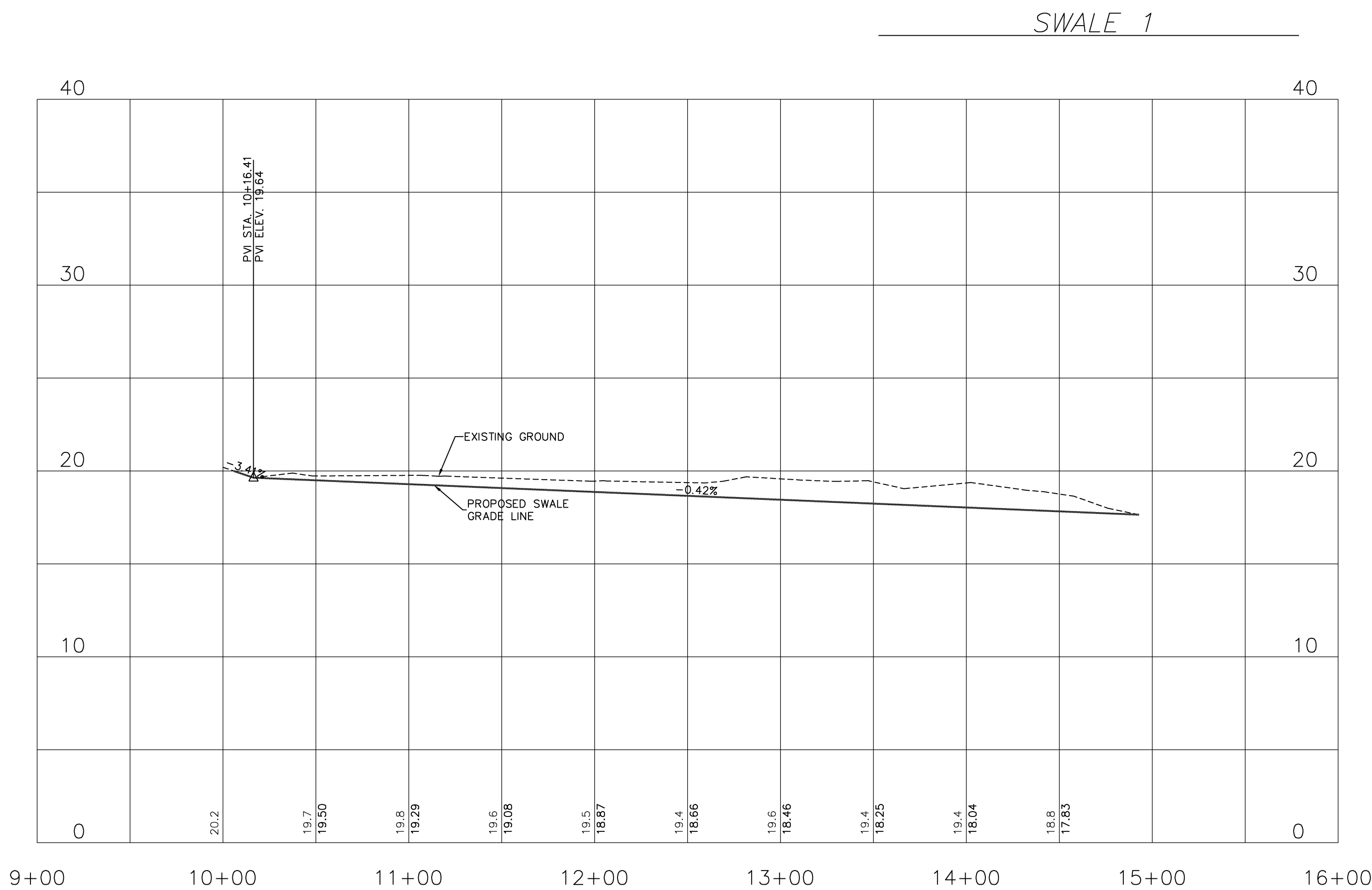
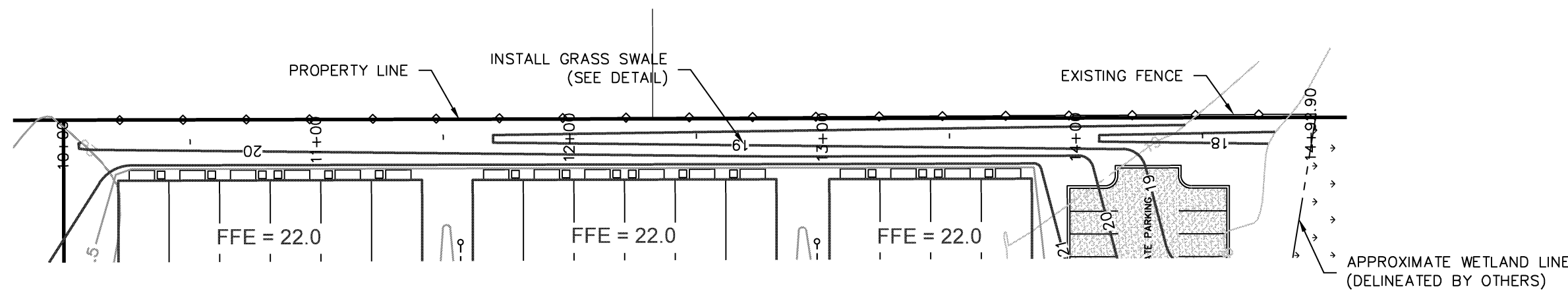
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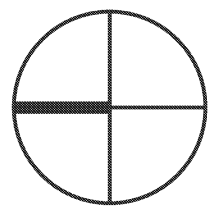
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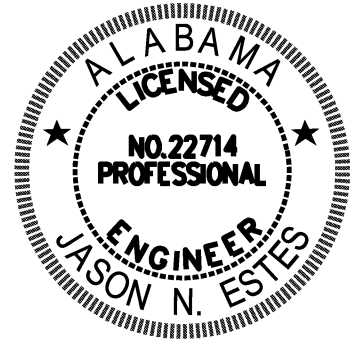
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TYPICAL SWALE DETAIL
NOT TO SCALE

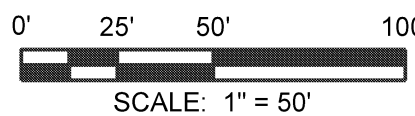


SEAL



KEY PLAN

SCALE



NO.	DESCRIPTION	DATE
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REVISIONS

DRAWN BY	JMB
APPROVED BY	JNE
CHECKED BY	JNE
DATE	JULY 2017

TITLE

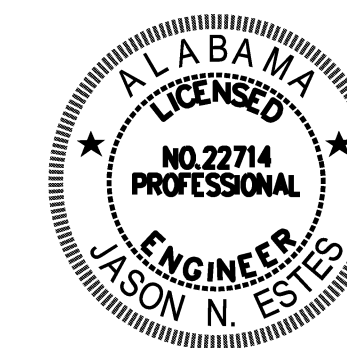
PLAN & PROFILE

PROJECT NO.	50082140
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SHEET NO.

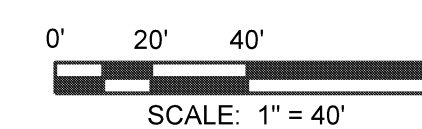
GULFSTREAM TOWNHOMES
FORTUNA INVESTMENTS, LLC
ORANGE BEACH, ALABAMA

SEARCH



KEY PLAN

SCALE

[illegible]

REVISIONS

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CHECKED BY	JNE
DATE	JULY 2017

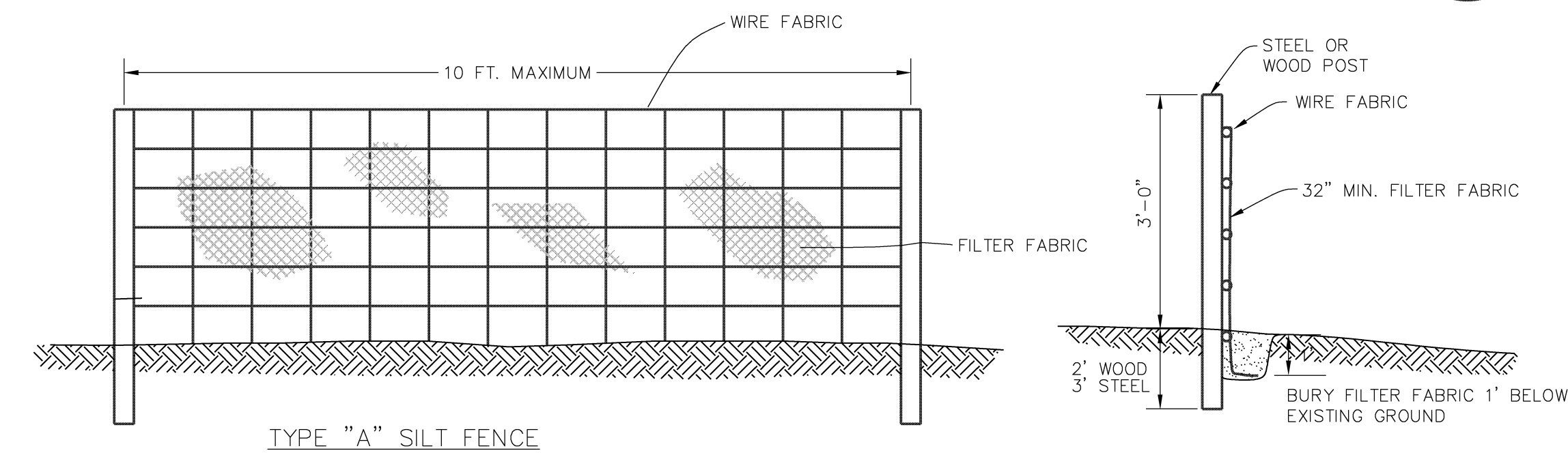
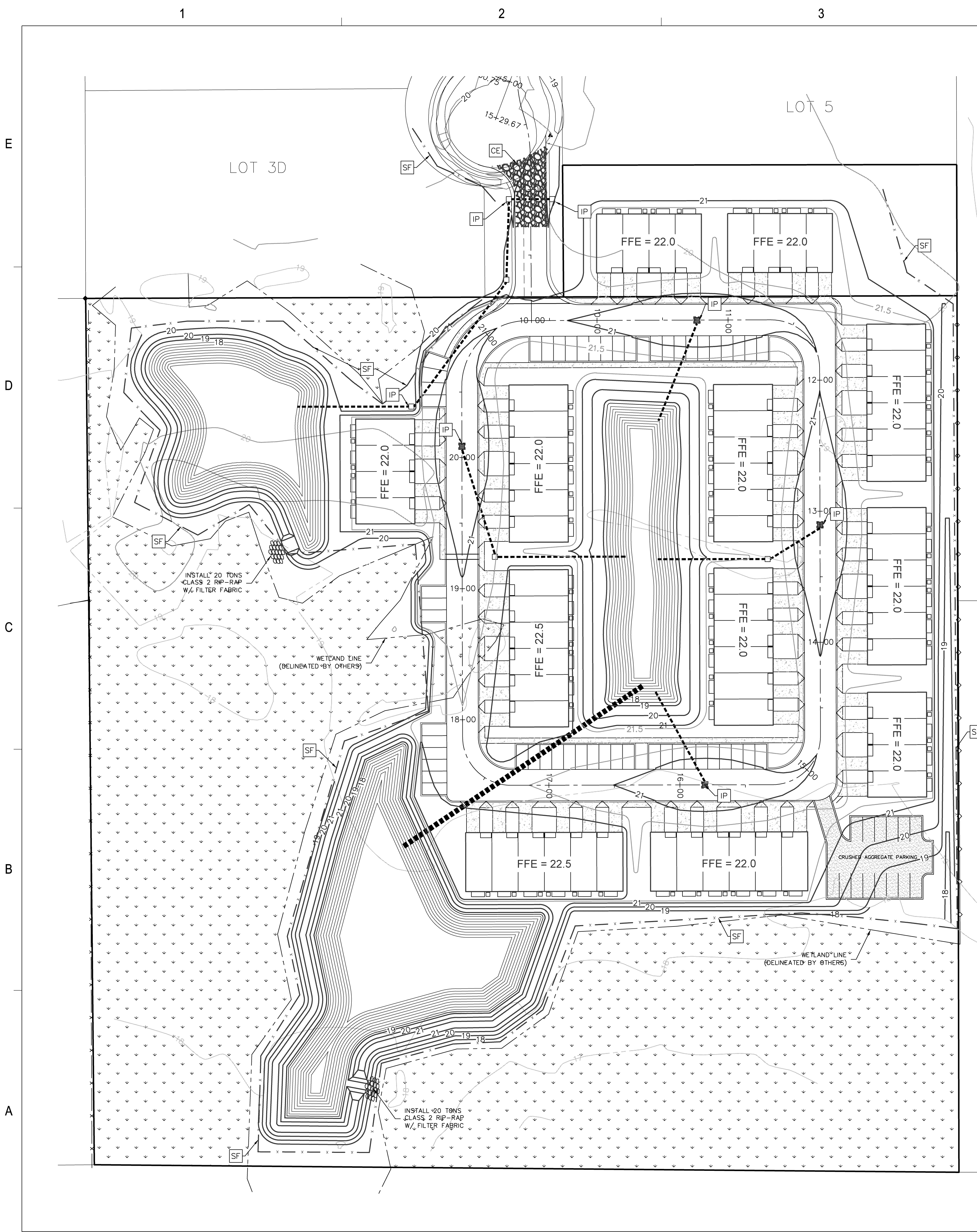
TITLE

SIDEWALK, LIGHT,
SIGNAGE PLAN

PROJECT NO.	500821
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11

SHEET NO _____

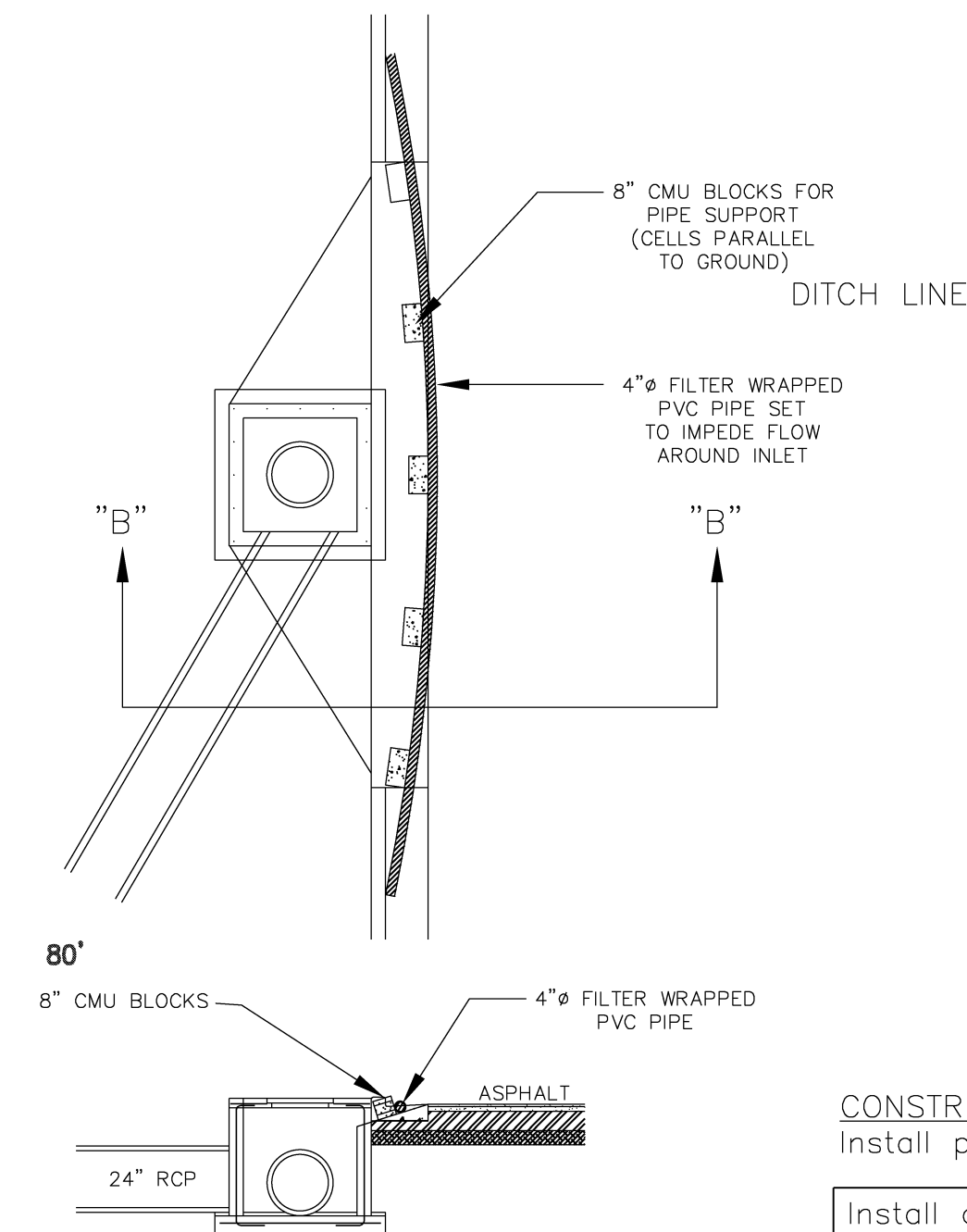


TYPICAL PRACTICES AND MAINTENANCE:

- CONSTRUCTION EXIT-** INSTALL PRIOR TO LAND DISTURBING ACTIVITIES. GRADE, COMPACT AND ADD ROCK AS NEEDED TO MAINTAIN ADEQUATE GROUND COVER, REDUCING VEHICLE TRACKING.
- TYPE "A" SILT FENCE-** INSTALL AS INDICATED ALONG PERIMETER OF DISTURBED AREAS. REMOVE SEDIMENT WHEN IT REACHES 1/2 HEIGHT OF FENCE. REPAIR OR REPLACE DAMAGED AREAS IMMEDIATELY TO MAINTAIN ADEQUATE RETENTION OF SEDIMENT AND PROTECTION OF SENSITIVE AREAS.
- INLET PROTECTION-** INSTALL PRE-ROAD PROTECTION CURB INLET PROTECTION IN A TIMELY MANNER. REPAIR OR REPLACE DAMAGED OR SEDIMENT LADEN DEVICES. REMOVE SEDIMENT THAT SETTLES NEAR INLETS IMMEDIATELY.
- REMOVE SEDIMENT** THAT LEAVES DISTURBED AREAS IMMEDIATELY TO PREVENT OR REDUCE OFFSITE IMPACTS, ESPECIALLY IN ROAD WAYS.
- SEED AND MULCH OR PERMANENT VEGETATION-** APPLY TEMPORARY SEED AND MULCH TO AREAS LEFT DISTURBED FOR LONGER THAN 10 DAYS. PLANT SEASONALLY APPROPRIATE VEGETATION. REPLANT AS NEEDED IF VEGETATION FAILS. INSTALL PERMANENT VEGETATION AS SOON AS FINAL GRADING COMPLETE. LAKE EMBANKMENT, SWALES, AND DITCHES MUST BE SODDED. ALL DETENTION BASIN SLOPES MUST BE PERMANENTLY STABILIZED PRIOR TO FINAL INSPECTION.

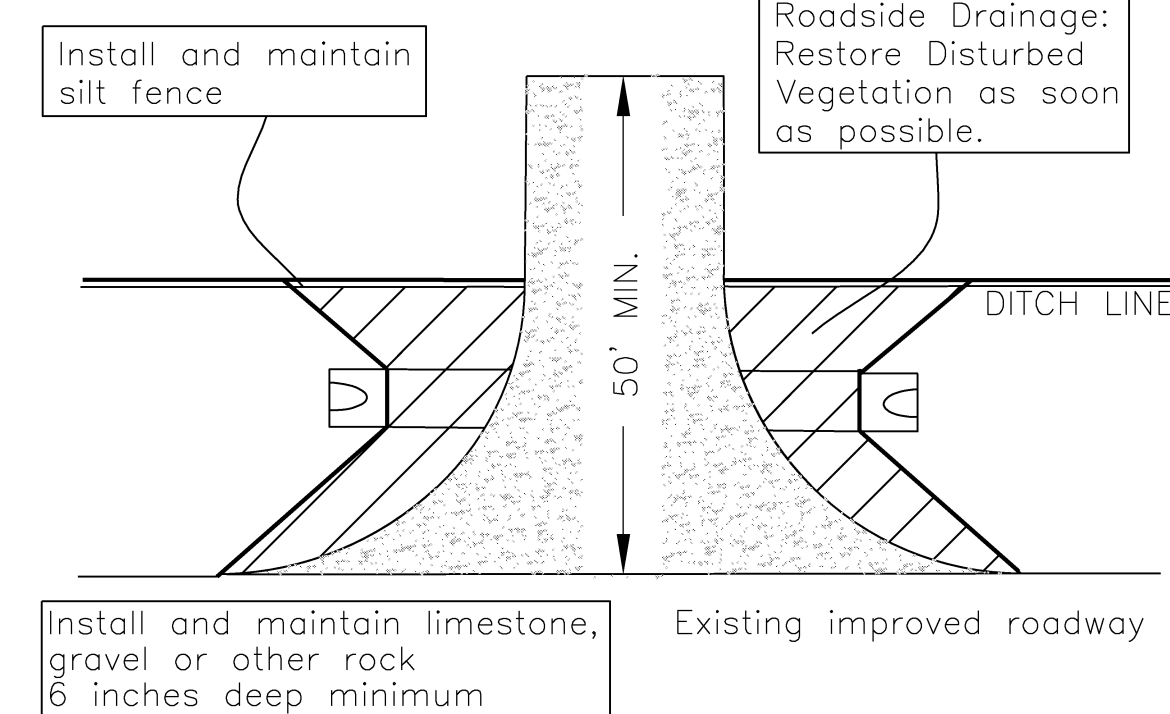
BMP LEGEND

- CONSTRUCTION ENTRANCE
- CURB INLET PROTECTION
- TYPE "A" SILT FENCE



SECTION "B"-"B"
CURB INLET PROTECTION DETAIL

CONSTRUCTION EXIT:
Install pre-construction



CONSTRUCTION ENTRANCE DETAIL

NOTES:

TOTAL SITE: 11.4 ACRES
TOTAL DISTURBED: 5.8 ACRES

CONTRACTOR SHALL FOLLOW THE PHASING SEQUENCE BELOW:

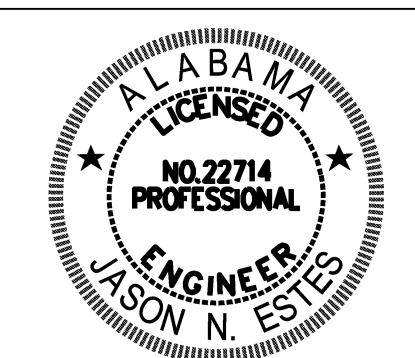
- PHASE 1: A) INSTALL PERIMETER SILT FENCE AND CONSTRUCTION ENTRANCE. APPLY TEMPORARY SEED AND MULCH TO AREAS LEFT DISTURBED FOR LONGER THAN 10 DAYS. PLANT SEASONALLY APPROPRIATE VEGETATION. REPLANT AS NEEDED IF VEGETATION FAILS. INSTALL PERMANENT VEGETATION AS SOON AS FINAL GRADING COMPLETE. LAKE EMBANKMENT, SWALES, AND DITCHES MUST BE SODDED. ALL DETENTION BASIN SLOPES MUST BE PERMANENTLY STABILIZED PRIOR TO FINAL INSPECTION.
- B) CONTRACTOR SHALL BE RESPONSIBLE FOR KEEPING THE SITE CLEAN AND FREE OF CONSTRUCTION DEBRIS AND TRASH. ALL DEBRIS SHALL BE PLACED IN ON-SITE DUMPSTER OR REMOVED.
- C) BMP'S SHOULD BE INSPECTED DAILY. ANY ITEM NEEDING MAINTENANCE SHALL BE ADDRESSED EACH DAY.
- PHASE 2: A) CUT/FILL SITE TO SUB-GRADE, INSTALL ALL UNDERGROUND UTILITIES AND STORM DRAINAGE.
- B) INSTALL TEMPORARY BMP'S, (SEDIMENT TRAPS, INLET PROTECTION)
- C) INSTALL BUILDING SLABS, CURB AND GUTTER. CONTAIN AND/OR REMOVE ALL CONSTRUCTION DEBRIS.
- PHASE 3: A) ALL DISTURBED AREAS HAVE BEEN GRADED AND PERMANENT VEGETATION IS WELL ESTABLISHED IN ALL AREAS OF PROJECT.
- B) ALL CONSTRUCTION DEBRIS REMOVED.
- C) ALL SEDIMENT AND EROSION CONTROL DEVICES REMOVED. (SILT FENCES, SEDIMENT TRAPS, ETC.)

PLEASE NOTE:
ADDITIONAL REQUIREMENTS ARE SHOWN IN THE BMP PLAN THAT SHALL BE ADHERED TO.

9949 BELLATON AVENUE
DAPHNE, AL 36526
251.990.9950

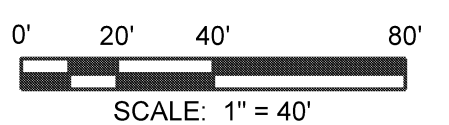
GULFSTREAM TOWNHOMES
FORTUNA INVESTMENTS, LLC
ORANGE BEACH, ALABAMA

SEAL



KEY PLAN

SCALE



NO.	DESCRIPTION	DATE

REVISIONS

DRAWN BY	JMB
APPROVED BY	JNE
CHECKED BY	JNE
DATE	JULY 2017

TITLE

BMP PLAN

PROJECT NO. 50082140

12

SHEET NO.

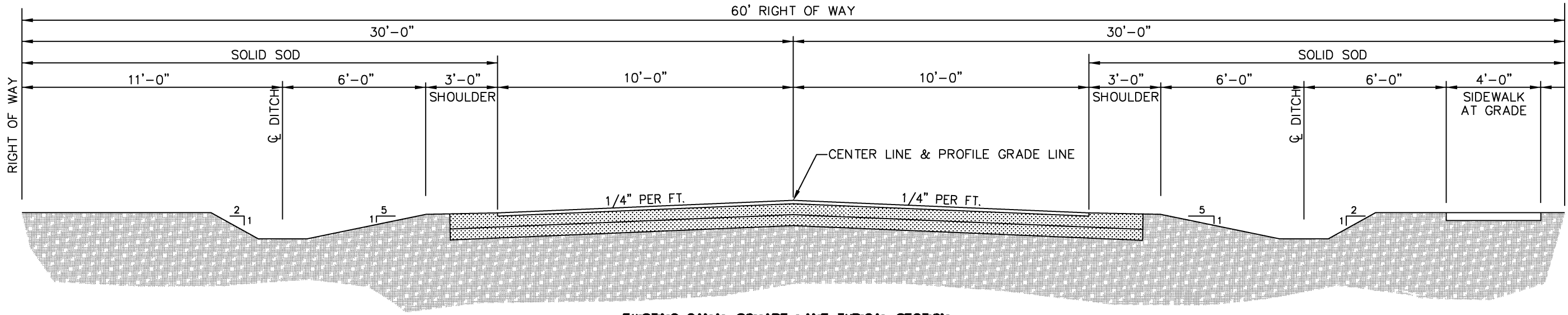
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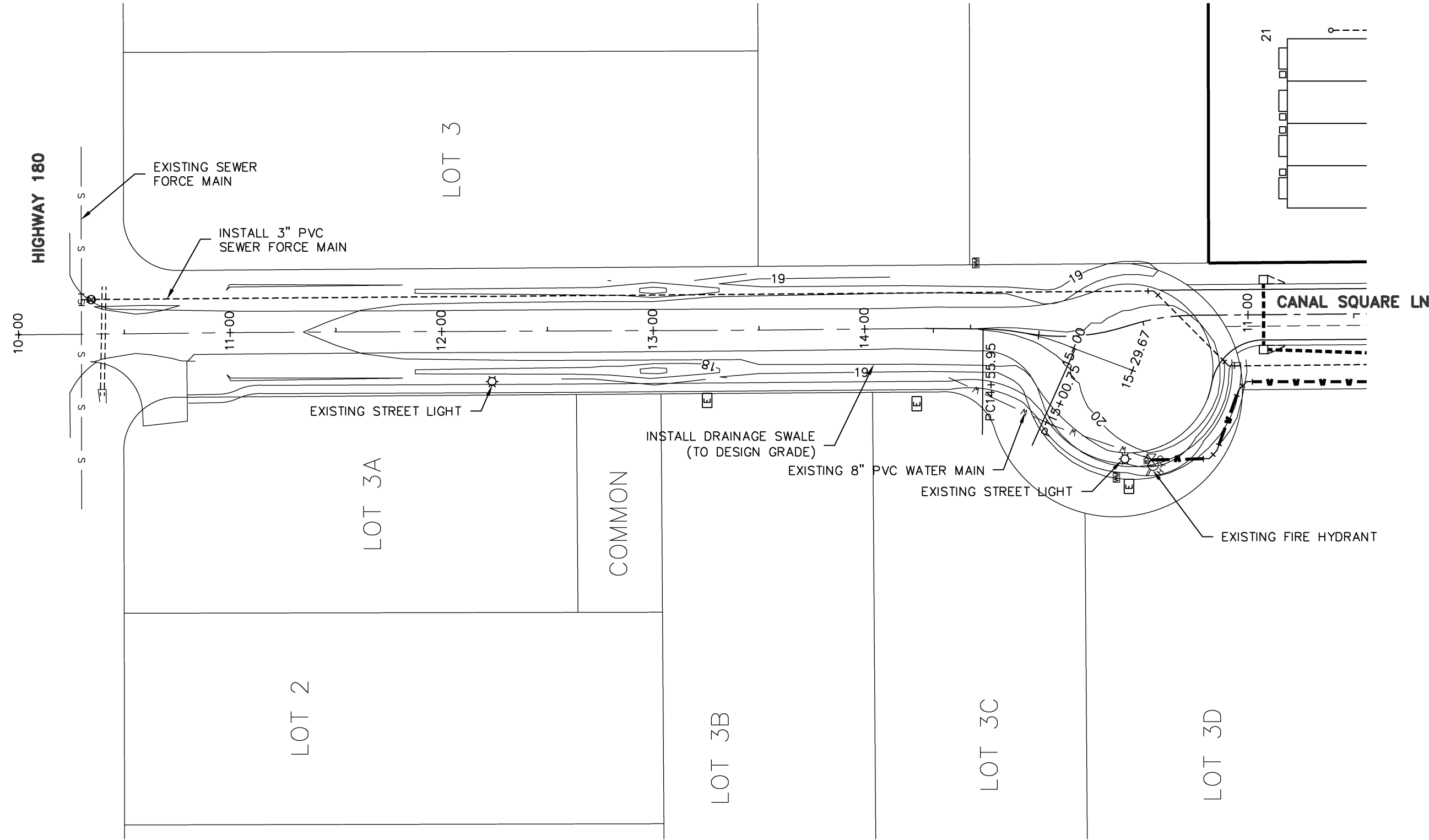
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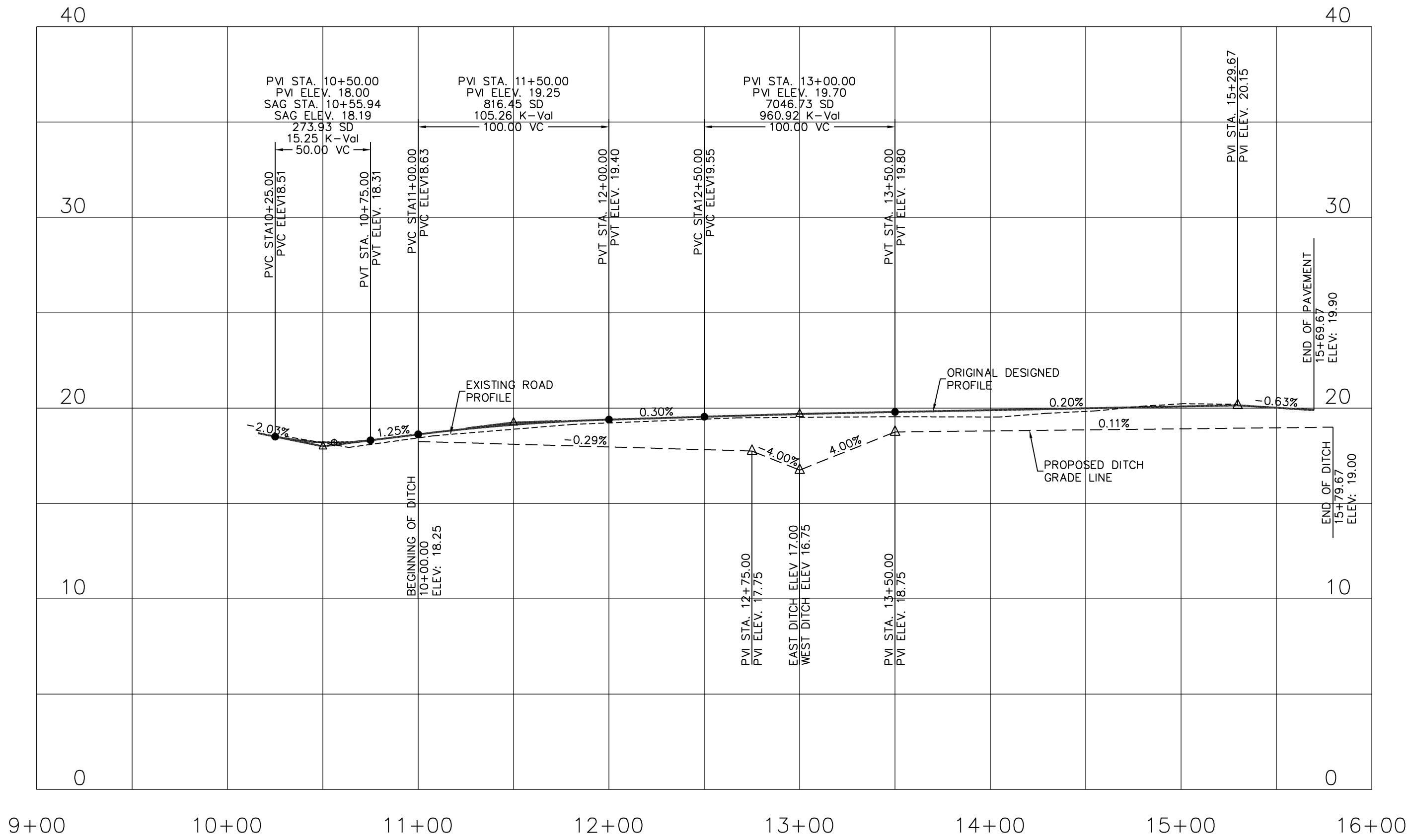
A



EXISTING CANAL SQUARE LANE TYPICAL SECTION



CANAL SQUARE LANE (EXISTING)
STA 10+00.00 - STA 15+29.67



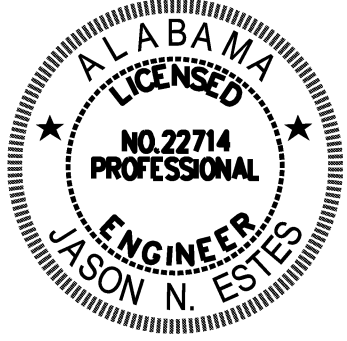
NOTES:

CANAL SQUARE LANE SHALL ADHERE TO THE PREVIOUSLY ACCEPTED AS BUILT ENGINEERED PLANS FOR THE CANAL SQUARE SUBDIVISION.

REFER TO AS BUILT ENGINEERED DRAWINGS BY JOHN W. PETERSON L.L.C.

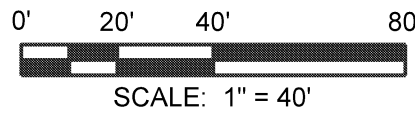
- ADD IMPROVED BITUMINOUS CONCRETE WEARING SURFACE LAYER TO CANAL SQUARE LANE, 1/2" MAX AGGREGATE SIZE MIX, ESAL RANGE B (ALDOT 429-A), MINIMUM PLACEMENT OF 110 LBS/SY (APPROX. 1" THICK).
- GREEN AREAS WITHIN THE RIGHT-OF-WAY SHALL BE CLEARED OF VEGETATION AND PROPERLY STABILIZED
- THE ROADWAY EDGE OF PAVEMENT SHALL BE SAWCUT AND PROPERLY REBUILT AS NEEDED. SAWCUT LOCATIONS CAN BE VERIFIED IN THE FIELD WITH THE PUBLIC WORKS DIRECTOR
- ALL DISTURBED AREAS WITHIN THE CANAL SQUARE RIGHT-OF-WAY MUST BE SODDED PRIOR TO CITY ACCEPTANCE
- THE ROADSIDE DITCHED SHALL BE REESTABLISHED, PROPERLY REGRADED WITH PROPER DITCH BANK SIDE SLOPED, AND SODDED
- ADDITIONAL IMPROVEMENTS MAY BE NEEDED DUE TO THE LENGTH OF TIME THE ROAD HAS BEEN IN A STATE OF DISREPAIR AS DETERMINED BY THE CITY OF ORANGE BEACH PUBLIC WORKS DIRECTOR

SEAL



KEY PLAN

SCALE



NO.	DESCRIPTION	DATE

REVISIONS

DRAWN BY	JMB
APPROVED BY	JNE
CHECKED BY	JNE
DATE	JULY 2017

TITLE

CANAL SQUARE LN
IMPROVEMENTS

PROJECT NO. 50082140

SHEET NO.

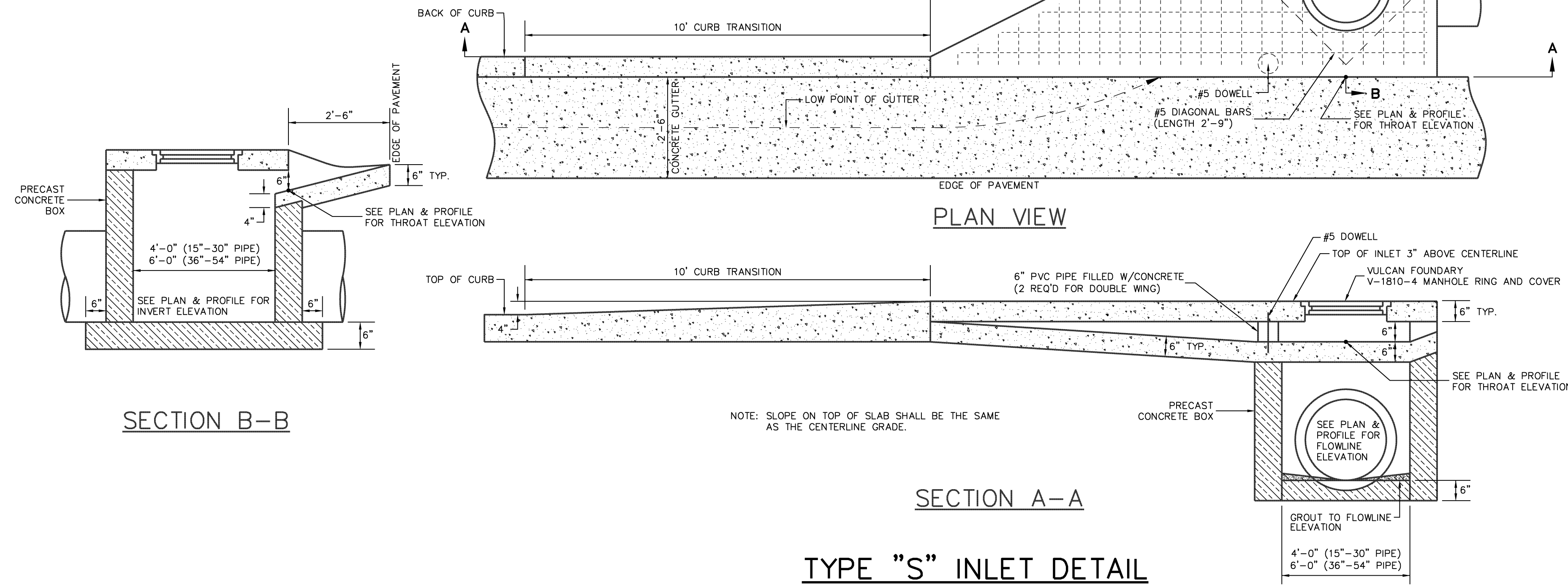
A

DESIGN CRITERIA: TEST PRESSURE - 150 PSI
SOIL BEARING PRESSURE - 1 TON PER SQ. FT.

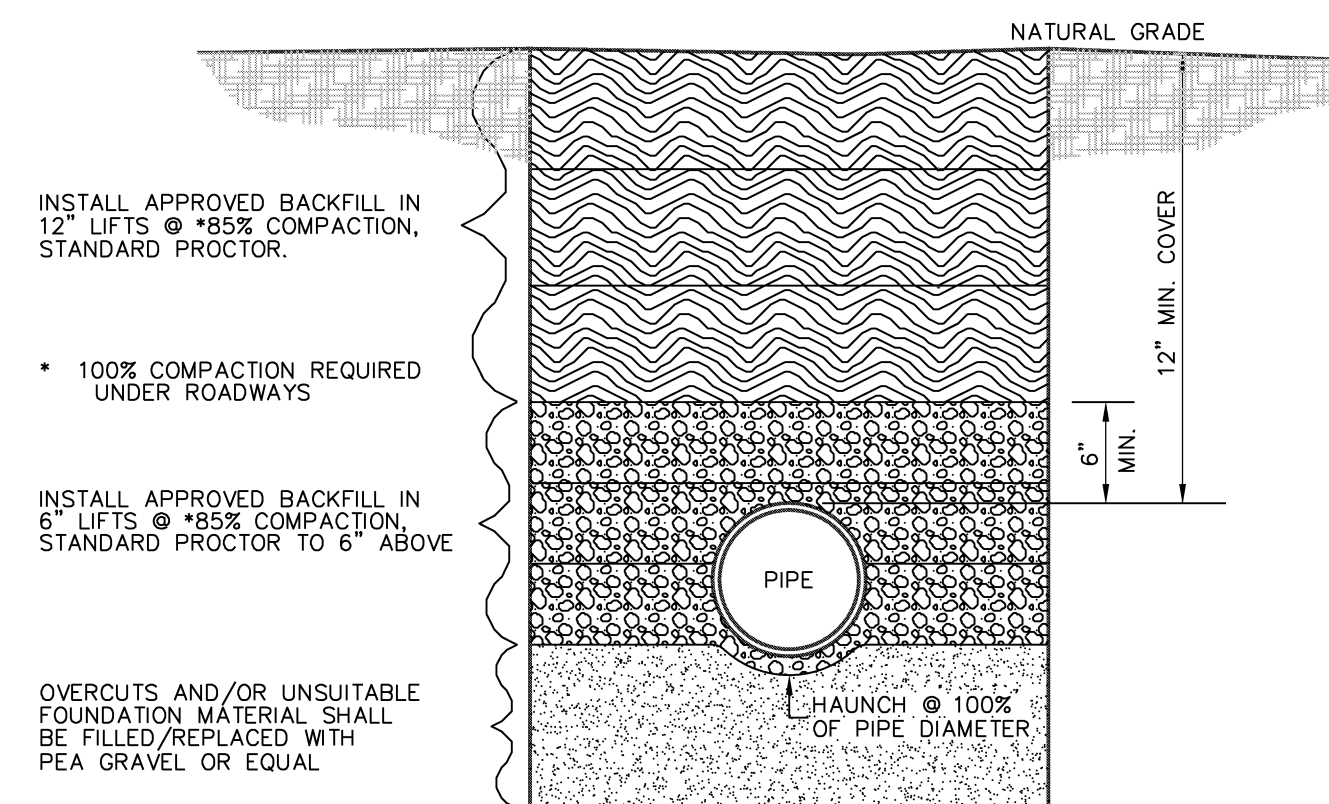
GENERAL NOTES

WHERE DIRECTION OF FLOW IS FROM EACH END OF INLET, SIDEWING OPENINGS (AS SHOWN ON ONE SIDE ONLY ON THIS DRAWING) SHALL BE CONSTRUCTED AT EACH END OF INLET. FOR EACH INLET SO CONSTRUCTED, PAYMENT WILL BE MADE UNDER ITEM INLETS TYPE-S (TWO WINGS). WHERE ONE WING ONLY IS CONSTRUCTED PAYMENT WILL BE MADE UNDER ITEM INLETS TYPE-S (ONE WING).

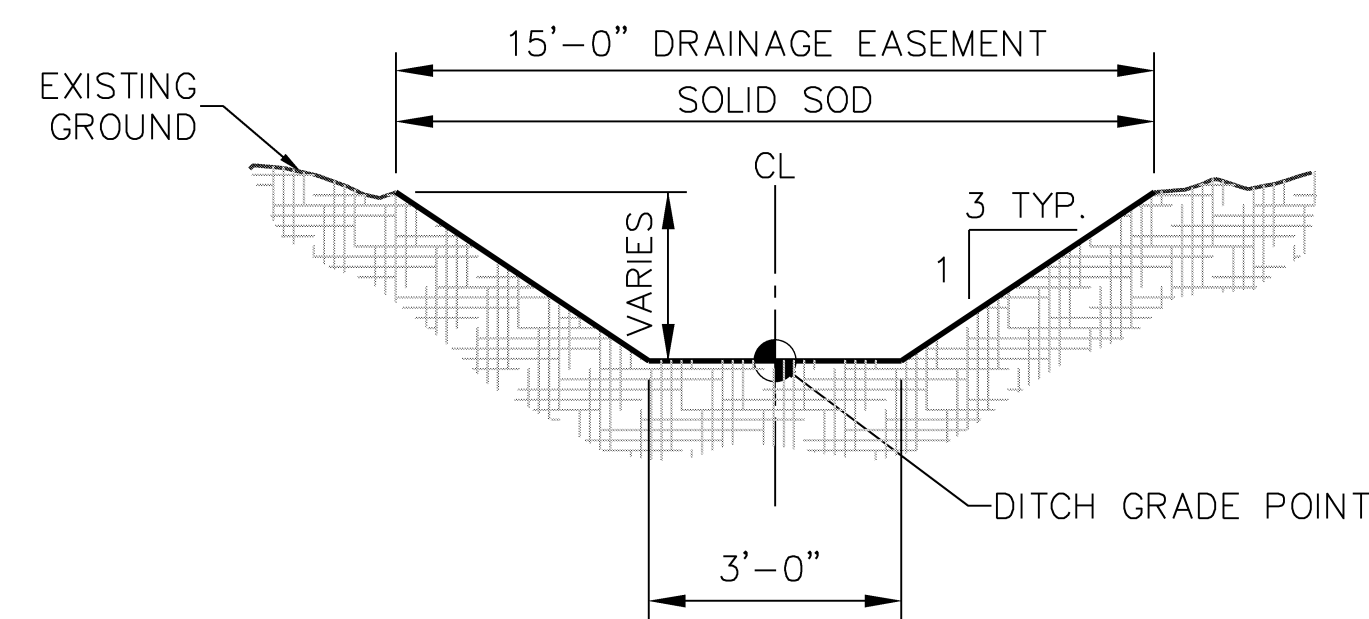
TO ACCOMMODATE SKEWED PIPE OR FIT OTHER CONDITIONS, IT MAY BE NECESSARY TO INCREASE ONE OR BOTH PLAN VIEW DIMENSIONS OF INLET BOX AND COVER SLAB. NO ADDITIONAL COMPENSATION WILL BE ALLOWED FOR CORRESPONDING INCREASE IN MATERIALS AND OTHER COSTS WHERE CHANGES IN DIMENSIONS ARE REQUIRED.



TYPE "S" INLET DETAIL

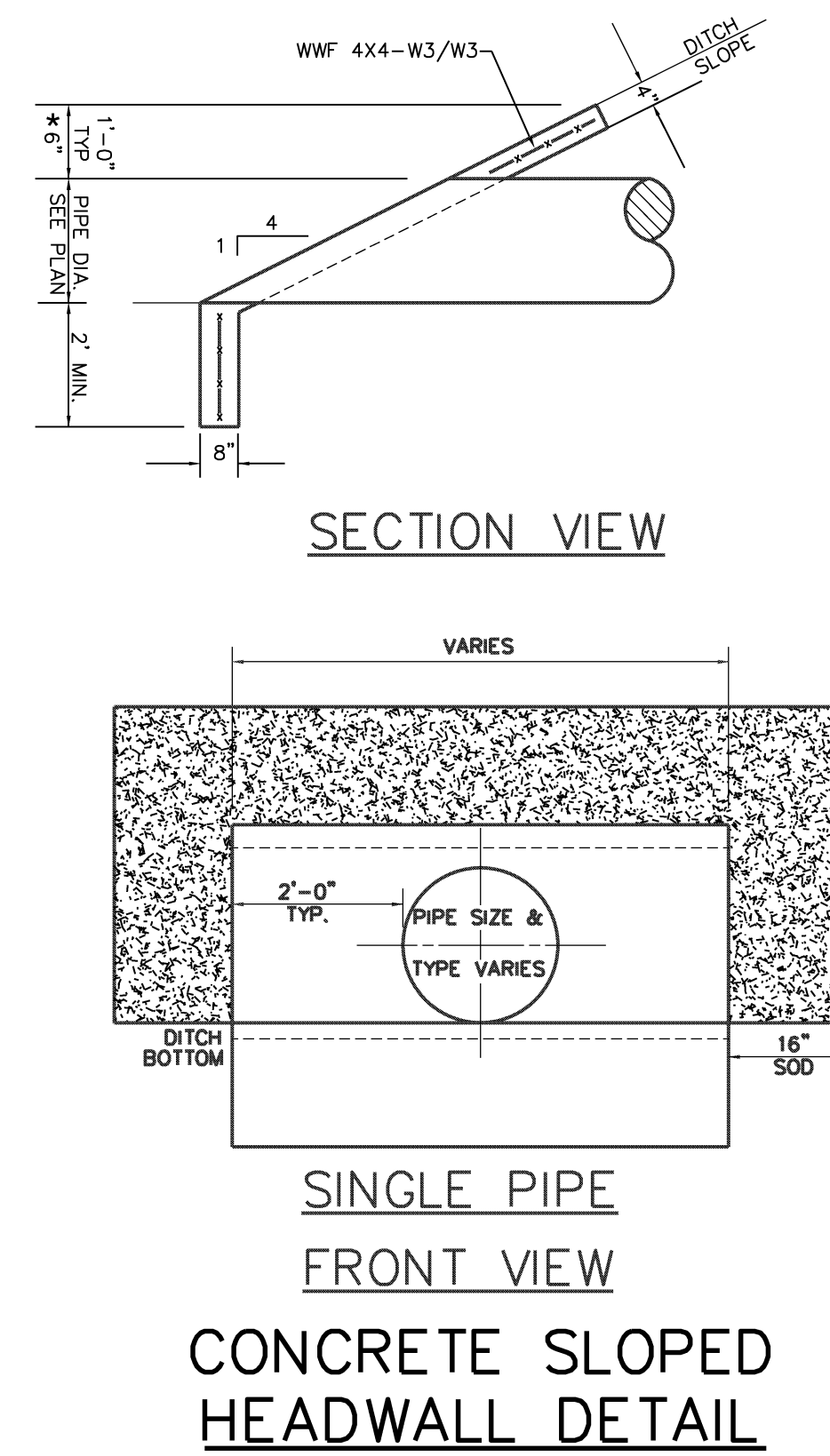


CONCRETE PIPE TRENCH DETAIL

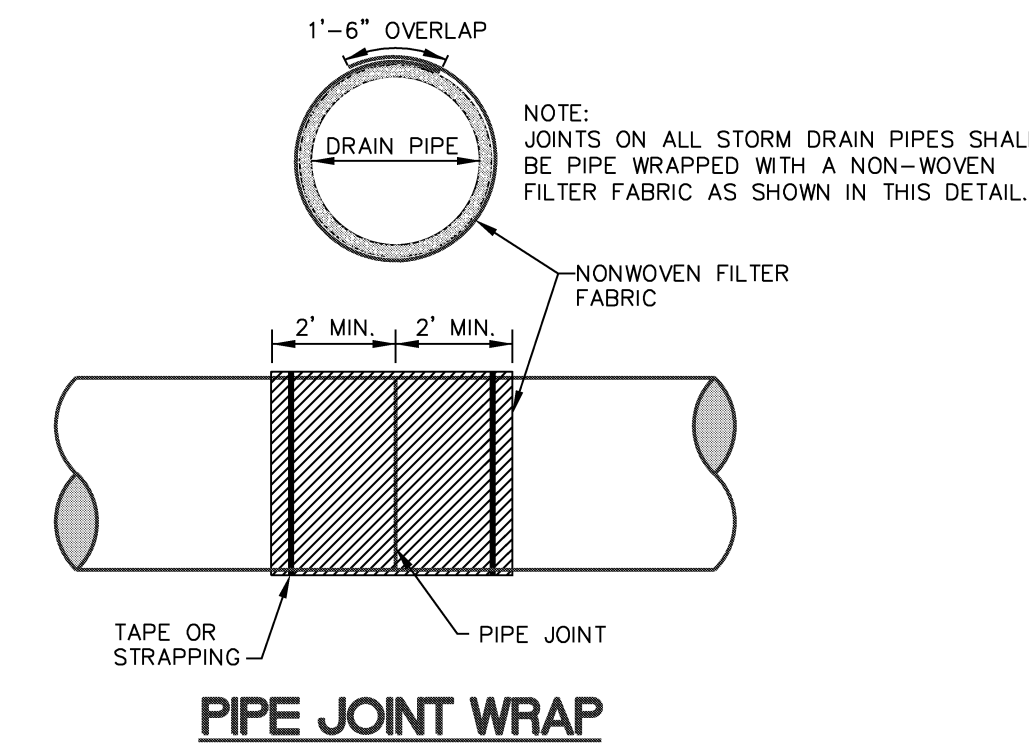


TYPICAL DITCH DETAIL

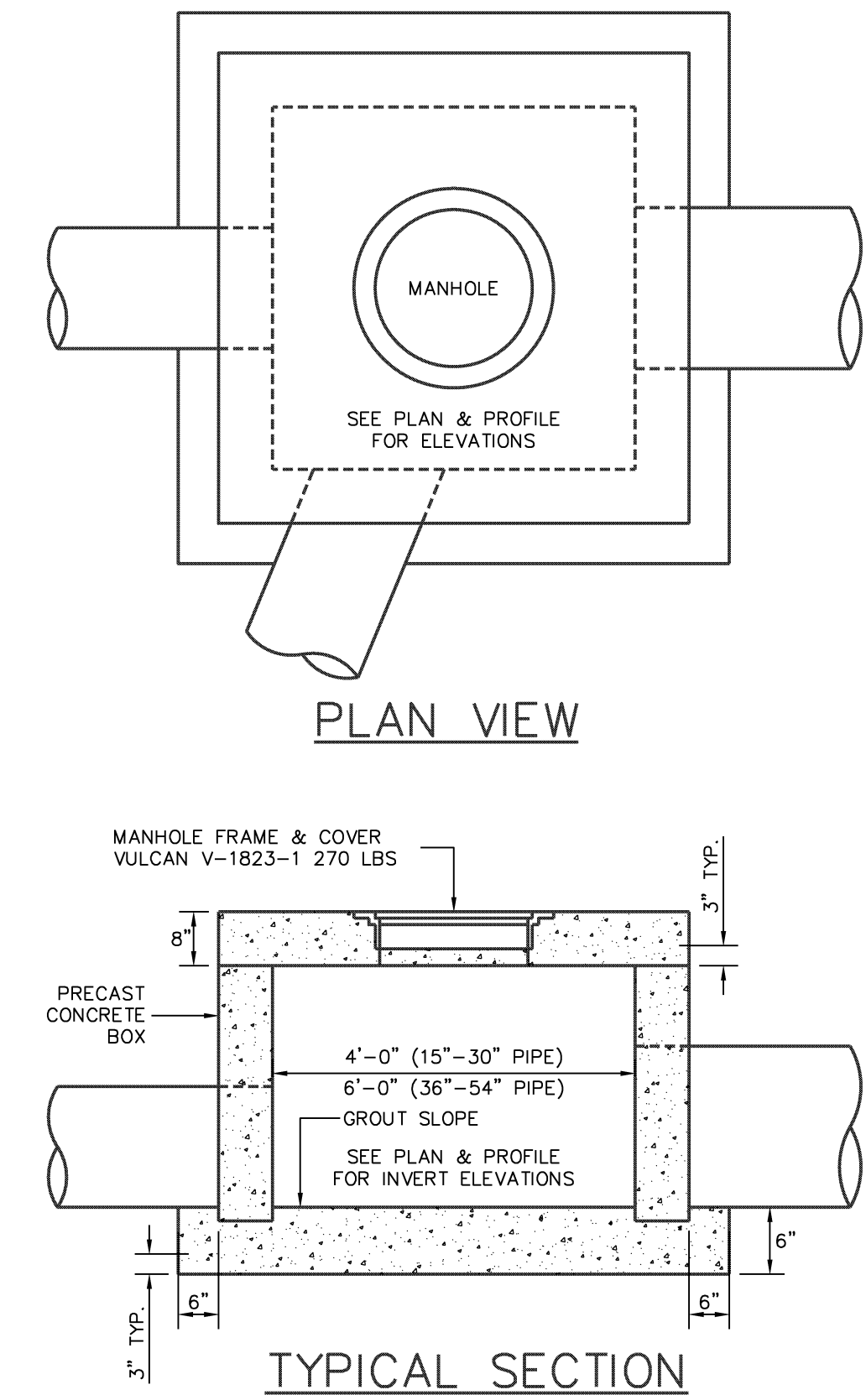
NOT TO SCALE



CONCRETE SLOPED HEADWALL DETAIL



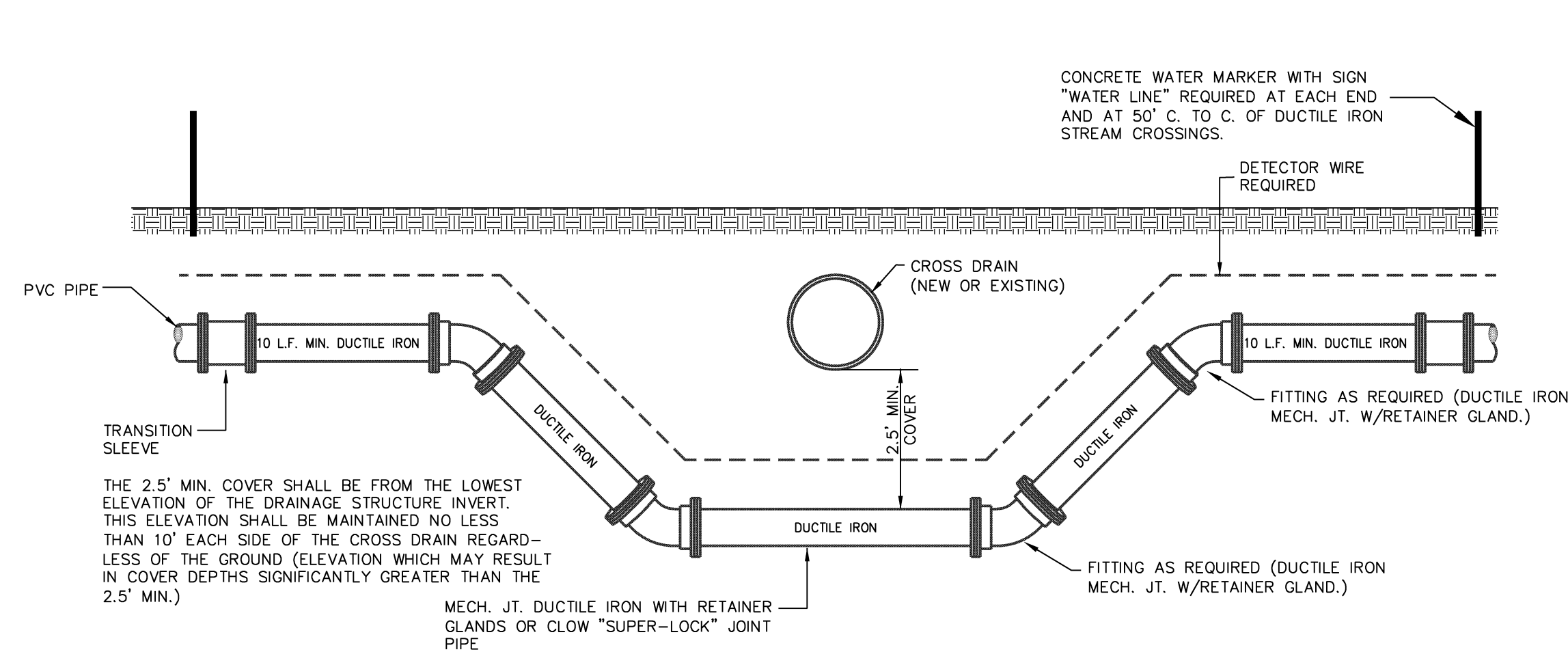
PIPE JOINT WRAP



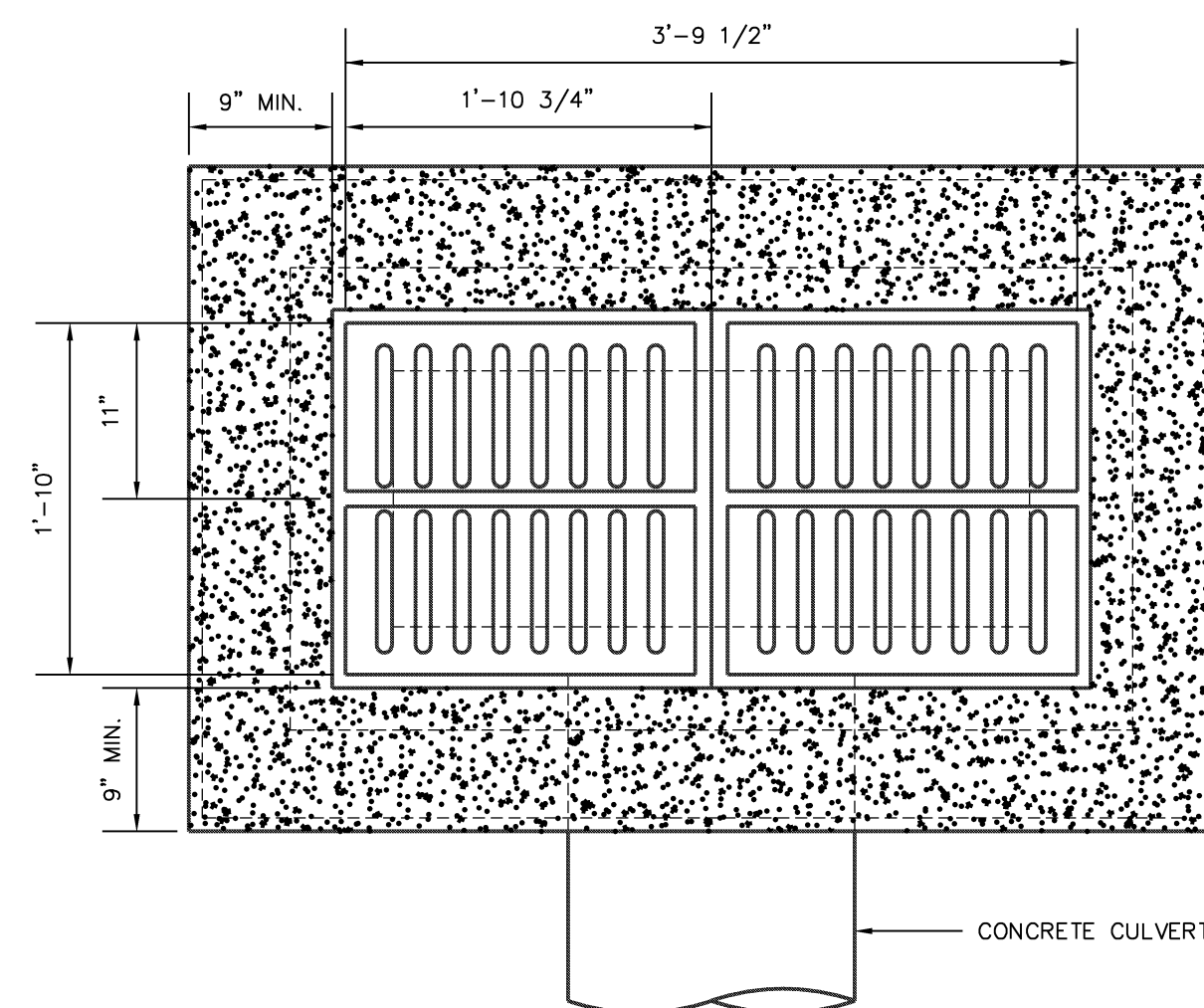
JUNCTION BOX DETAIL

(N.T.S.)

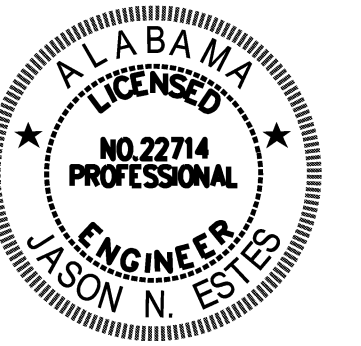
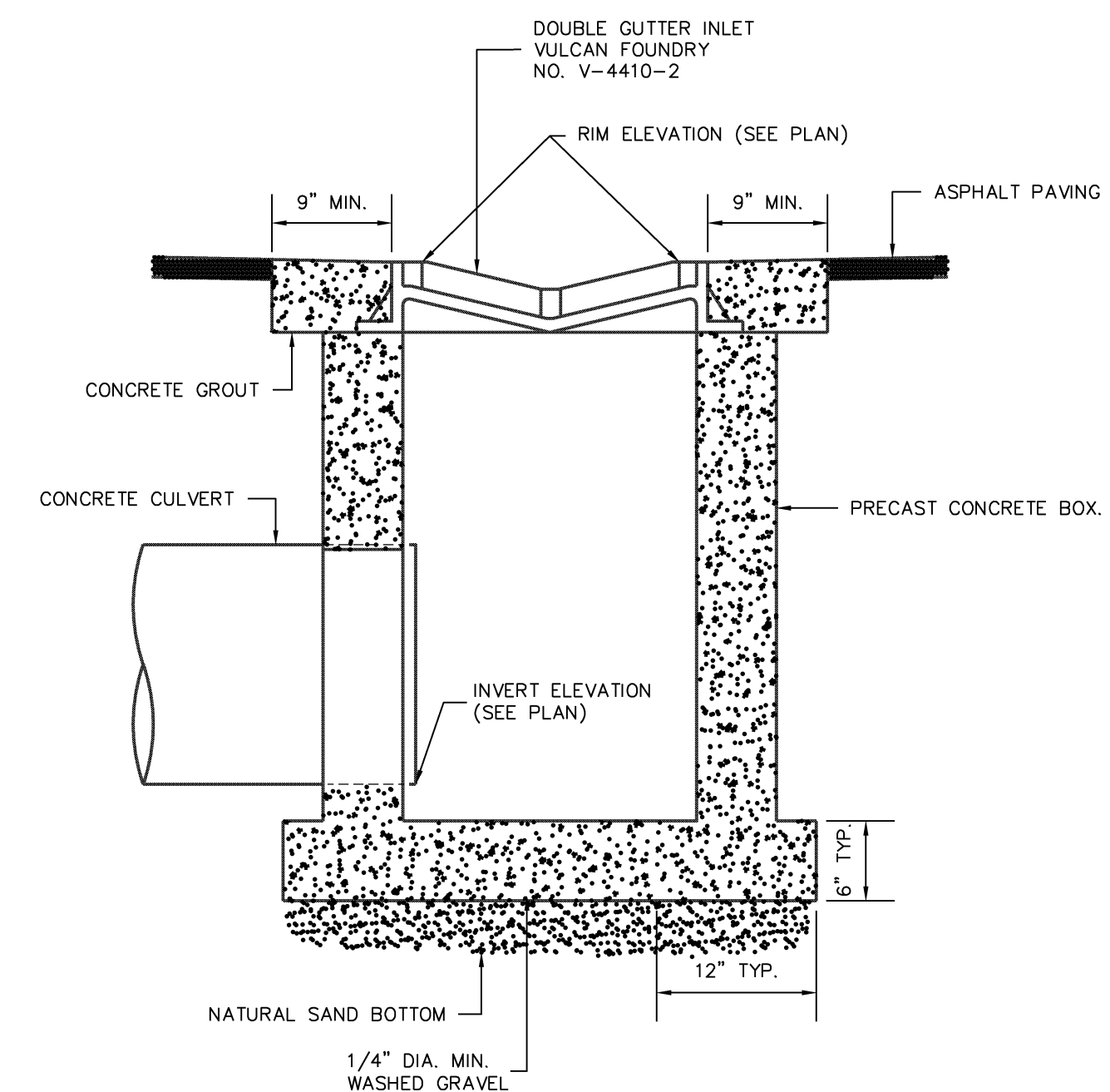
NOTE:
ALL JUNCTION AND INLET BOXES 4 FEET OR
DEEPER SHALL HAVE STEPS INSTALLED AS PER
ALDOT STANDARD DRAWING.



TYPICAL DRAINAGE PIPE CROSSING



GUTTER INLET DETAIL

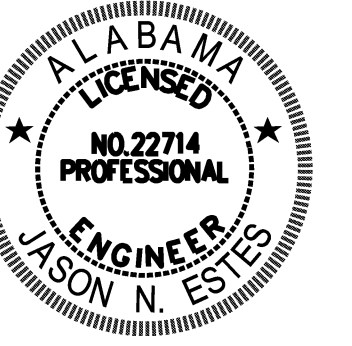
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REVISIONS	
DRAWN BY	JMB
APPROVED BY	JNE
CHECKED BY	JNE
DATE	JULY 2017

49 BELLATON AVENUE
DAPHNE, AL 36526
251.990.9950

GULF STREAM TOWNHOMES
FORTUNA INVESTMENTS, LLC
ORANGE BEACH, ALABAMA

SEAL



KEY PLAN

SCALE

V: 1"=5'

H: 1"=10'

[illegible]

NO.	DESCRIPTION	DATE
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REVISIONS

DRAWN BY JMB

APPROVED BY JNE

CHECKED BY JNE

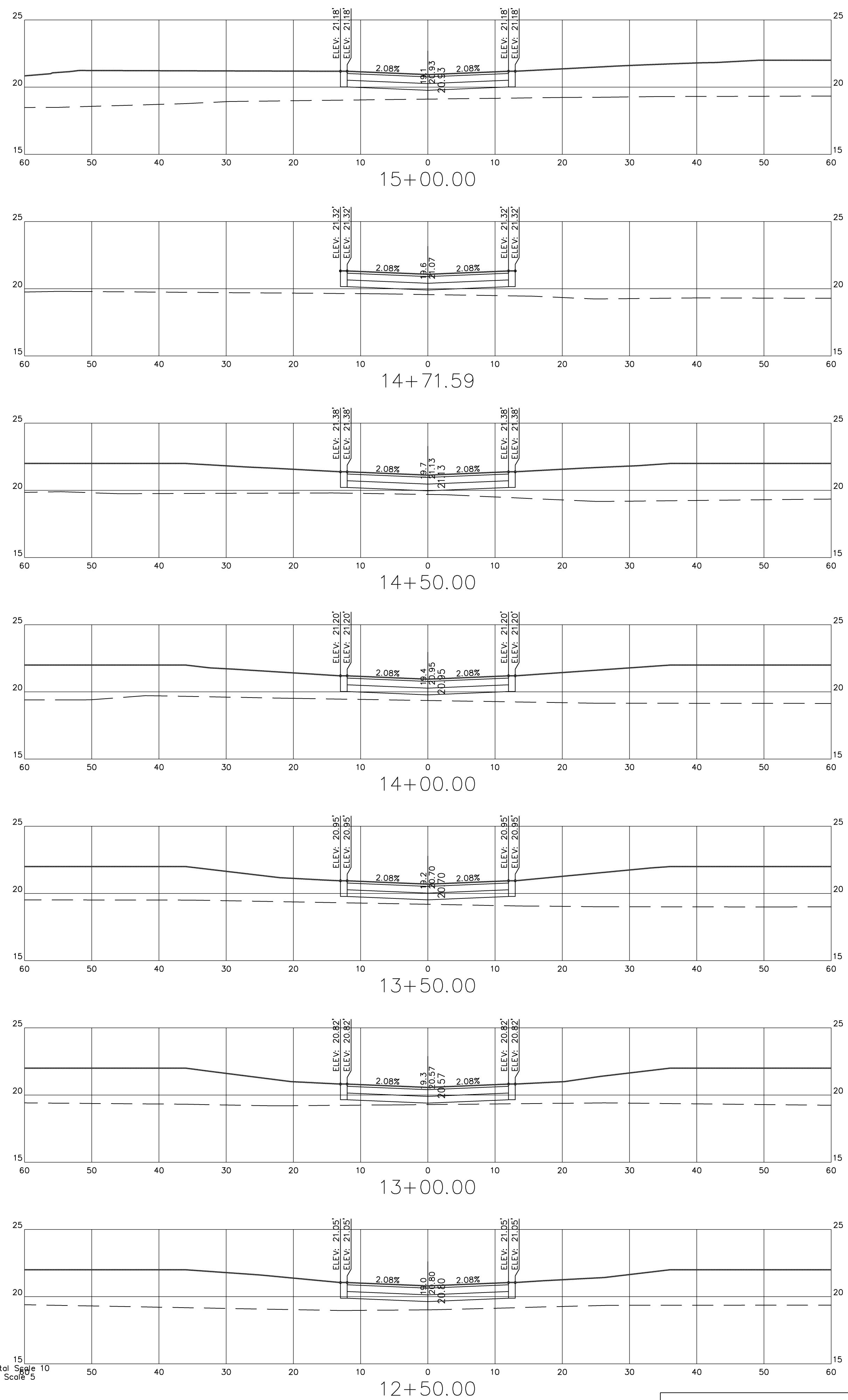
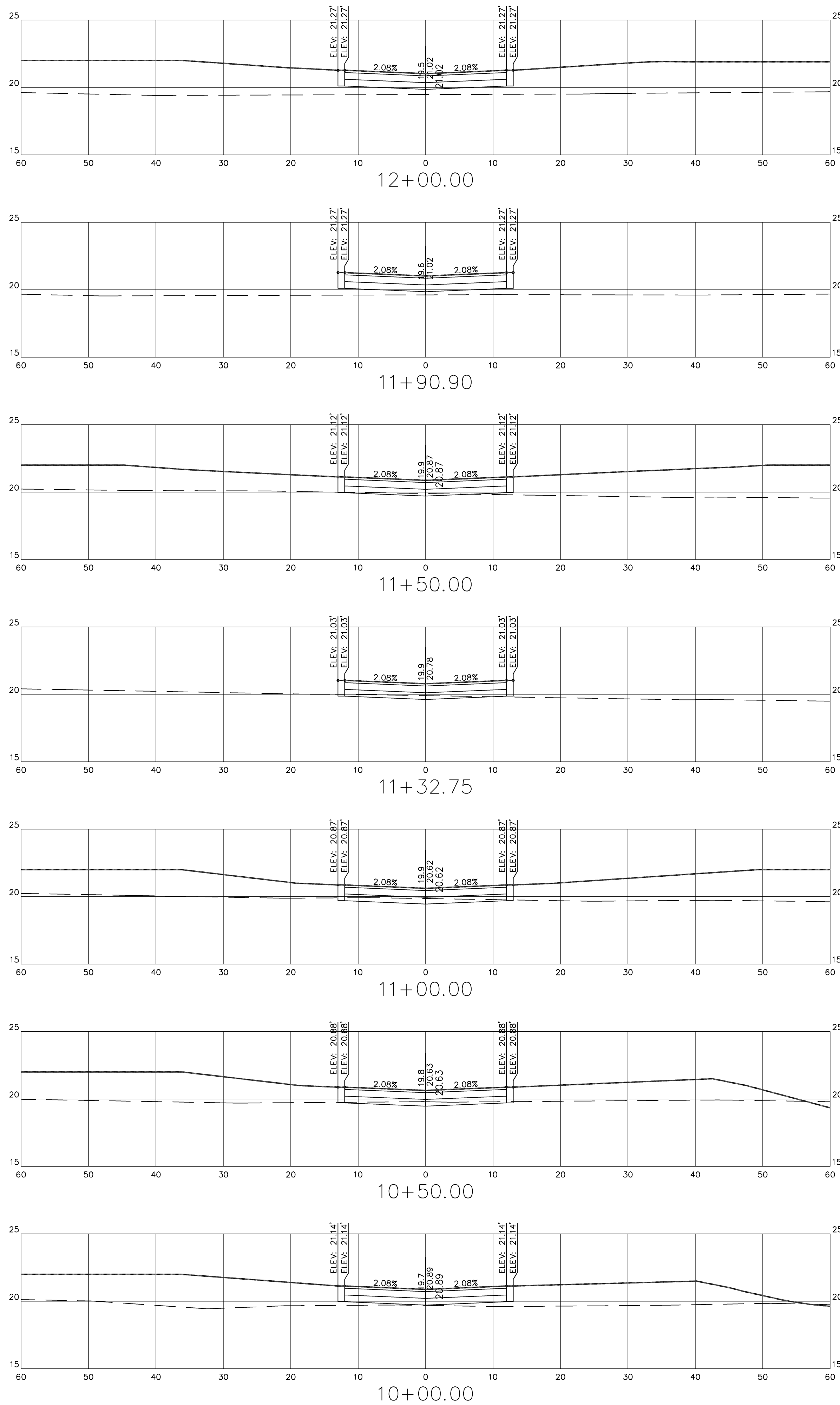
DATE JULY 2017

TITLE

CROSS SECTION DETAILS

PROJECT NO. 50082140

SHEET NO.

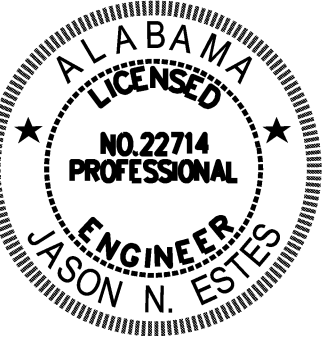


GULFSTREAM DRIVE

16

**GULF STREAM TOWNHOMES
FORTUNA INVESTMENTS, LLC
ORANGE BEACH, ALABAMA**

SEAL



KEY PLAN

SCALE

V: 1"=5'

H: 1"=10'

[illegible]

NO.	DESCRIPTION	DATE
REVISIONS		
DRAWN BY		JMB
APPROVED BY		JNE
CHECKED BY		JNE
DATE		JULY 2017

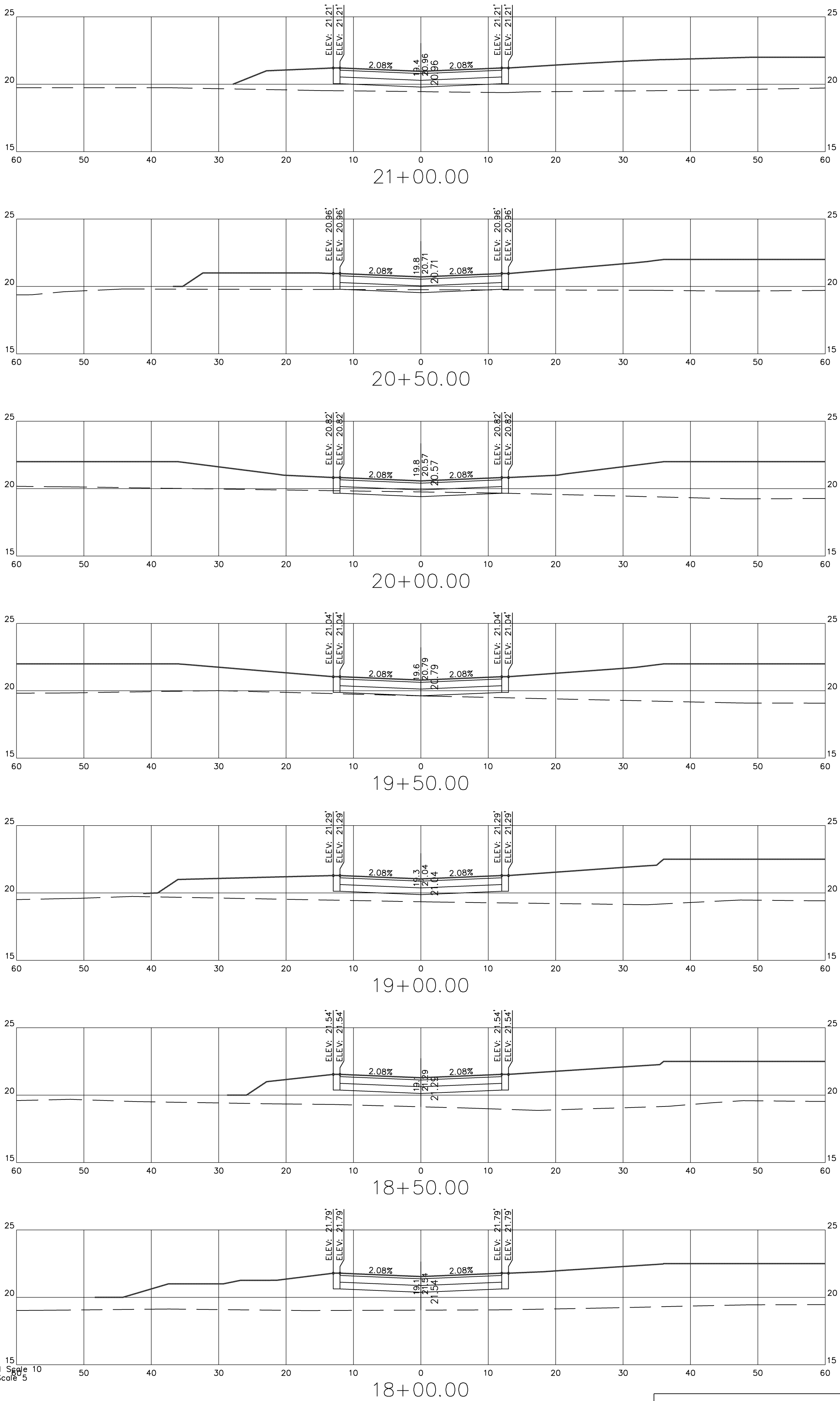
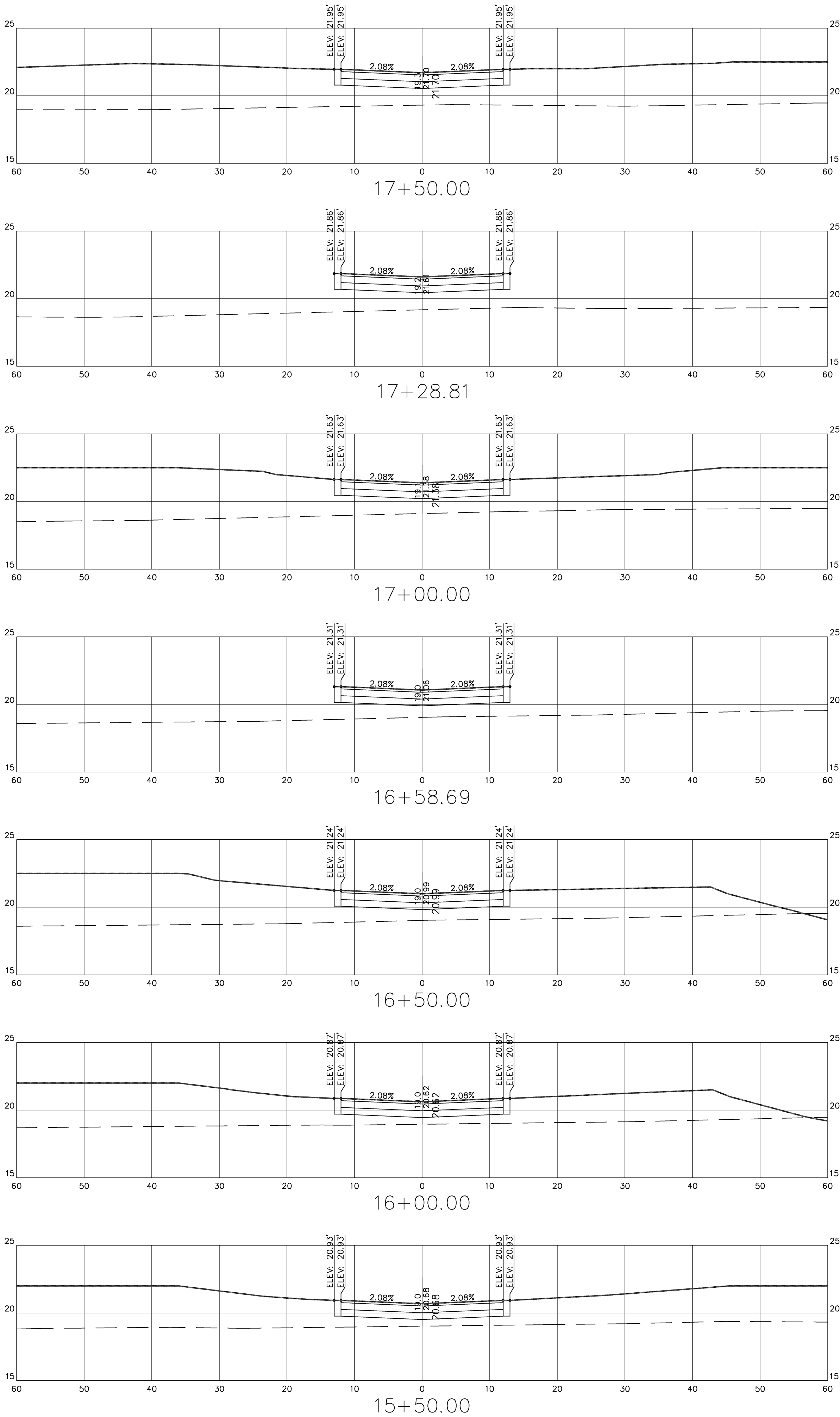
TITLE

CROSS SECTION DETAILS

PROJECT NO.

50082140

SHEET NO.



GULFSTREAM DRIVE

17

949 BELLATON AVENUE
DAPHNE, AL 36526
251.990.9950

GULF STREAM TOWNHOMES
FORTUNA INVESTMENTS, LLC
ORANGE BEACH, ALABAMA

SEAL



KEY PLAN

SCALE

V: 1"=5'
H: 1"=10'

[illegible]

NO.	DESCRIPTION	DATE
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REVISIONS

DRAWN BY	JMB
APPROVED BY	JNE
CHECKED BY	JNE
DATE	JULY 2017

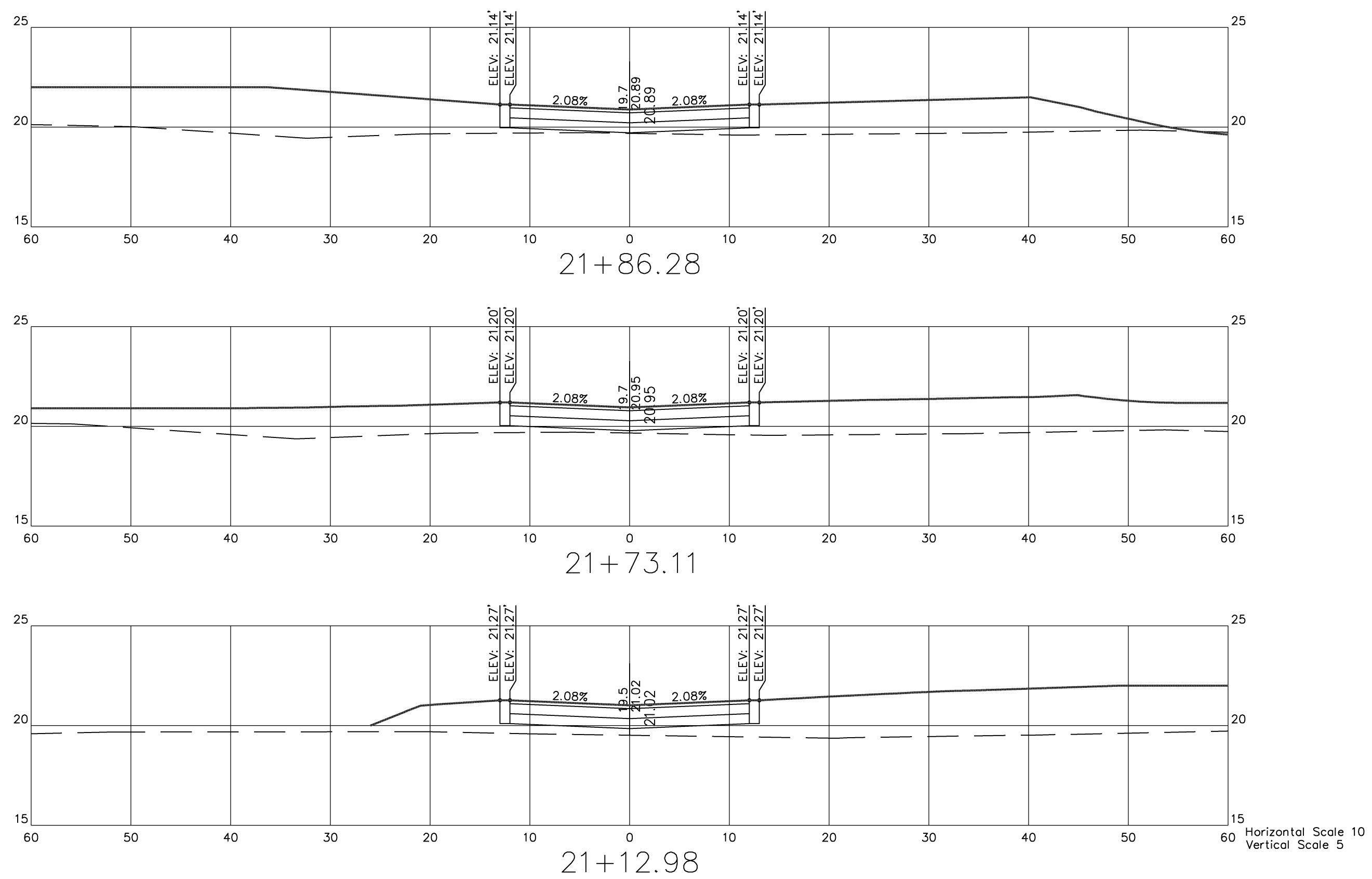
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CROSS SECTION DETAILS

PROJECT NO.	50082140
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18

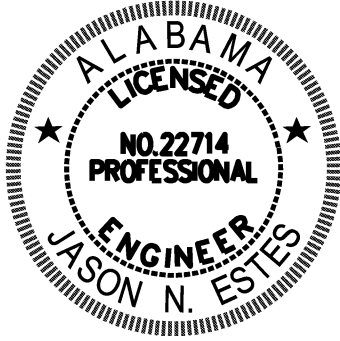
SHEET NO.



9949 BELLATON AVENUE
DAPHNE, AL 36526
251.990.9950

GULF STREAM TOWNHOMES
FORTUNA INVESTMENTS, LLC
ORANGE BEACH, ALABAMA

SEAL



KEY PLAN

SCALE

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H: 1"=10'

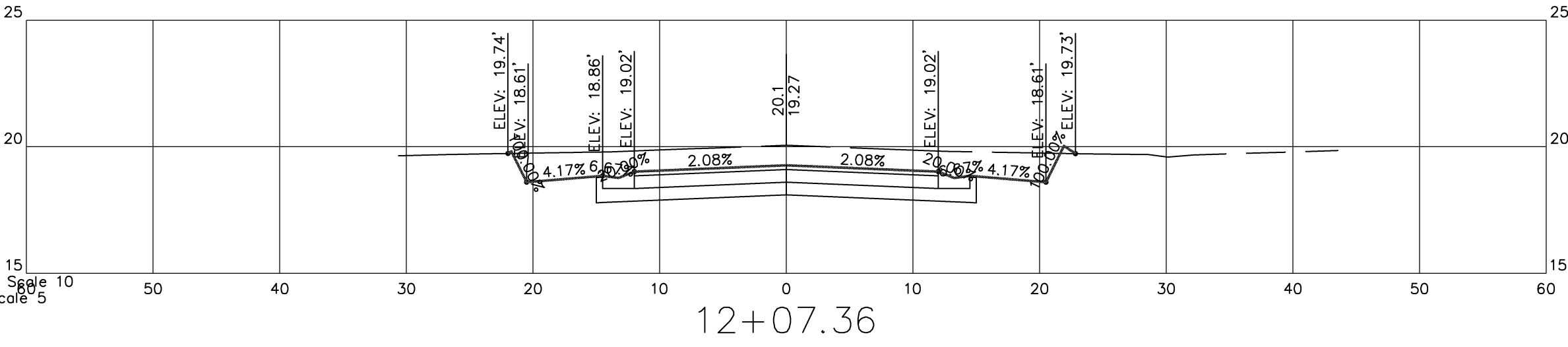
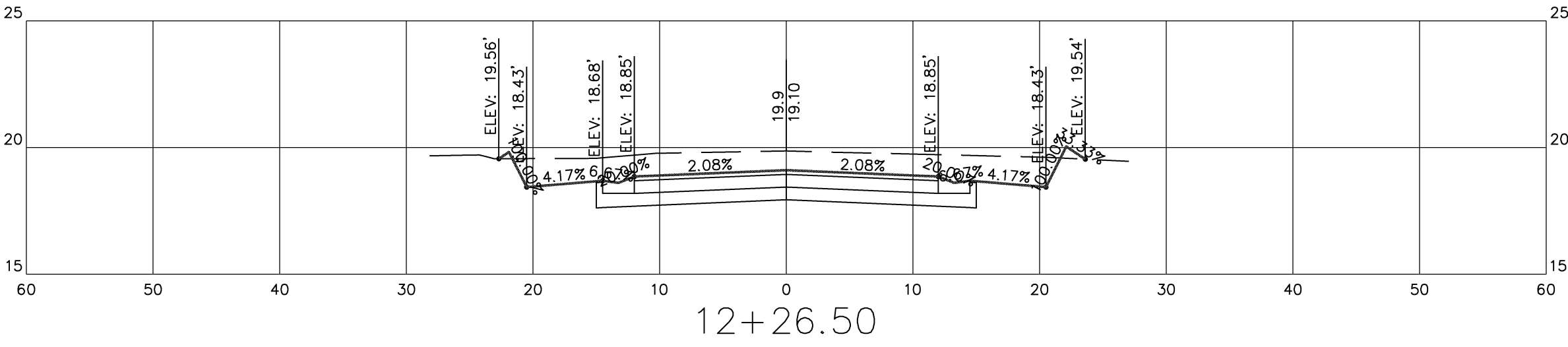
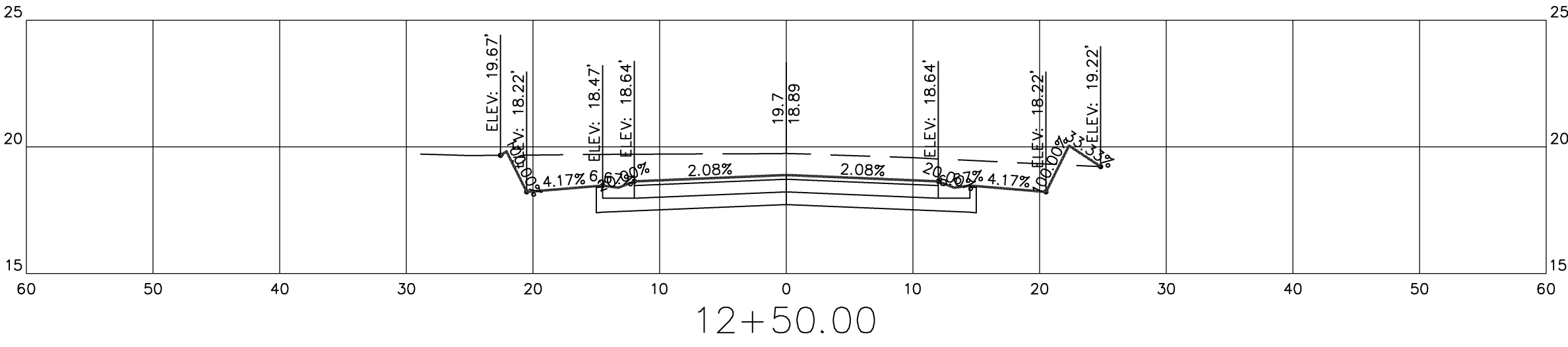
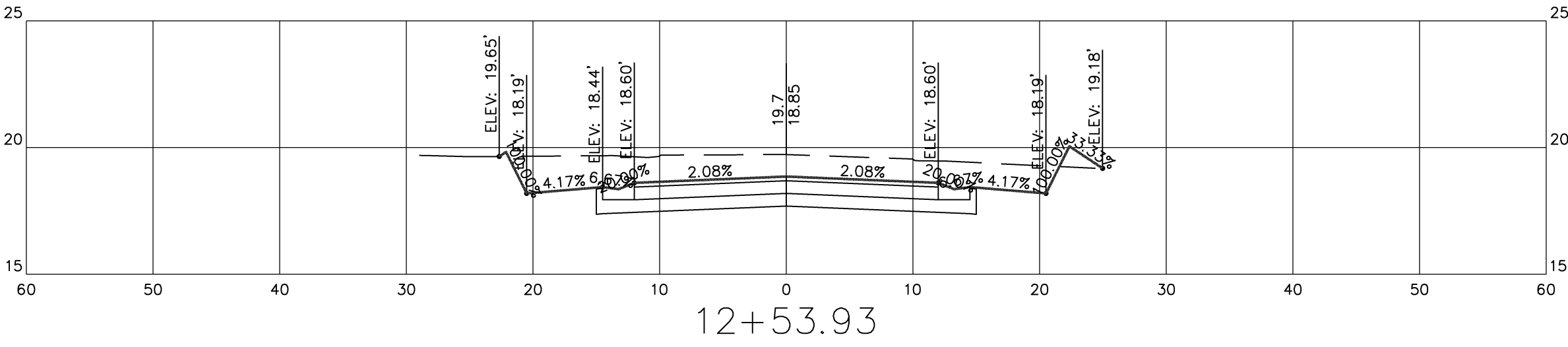
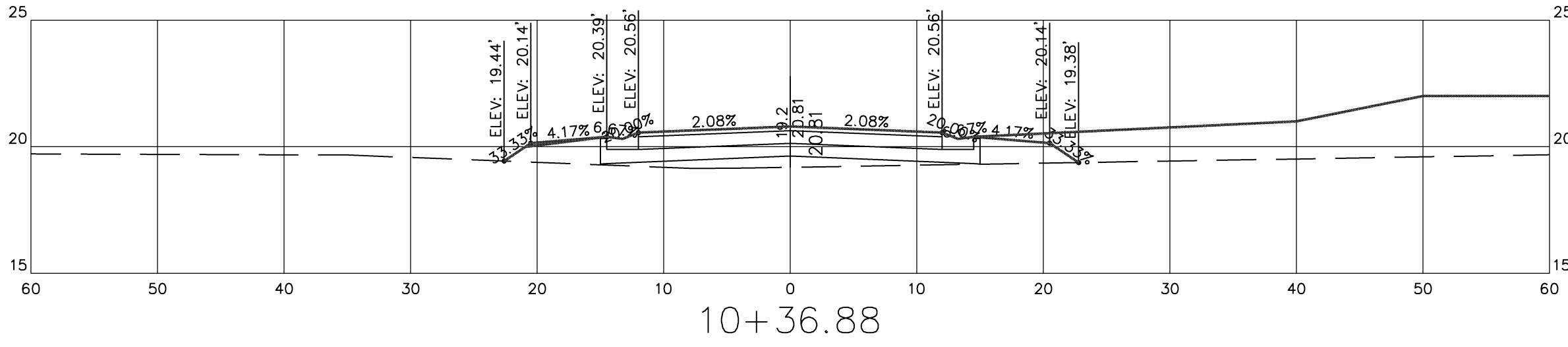
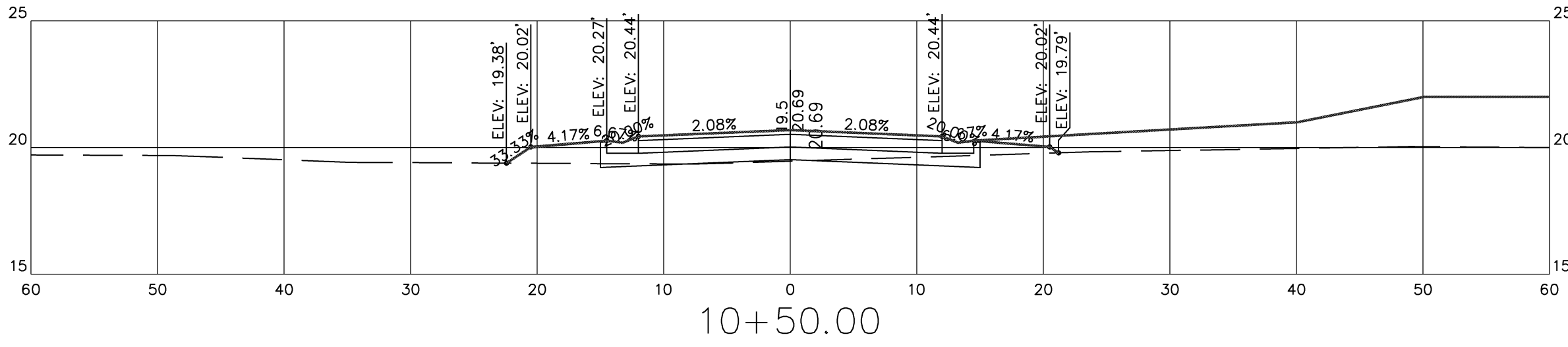
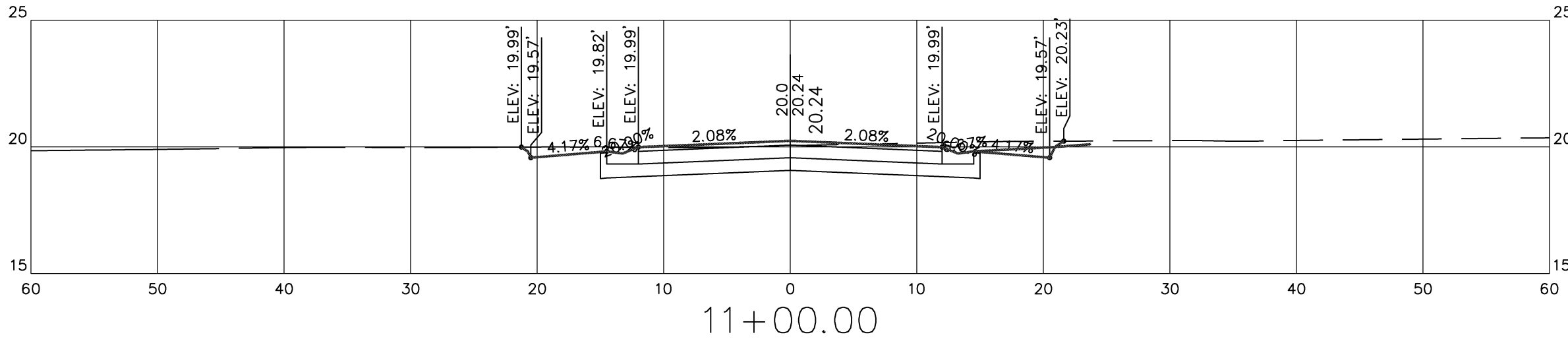
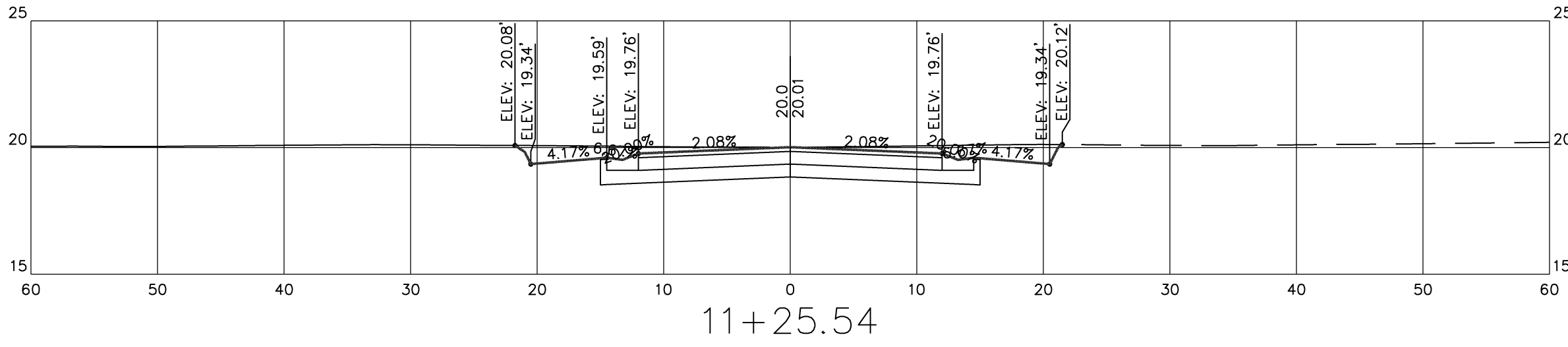
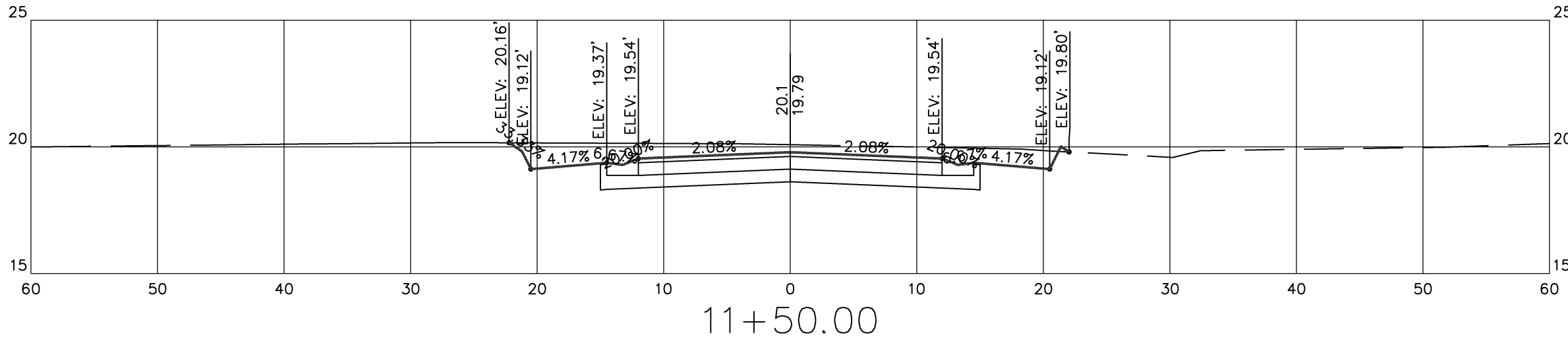
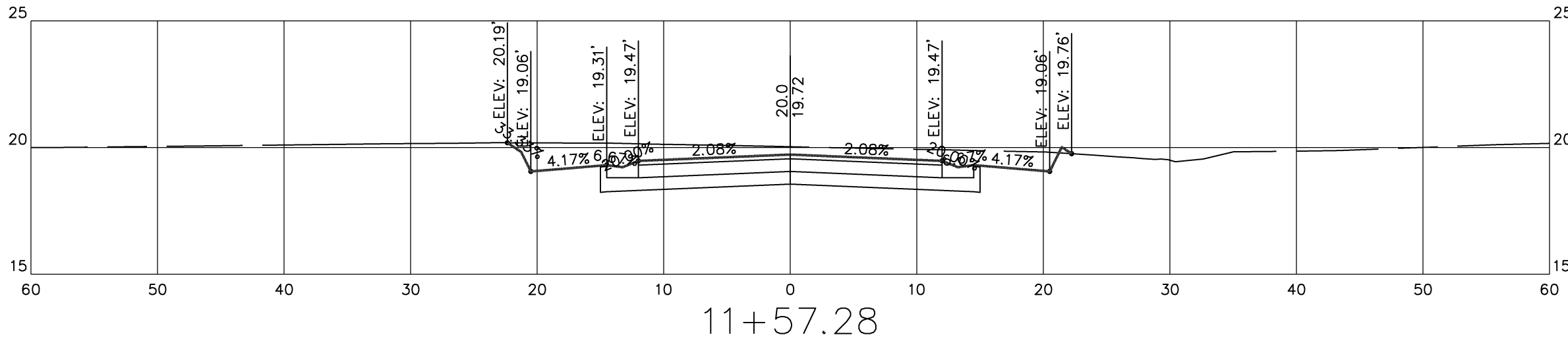
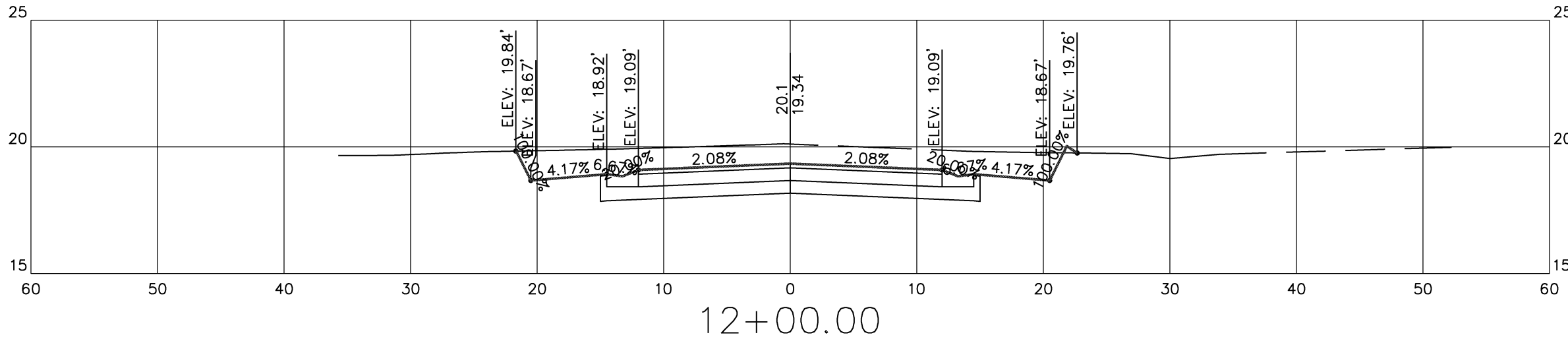
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DRAWN BY		JMB
APPROVED BY		JNE
CHECKED BY		JNE
DATE		JULY 2017

TITLE

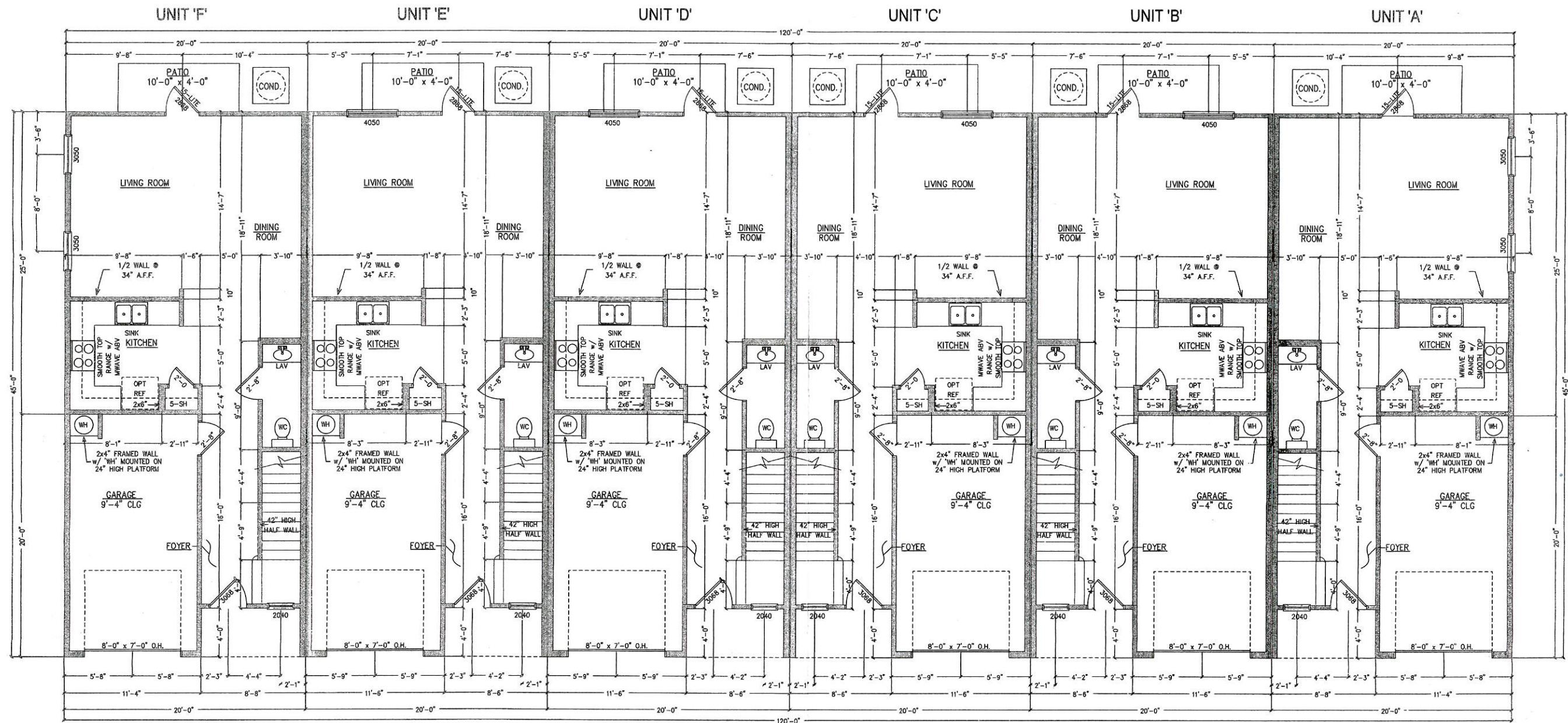
CROSS SECTION
DETAILS

PROJECT NO. 50082140

SHEET NO.



CANAL SQUARE LANE



1st FLOOR PLAN
1/4" = 1'-0"

Lane and Hatcher Engineers, LLC
CERT. OF AUTH. 9481

113 S. Alcaniz Street
Pensacola, FL 32502
850-437-9715 (Office)
437-9716 (Fax)

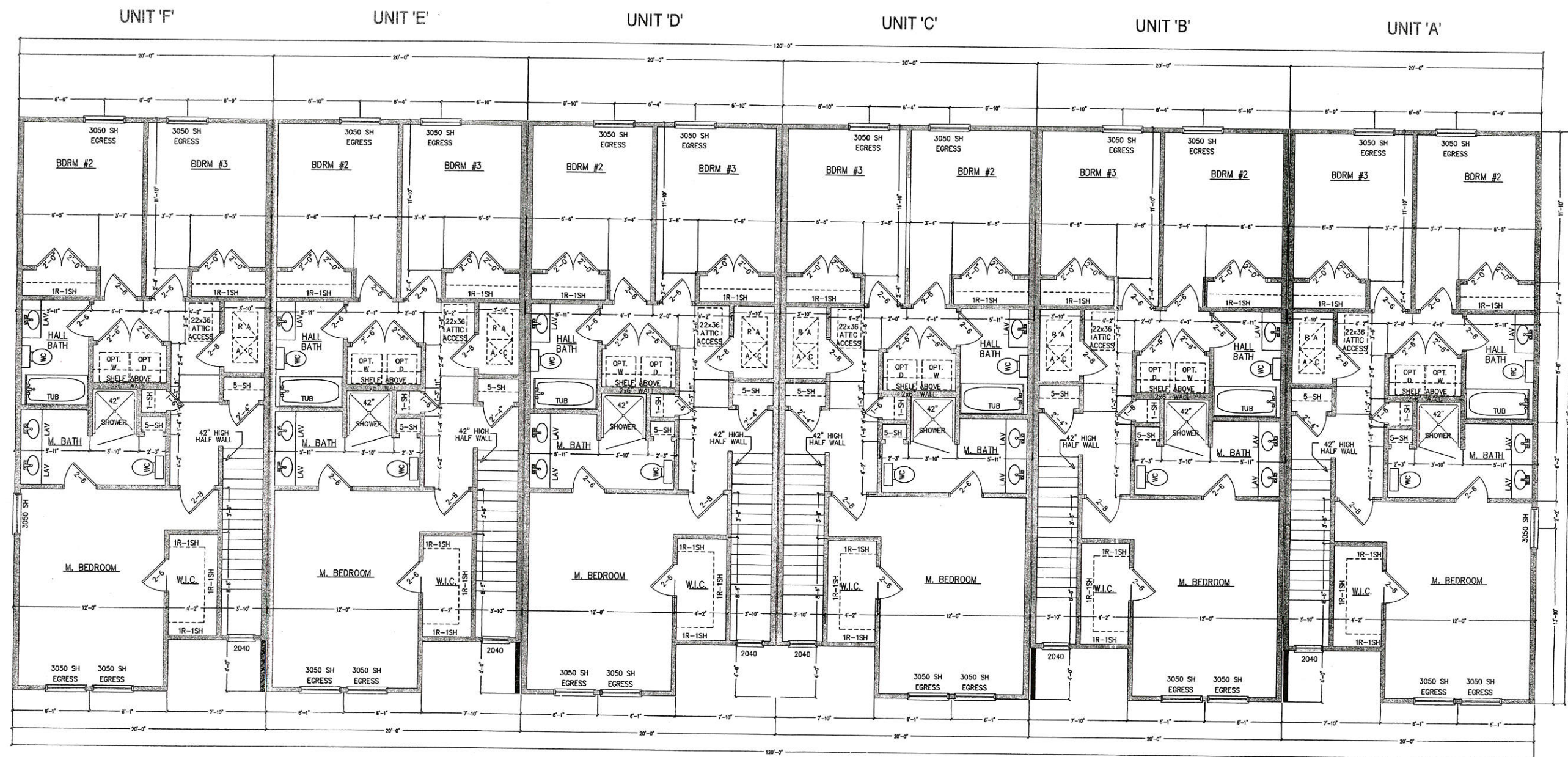
D.R. HORTON
America's Builder
GULF STREAM TOWNHOMES

Drawn by: ACH
Date: 02-13-13
Scale: As Noted
REVISIONS:

A1.1

1st FLOOR PLAN

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AUG 02 2017
O.B. COMMUNITY DEV.



2nd FLOOR PLAN
1/4" = 1'-0"

Lane and Hatcher Engineers, LLC
CERT. OF AUTH. 9481

113 S. Alcaniz Street
Pensacola, FL 32502
850-437-9715 (Office)
437-9716 (Fax)

D·R·HORTON
America's Builder
GULF STREAM TOWNHOMES

Drawn by: ACH
Date: 02-13-13
Scale: As Noted
REVISIONS:

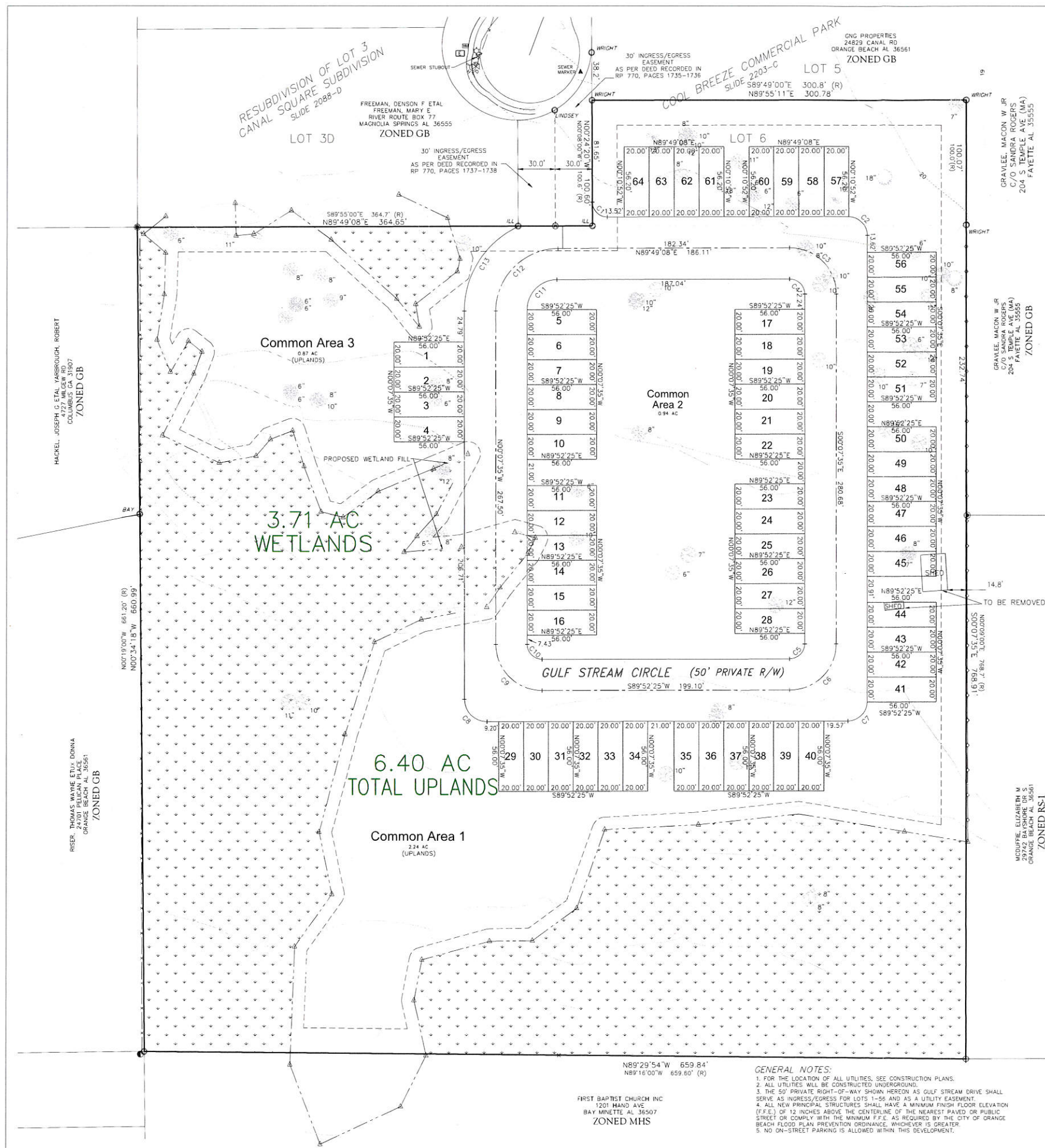
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AUG 02 2017

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1006-SD-16 File Copy



SITE DATA
CURRENT ZONING GB
TOTAL AREA 10.80 ACRES
TOTAL LOTS 64
COMMON AREA 5.44 ACRES (INCLUDES PRIVATE R.O.W.)

REQUIRED PERIMETER SETBACKS:
NORTH: 20 FEET
SOUTH: 20 FEET
EAST: 20 FEET
WEST: 10 FEET FROM WETLANDS
*NOTE: ALL SETBACKS SHALL BE 10' FROM WETLANDS

WATER SERVICE: ORANGE BEACH WATER AUTHORITY
SEWER SERVICE: CITY OF ORANGE BEACH
ELECTRIC SERVICE: BALDWIN COUNTY EMC
TELEPHONE SERVICE: CENTURYLINK

CURVE	RADIUS	ARC	TANGENT	CHORD BEARING	CHORD
C1	12.00'	18.80'	11.95'	S45°17'36"E	16.94'
C2	14.86'	23.36'	14.87'	S45°09'14"E	21.03'
C3	37.00'	58.15'	37.04'	S45°09'14"E	52.35'
C4	12.00'	18.86'	12.01'	S45°09'14"E	16.98'
C5	12.00'	18.85'	12.00'	S44°52'25"W	16.97'
C6	37.00'	58.12'	37.00'	S44°52'25"W	52.33'
C7	15.33'	24.09'	15.33'	S44°52'25"W	21.68'
C8	18.00'	28.27'	18.00'	N45°07'35"W	25.46'
C9	37.00'	58.12'	37.00'	N45°07'35"W	52.33'
C10	12.00'	18.85'	12.00'	N45°07'35"W	16.97'
C11	24.07'	37.79'	24.05'	N44°50'46"E	34.02'
C12	50.00'	78.49'	49.95'	N44°50'46"E	70.68'
C13	75.00'	85.08'	47.77'	N32°22'14"E	80.59'

CERTIFICATE OF APPROVAL BY ORANGE BEACH WATER AUTHORITY:
THE UNDERSIGNED, AS AUTHORIZED BY ORANGE BEACH WATER AUTHORITY HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA, THIS ____ DAY OF ____.

AUTHORIZED REPRESENTATIVE _____

CERTIFICATE OF APPROVAL BY THE CITY OF ORANGE BEACH (SEWER):
THE UNDERSIGNED, AS AUTHORIZED BY THE CITY OF ORANGE BEACH HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA, THIS ____ DAY OF ____.

AUTHORIZED REPRESENTATIVE _____

CERTIFICATE OF APPROVAL BY BALDWIN COUNTY EMC:
THE UNDERSIGNED, AS AUTHORIZED BY BALDWIN COUNTY EMC HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA, THIS ____ DAY OF ____.

AUTHORIZED REPRESENTATIVE _____

CERTIFICATION OF APPROVAL BY THE ORANGE BEACH PLANNING COMMISSION:
THE WITHIN PLAT OF GULF STREAM, A PLANNED UNIT DEVELOPMENT, ORANGE BEACH, ALABAMA, IS HEREBY APPROVED BY THE PLANNING COMMISSION OF THE CITY OF ORANGE BEACH, ALABAMA, THIS ____ DAY OF ____.

AFFIDAVIT OF LICENSED PROFESSIONAL ENGINEER:
I, JASON ESTES, A LICENSED PROFESSIONAL ENGINEER IN THE STATE OF ALABAMA, LICENSE NO. 22714, HEREBY CERTIFY THAT I HAVE DESIGNED THE WITHIN IMPROVEMENTS IN CONFORMANCE WITH APPLICABLE CODES AND LAWS AND WITH THE PRINCIPLES OF GOOD ENGINEERING PRACTICE INCLUDING THE DRAINAGE DESIGN REQUIREMENTS OF THE DAPINE SUBDIVISION REGULATIONS. I FURTHER CERTIFY THAT I HAVE PROVIDED OVERSIGHT OF THE CONSTRUCTION TO MY DESIGN, AND THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF THE WITHIN IS A TRUE AND ACCURATE REPRESENTATION OF IMPROVEMENTS AS INSTALLED.

JASON ESTES, ENGINEER
DEWBERRY | PREBLE-RISH
DATE _____

CERTIFICATION OF OWNERSHIP AND DEDICATION:

STATE OF ALABAMA
COUNTY OF BALDWIN
THIS IS TO CERTIFY THAT I (WE) _____ THE UNDERSIGNED AM (ARE) THE OWNER(S) OF THE LAND SHOWN AND DESCRIBED IN THE PLAT, AND THAT I (WE) HAVE CAUSED THE SAME TO BE SURVEYED AND SUBDIVIDED AS INDICATED HEREON, FOR THE USES AND PURPOSES HEREIN SET FORTH, AND DO HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE DESIGN AND TITLE HEREON INDICATED, AND GRANT ALL EASEMENTS AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED, TOGETHER WITH SUCH RESTRICTIONS AND CONVENTS NOTED BELOW OR ATTACHED IN A SEPARATE LEGAL DOCUMENT.

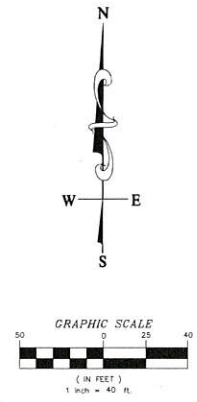
DATED THIS ____ DAY OF ____
OWNER _____
OWNER _____

CERTIFICATION BY NOTARY PUBLIC:
STATE OF ALABAMA
COUNTY OF BALDWIN

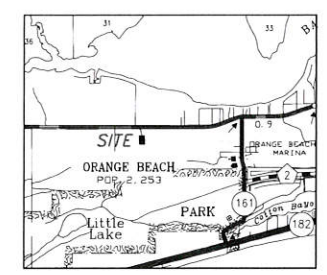
I, _____ AS NOTARY PUBLIC, IN AND FOR SAID COUNTY AND STATE DO HEREBY CERTIFY THAT _____ WHOSE NAME IS SIGNED TO THE FOREGOING CERTIFICATE AS A SURVEYOR, AND _____ WHOSE NAME IS SIGNED TO SAME AS OWNER(S) AND _____ WHOSE NAME IS SIGNED TO SAME AS MORTGAGEE(S) ALL OF WHOM ARE KNOWN TO ME, ACKNOWLEDGED BEFORE ME, OF THIS DATE THAT AFTER HAVING BEEN DULY INFORMED OF THE CONTENTS OF SAID CERTIFICATE, THEY EXECUTED SAME VOLUNTARILY AS SUCH INDIVIDUALS (OR IN ANY OTHER CAPACITIES) WITH FULL AUTHORITY THEREFOR.

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS ____ DAY OF ____

NOTARY PUBLIC _____



PROPERTY IS LOCATED IN THE SE QUARTER OF SECTION 6, TOWNSHIP 9 SOUTH, RANGE 5 EAST, BALDWIN COUNTY, ALABAMA.



VICINITY MAP
1" = 1 MILE

SURVEYOR/ENGINEER:
DEWBERRY | PREBLE-RISH
9949 BELLATON AVE, DAPHNE, ALABAMA 36526
DAVID E. DIEHL, PLS LIC. NO. 26014
JASON N. ESTES, PE LIC. NO. 22714

DEVELOPER:
FORTUNA INVESTMENTS, LLC
29891 WOODROW LAND, STE. 300
SPANISH FORT, AL 36527

OWNER:
MICHAEL J. SPECCHIO
1480 CR 2800 N
RANTOUL, IL 61866

FLOOD CERTIFICATE:
THIS PROPERTY LIES WITHIN ZONE "X" AS SCALED FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP OF BALDWIN COUNTY, ALABAMA, MAP NUMBER 15003C0981L, COMMUNITY NUMBER 05000, PANEL NUMBER 0361, SUFFIX L, MAP REVISED JULY 17, 2007.

SURVEYOR'S NOTES:
1. ALL MEASUREMENTS WERE MADE IN ACCORDANCE WITH U.S. STANDARDS.
2. DESCRIPTIONS AS FURNISHED BY CLIENT.
3. THERE MAY BE RECORDED OR UNRECORDED DEEDS, EASEMENTS, RIGHT-OF-WAYS, OR OTHER INSTRUMENTS WHICH COULD AFFECT THE BOUNDARIES OF SAID PROPERTIES.
4. THERE WAS NO ATTEMPT TO DETERMINE THE EXISTENCE, LOCATION, OR EXTENT OF ANY SUB-SURFACE FEATURES.
5. THE LINES REPRESENTING THE CENTERLINE AND RIGHT-OF-WAYS OF THE STREETS ARE SHOWN FOR VISUAL PURPOSES ONLY AND WERE NOT SURVEYED UNLESS RIGHT-OF-WAY MONUMENTATION IS ALSO SHOWN.
6. SURVEY WAS CONDUCTED ON JUNE 9 AND 22, 2016, AND IS RECORDED IN FIELD BOOK #303, AT PAGES 29 AND 37, AND IN AN ELECTRONIC DATA FILE.
7. BEARINGS AND DISTANCES SHOWN HEREON WERE "COMPUTED" FROM ACTUAL FIELD TRAVERSES.
8. THIS SURVEY IS BASED UPON MONUMENTATION FOUND IN PLACE AND DOES NOT PURPORT TO BE A RETRACEMENT AND PROPORTIONING OF THE ORIGINAL GOVERNMENT SURVEY.

SURVEYOR'S CERTIFICATE:
STATE OF ALABAMA
COUNTY OF BALDWIN
WE, DEWBERRY | PREBLE-RISH, A FIRM OF LICENSED ENGINEERS AND LAND SURVEYORS OF DAPHNE, ALABAMA, HEREBY STATE THAT THE ABOVE IS A CORRECT MAP OR PLAT OF THE FOLLOWING DESCRIBED PROPERTY SITUATED IN BALDWIN COUNTY, ALABAMA, TO-WIT:

"LOT 7, COOL BREEZE COMMERCIAL PARK, ACCORDING TO MAP OR PLAT THEREOF RECORDED IN SLIDE 2203-C, RECORDED IN THE IN THE OFFICE OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA."

(DESCRIPTION COMPOSED FROM PROBATE RECORDS AND AN ACTUAL FIELD SURVEY).

WE FURTHER STATE THIS SURVEY HAS BEEN COMPLETED IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF ALABAMA, EFFECTIVE MAY 7, 2002.

DEWBERRY | PREBLE-RISH
DAVID E. DIEHL
AL PLS. NO. 26014
07-07-2017

SURVEY NOT VALID WITHOUT ORIGINAL SIGNATURE AND SEAL




GULF STREAM

A PLANNED UNIT DEVELOPMENT

(A RE-SUB OF LOT 6&7 COOL BREEZE COMMERCIAL PARK)

JULY 10, 2017 - SHEET 1 OF 1 SHEETS

BOUNDARY SURVEY AND PLAT OF SUBDIVISION					
DESIGN	D.E.D.		DRAWN	A.E.F.	
CHKD.	D.E.D.				
ENG	J.N.E.		SURVEYOR	D.E.D.	
PROJ. MGR	D.E.D.				
 Dewberry			PREBLE-RISH		
9949 Bellaton Ave. Daphne, AL 36526					
251-990-9950 fax 251-990-9910 info@preble-rish.net					
				SCALE	1"=40'
				PROJ. NO.	50082140
				FILE	50082140.DWG
				SHEET	1 OF 1

AUG 02 2017
O.B. COMMUNITY DEV.



**COMMITTEE OF THE WHOLE MEETING
SEPTEMBER 5, 2017**

Departments: Community Development

Description of Topic:

Set a public hearing date for an ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0810-PUDA-17, Windward Lakes, Lot 75, Setback Variance. (Suggested date 10/3/2017) (KA)

Action Options/Recommendation:

Source of Funding (if applicable) :

ATTACHMENTS:

Description

- ▣ APPLICATION COVER SHEET & SKETCH PLAN
- ▣ STAFF MEMORANDUM
- ▣ SITE PLAN 08-08-17
- ▣ BUILDING PERMIT SUBMITTAL
- ▣ ZONING REVIEW



City of Orange Beach

COMMUNITY DEVELOPMENT DEPARTMENT

P.O. Box 2432

Orange Beach, AL 36561

251.981.2610 Fax 251.981.3725

http://www.cityoforangebeach.com

DEVELOPMENT PERMIT APPLICATION

To be completed by Community Development Department Staff

APPLICATION DATA

Application #: 0810-PUDA-17

Total Fees Paid: 25000

Check Number: 1306

TYPE OF APPLICATION

- ☐ Administrative Site Plan Review
- ☐ Site Plan Review
- ☐ Preliminary/Final Minor Subdivision Approval
- ☐ Preliminary Major Subdivision Approval
- ☐ Final Major Subdivision Approval
- ☐ Rezoning
- ☐ Preliminary PUD Approval
- ☒ Final PUD Approval
- ☒ PUD Modification (Setback Variance)
- ☐ Temporary Portable Building

NAME OF PROJECT:

Modification to Mariner Lakes (Phase 2)
Lot 75 (Setback) Windward Lakes

PROJECT DESCRIPTION: (Provide Brief Description of Proposed Development, Subdivision, Rezoning, Portable Building, or Special Event; To include lot sizes, square footage of building coverage, number of lots, proposed land uses, number of units, number of buildings, a project narrative, etc.; if more space is needed attach a separate page)

NEW SCREEN ROOM IN BACKYARD APP 20'x14'-6"
APR 290 SFT

PROPERTY INFORMATION:

Address: 25310 WINDWARD LAKES AVE Tax Parcel #(s): Lot # 75
ORANGE BEACH AL 36561

Existing Use: Home Zoning: PUD PPIN #(s): 263486

APPLICANT INFORMATION:

Name: HERBERT RAUDNAGER JR Contact Person: _____

Address: 25310 WINDWARD LAKES AVE AL 36561

Phone #: (603) 703-4562 Fax #: () Email: _____

OWNER INFORMATION:

Name: HERBERT RAUDNAGER JR Contact Person: _____

Address: 25310 WINDWARD LAKES AVE

Phone #: (603) 703-4562 Fax #: () Email: H.RAUDN00@HOTMAIL.COM

Signature (Applicant): [Signature] Date: 8-16-17

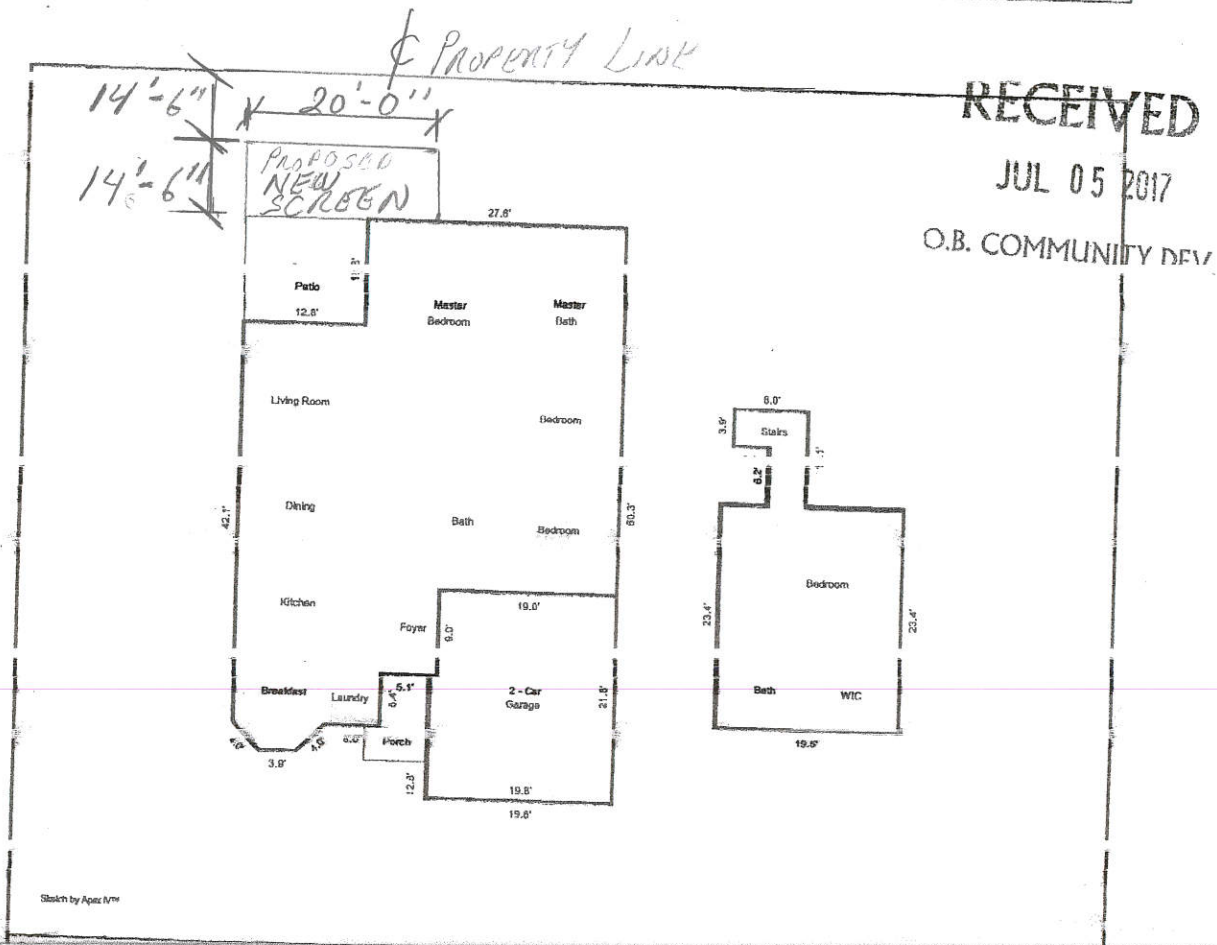
Signature (Owner): [Signature] Date: 8-16-17

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AUG 16 2017

Building Sketch

Property Address 25310 Windward Lakes Ave			
City Orange Beach		County Baldwin	
Lender National Bank of Commerce		State AL	Zip Code 36561



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AUG 16 2017
O.B. COMMUNITY DEV.



PLANNING & ZONING
COMMUNITY DEVELOPMENT DEPARTMENT
P.O. BOX 2432
ORANGE BEACH, ALABAMA 36561



MEMORANDUM

TO: Mayor Kennon and City Council

FROM: Griffin L. Powell, Planner II

CC: Kit Alexander, E&ES Director
Wanda Cochran, City Attorney
Renee Eberly, City Clerk
Ken Grimes, City Administrator
Paulette Taylor, Planner II

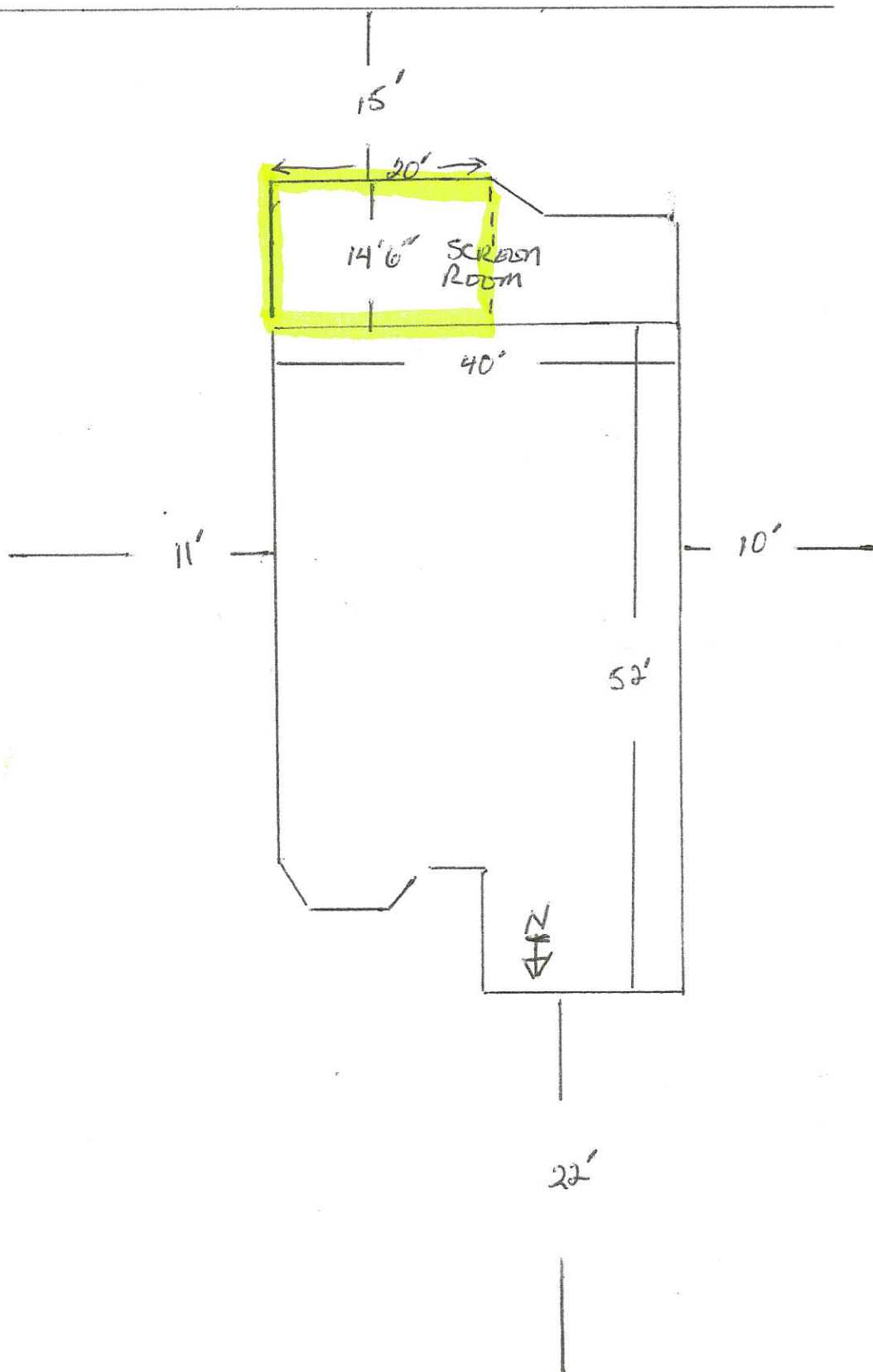
DATE: August 30, 2017

RE: Case No. 0810-PUDA-17, Windward Lakes, Lot 75, Setback Variance

- The subject property is Lot 75 of the Windward Lakes Phase 2 Subdivision, and the municipal address is 25310 Windward Lakes.
- The subject property is part of the Windward Lakes PUD.
- In July 2017 the applicant, Herbert Randnael, Jr., submitted a building permit application for a 20' x 14'6" screen room enclosure and a 12' x 20' concrete patio to be added to the rear of the house.
- According to the Master Plan for Windward Lakes, residential building footprints are required to have front and rear setbacks of 20 feet and side setbacks of 5 feet.
- The submitted site plan shows the screen room enclosure being 15 feet from the rear property line.
- Planning and Zoning denied the building permit application for the screen room enclosure due to the five-foot encroachment into the required 20-foot rear setback.
- Since the subject property is located in a PUD zoning district, a variance from the setbacks specified in the Master Plan requires approval from City Council rather than the Board of Adjustment.
- The approval of this variance needs to be based on the site plan dated received on August 8, 2017, and showing a 15-foot setback from the rear property line.

HERBERT Raymond
603-703-4562

25310 WINDWARD LAKES AVE



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AUG 08 2017

O.B. COMMUNITY DEV.

CITY OF ORANGE BEACH

Department of Engineering and Environmental Services

RECEIVED
JUL 05 2017
O.B. COMMUNITY DEV.

BUILDING PERMIT APPLICATION ONE AND TWO-FAMILY DWELLINGS

***ROOFING IS NOT COVERED BY THIS PERMIT - AN ADDITIONAL ROOFING PERMIT IS REQUIRED**
COMPLETE ALL BUT SHADED AREAS

DATE: 7-5-17 PROJECT NAME: NEW PATIO AND SCREEN ROOM
PROJECT ADDRESS: 25310 WINDWARD LAKES AVE ORANGE BEACH
LOT & SUBDIVISION: LOT # 75 PPIN#
OWNER NAME: HERBERT BARNES JR. PHONE: 903 703-4562
OWNER ADDRESS: 25310 WINDWARD LAKES AVE ORANGE BEACH AL
CONTRACTOR: TO BE DETERMINED
ADDRESS: _____
PHONE: _____ FAX: _____ E-MAIL: _____
HOMEBUILDER LIC.# _____ ORANGE BEACH LIC.# _____

CONTACT PERSON (In Responsible Charge of Work): _____ PHONE: _____

ATTACH DETAILED SCOPE OF WORK BASED ON THE
2012 INTERNATIONAL RESIDENTIAL CODE

A. TYPE OF DEVELOPMENT		B. CLASS OF BUILDING			FLOOD ZONE	ERU
1. NEW BUILDING	<u>2</u>	1. SINGLE FAMILY	<u>1</u>			
2. ADDITION		2. TWO-FAMILY			FILL ZONE	SEWER FEES
3. ALTERATION / REPAIR		3. TOWNHOUSE #units			UNITS	CONST. TYPE
BEDROOMS		BATHS		GROSS SF		
SETBACKS PROPOSED		BUILDING VALUATION* LABOR AND MATERIALS <u>20,000.00</u>			*THE VALUATION PROVIDED MAY BE ADJUSTED AT TIME OF PLANS REVIEW IN ACCORDANCE WITH THE VALUATION DATA PUBLISHED BY ICC.	
FRONT						
SIDE						
SIDE						
REAR						
*FOUNDATION SURVEY REQUIRED						

FEE SCHEDULE				NOTES
ITEM	NUMBER	FEE	TOTAL	
PLAN REVIEW	1	\$2 PER 1,000		DUE AT TIME OF APPLICATION
NEW / ADDITION	1	\$4 PER 1,000		DUE AT TIME OF ISSUANCE
				MINIMUM FEE \$100
ALTERATIONS	1	\$4 PER 1,000		DUE AT TIME OF ISSUANCE
				MINIMUM FEE \$50
COASTAL PERMIT		\$450		IF APPLICABLE
FLOODPLAIN PERMIT	1	\$ 25		AE & VE ZONES ONLY
ISSUANCE FEE	1	\$ 25		PER APPLICATION
DATA PROCESSING	1	\$ 10		PER APPLICATION
PENALTY		2Xpermit		WORK STARTED

IMPACT FEE: <input type="checkbox"/> Yes <input type="checkbox"/> No	Director
TOTAL DUE: 	

Application is made herewith for construction of a one or two-family dwelling on the premise stated above. The applicant hereby agrees that the construction will comply with the provisions of the 2012 International Residential Code, City of Orange Beach codes and ordinances, and in accordance with the approved plans. The applicant further affests that the information provided in the application is true and correct.

APPLICANT SIGNATURE: _____ DATE: 7-5-17

4101 ORANGE BEACH BLVD.
ORANGE BEACH, ALABAMA 36561
PHONE: 251.981.2610 FAX: 251.981.3725



ONE AND TWO-FAMILY
**STORMWATER PERMIT
APPLICATION**



Project & Owner Information

Project Name: (if applicable)	<i>New Patio And Screen Room</i>	PPIN #:	
Project Address:	<i>25310 WINDWARD LAKES AVE ORANGE BEACH AL</i>		
Owner Name:	<i>HERBERT RAUONAUER JR</i>		
Owner Mailing Address: (if other than project address)	<i>603 703-4562</i>		

Contractor Information

Contractor's Business Name:	<i>SPECIALTY CONCRETE INC</i>			Business Phone #:	<i>251 986-5972</i>
Contractor Address:	<i>12201 CO. RD. 83 ELBERTA, AL</i>			Orange Beach Business License #:	<i>2017-2591</i>
Contractor Email:	<i>WWW.SPECIALTYCONCRETEFLORCOAST.COM</i>			Alabama Contractor License #:	<i>20635</i>
Primary Contact Person:	<i>CHARS GELNER</i>			Primary Phone #:	<i>251 747-2990</i>

Scope of Work

Provide a detailed scope of work. Attach additional pages as needed.

GENERAL REQUIREMENTS FOR FILL AND EXCAVATION:

1. Fill material must be adequately covered during transport.
2. Existing materials, which would be prohibited by the stain fill ordinance, must be contained immediately and covered within 72 hours or prior to any reasonably predictable storm event, whichever comes first.
3. In Zone 3, all projects using staining material must provide a deposit to the City until the completed work has been approved by the Director of Community Development or his/her designee.
4. In Zone 3, the use of staining materials, if permitted, requires adequate covering within 30 days.

ACKNOWLEDGEMENT:

Check & Complete One Option:	<input checked="" type="checkbox"/> For Waiver of No Fill	I, <u><i>Herbert Rauonauer Jr</i></u> , certify that as OWNER/CONTRACTOR of the subject property, I am aware of the requirements of Ordinance 2002-712 regarding the transport and use of fill and staining materials and hereby claim that no fill of any type will be used for the duration of this project. I understand that use of Best Management Practices is required to reduce the impact from earth disturbance and is required at all times until the site is stabilized.
	<input type="checkbox"/> For Use of Fill	I, _____, certify that as OWNER/CONTRACTOR of the subject property, I am aware of the requirements of Ordinance 2002-712 and will comply with the same; and by doing so, accept responsibility for any damage caused by the use or transportation of fill. I understand that use of Best Management Practices is required to reduce impact from fill placement and earth disturbance and is required at all times until the site is stabilized.
FILL QUANTITY (Cubic Yards): _____ ESTIMATED SITE GRADE CHANGE: _____		

Office Use Only SITE REVIEW
BUILDING REVIEW
COASTAL DIVISION

Item	Quantity	Fee	Total
Stormwater Permit Fee	1	\$50 Per Application	\$50
Building Footprint Area in Square Feet = ERUs 2000 SQ. FT.		\$50 Per ERU	
Permit Issuance Fee	1	\$25 Per Application	\$25
Data Processing Fee	1	\$10 Per Application	\$10
Total Permit Fee:			

Application is made herewith for a permit for a Stormwater Permit on the premise stated above. The applicant hereby agrees that construction will comply with the conditions of the State and Local permit(s), and in accordance with the approved plans. The applicant further attests that the information in the application is true and correct.

Applicant's Signature

7-5-17
Date

Community Development - P.O. Box 2432 - Orange Beach, AL 36561 - Phone 251.981.2610 - Fax 251.981.3725

SPECIALTY CONCRETE, INC

CHAS

CELEBRATED RECEIVED

Estimate

12201 CO. RD. 83

ELBERTA, AL 36530

PHONE/FAX: (251)986-5972

CELEBRATING 27 YEARS 1990

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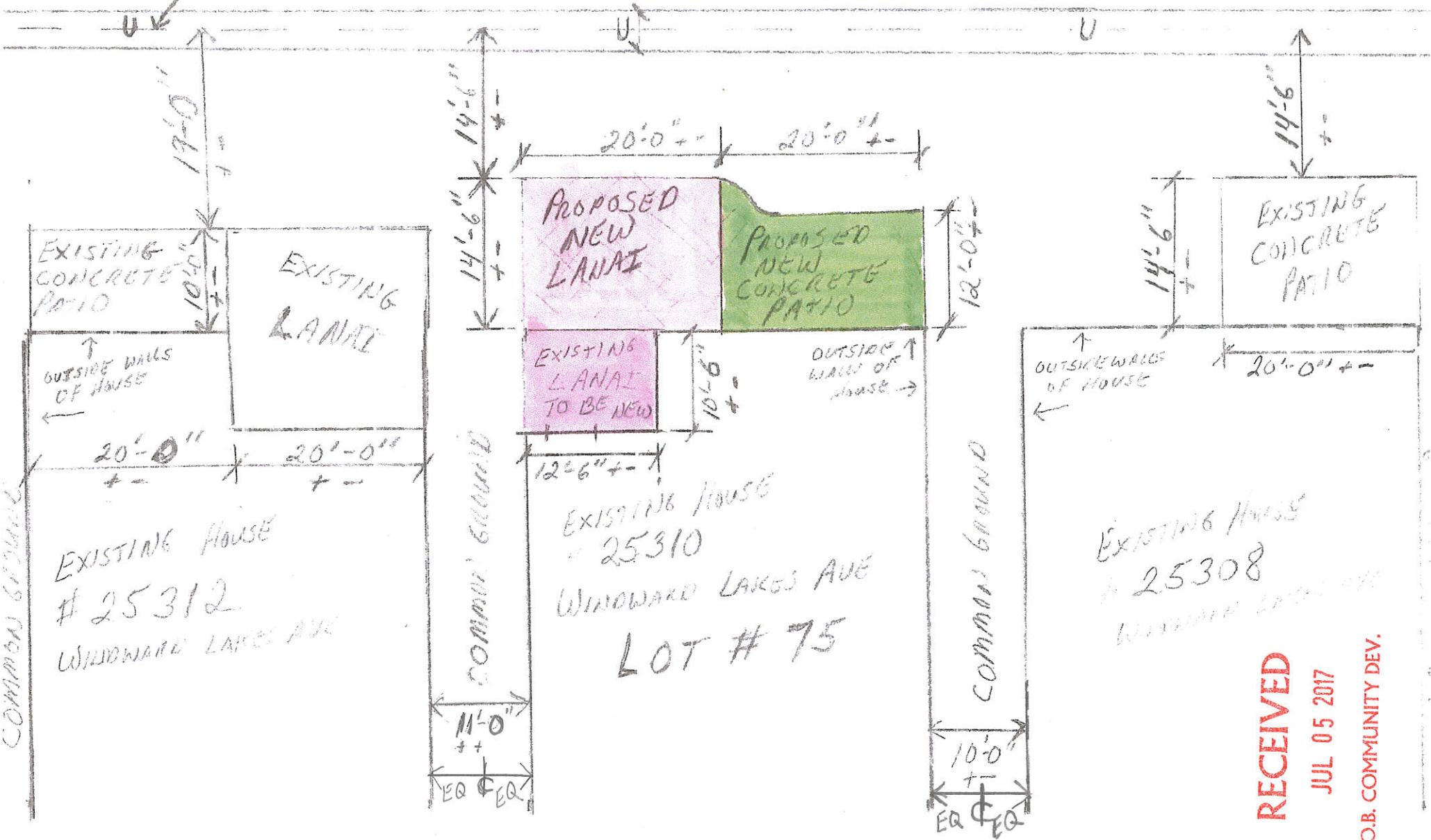
DATE	ESTIMATE NO.
6/7/2017	694

NAME / ADDRESS
Herb Raudhael 25310 Windward Lake Ave Orange Beach AL

PROJECT			
Back Patio Renovation			
DESCRIPTION	QTY	COST	TOTAL
SCOPE OF WORK Saw cut, remove, and haul away existing back patio. Included in removal is removing old screen in structure and bracing the beam during construction. Excavate and remove sod, and form basically 2 sections. The first will be the dimensions of the new screen inclosure 20'ft X 14.5'ft plus the current patio 10.5'ft X 12.5 ft. This first section will have a footing on the perimeter 12" inches wide and a additional 6" inches deep with 2 #4 rebar running throughout. Anchor bolts for new screen patio structure will be provided and installed. The second pour will measure 20'ft X roughly 13'ft wide. This estimate is for stamped, colored, and sealed concrete Remove concrete, asphalt, etc. 6" inches thick Remove framework siding etc. PATTERN/COLOR CONCRETE 6" THICK 4000psi Concrete footing dig, rebar, & pour includes anchor bolts Dump trailer rental/min 4 hrs 16 cu ft powered buggy/day Atlas Copco 185 cfm air compressor with hoses/daily Adjustment For a Scored design as oppose to Pattern & Colored Reduce cost of estimate by -\$740.00 for new total of..... \$10,627.50 Concrete slabs will be 4" inches thick 4000 psi strength, and reinforced with 6x6 #10 welded wire fabric.	135 220 672 60 2	7.50 4.00 12.50 8.50 100.00 150.00 165.00	1,012.50 880.00 8,400.00 510.00 100.00 300.00 165.00
TOTAL			\$11,367.50

SIGNATURE _____

BACKYARD LINE OF HEDGE AND PALM TREES



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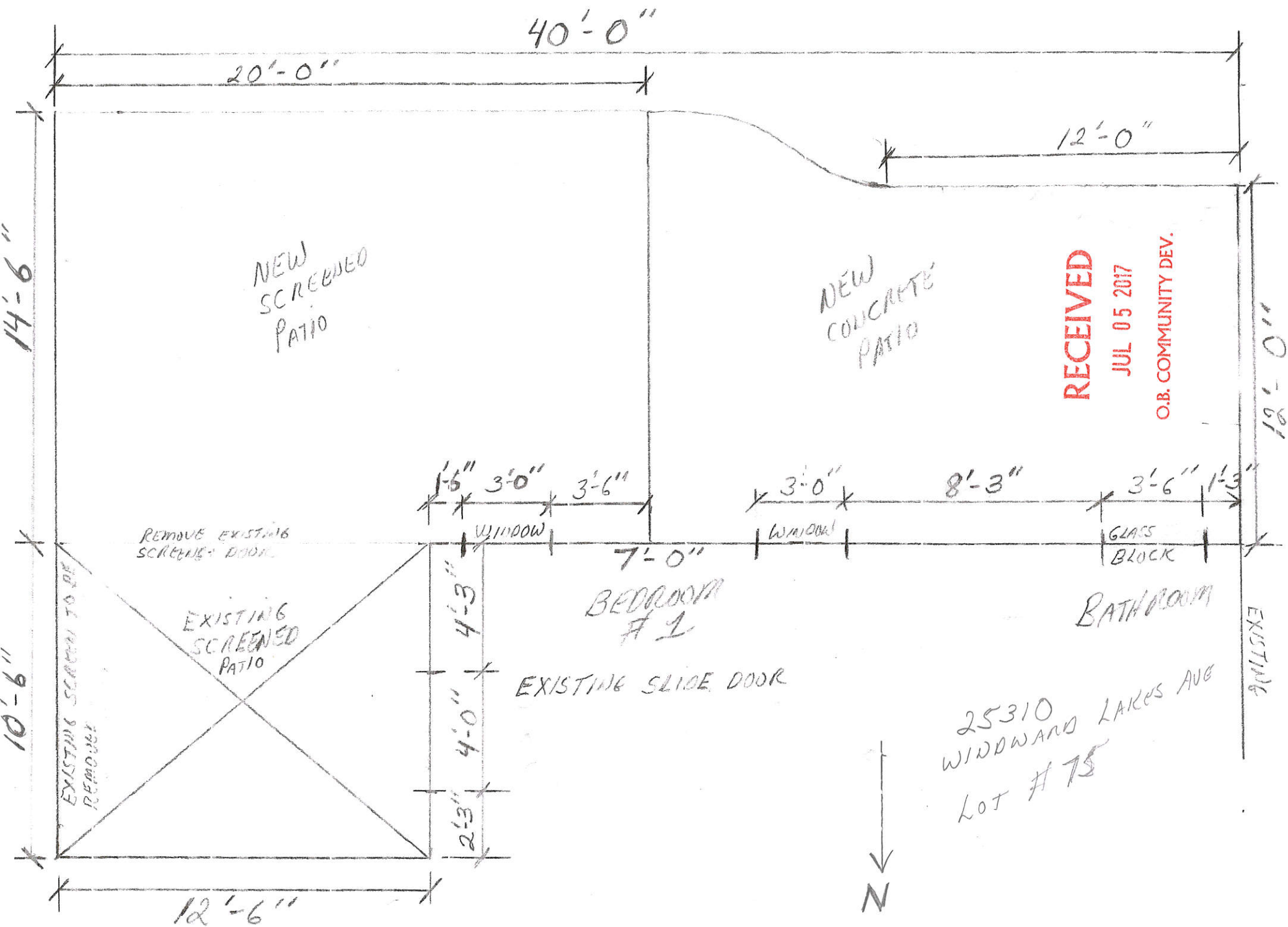
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PROPOSED NEW CONCRETE PATIO
AND SCREENED LANAI
FOR LOT # 75



NOT TO SCALE



40'-0"

11'-0"

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NEW
12" x 6" FOOTING
W 2 ROWS OF
#4 REBAR

EXISTING CORNER
POST TO BE TEMP
SUPPORTED &
RECONNECTED TO
NEW FOOTING
& SLAB

SLIP RODS OR
#5 SLIP POWERS
INTO EXISTING SLAB
TYPICAL

EXISTING HOUSE
SLAB

25310 WINDWARD
LAKE AVE

LOT # 75

EXISTING
HOUSE SLAB

N
↓

FEDERAL EMERGENCY MANAGEMENT AGENCY
NATIONAL FLOOD INSURANCE PROGRAM

ELEVATION CERTIFICATE

O.M.B. No. 3067-0077
Expires December 31, 2005

Important: Read the Instructions on pages 1 - 7.

SECTION A - PROPERTY OWNER INFORMATION

BUILDING OWNER'S NAME STYRON HOME BLDRS		For Insurance Company Use: Policy Number	
BUILDING STREET ADDRESS (including Apt., Unit, Suite, and/or Bldg. No.) OR P.O. ROUTE AND BOX NO. 25310 WINDWARD LAKES AVE		Company NAIC Number	
CITY ORANGE BEACH	STATE AL	ZIP CODE 36561	

PROPERTY DESCRIPTION (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.)
LOT 75 WINDWARD LAKES S/D PHASE 2 - RECORDED ON SLIDE 2135 A&B

BUILDING USE (e.g., Residential, Non-residential, Addition, Accessory, etc. Use a Comments area, if necessary.)
RESIDENTIAL

LATITUDE/LONGITUDE (OPTIONAL)
(##-##-##-## or ##-####)

HORIZONTAL DATUM:
☒ NAD 1927 ☐ NAD 1983

SOURCE: ☐ GPS (Type):
☐ USGS Quad Map ☐ Other:

SECTION B - FLOOD INSURANCE RATE MAP (FIRM) INFORMATION

B1. FIRM COMMUNITY NAME & COMMUNITY NUMBER ORANGE BEACH 015011		B2. COUNTY NAME BALDWIN		B3. STATE ALABAMA	
B4. MAP AND PANEL NUMBER 0839	B5. SUFFIX K	B6. FIRM INDEX DATE 6/17/02	B7. FIRM PANEL EFFECTIVE/REVISED DATE 6/17/02	B8. FLOOD ZONE(S) AE	B9. BASE FLOOD ELEVATION(S) (Zone AO, use depth of flooding) 8.0

B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in B9.
☐ FIS Profile ☒ FIRM ☐ Community Determined ☐ Other (Describe):

B11. Indicate the elevation datum used for the BFE in B9: ☐ NGVD 1929 ☐ NAVD 1988 ☐ Other (Describe):

B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? ☐ Yes ☐ No Designation Date

SECTION C - BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

C1. Building elevations are based on: ☐ Construction Drawings* ☐ Building Under Construction* ☒ Finished Construction

*A new Elevation Certificate will be required when construction of the building is complete.

C2. Building Diagram Number 1 (Select the building diagram most similar to the building for which this certificate is being completed - see pages 6 and 7. If no diagram accurately represents the building, provide a sketch or photograph.)

C3. Elevations - Zones A1-A30, AE, AH, A (with BFE), VE, V1-V30, V (with BFE), AR, ARA, AR/AE, AR/A1-A30, AR/AH, AR/AO
Complete items C3-a) below according to the building diagram specified in Item C2. State the datum used. If the datum is different from the datum used for the BFE in Section B, convert the datum to that used for the BFE. Show field measurements and datum conversion calculation. Use the space provided or the Comments area of Section D or Section G, as appropriate, to document the datum conversion.

Datum Conversion/Comments

Elevation reference mark used 1927 Does the elevation reference mark used appear on the FIRM? ☒ Yes ☐ No

- a) Top of bottom floor (including basement or enclosure) 10. 26 ft (m)
- b) Top of next higher floor N/A. ft (m)
- c) Bottom of lowest horizontal structural member (V zones only) N/A. ft (m)
- d) Attached garage (top of slab) 9. 93 ft (m)
- e) Lowest elevation of machinery and/or equipment servicing the building (Describe in a Comments area) 9. 76 ft (m)
- f) Lowest adjacent (finished) grade (LAG) 8. 50 ft (m)
- g) Highest adjacent (finished) grade (HAG) 9. 04 ft (m)
- h) No. of permanent openings (flood vents) within 1 ft. above adjacent grade N/A
- i) Total area of all permanent openings (flood vents) in C3.h N/A sq. ft. (sq. cm)

SECTION D - SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by law to certify elevation information. I certify that the information in Sections A, B, and C on this certificate represents my best efforts to interpret the data available.

I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

CERTIFIER'S NAME VICTOR G. SCHUMER

LICENSE NUMBER L.S. #18393

TITLE LAND SURVEYOR	COMPANY NAME SCHUMER PROFESSIONAL SURVEYING
ADDRESS 80 E. OLIVE ROAD	CITY PENSACOLA
SIGNATURE <i>V. G. Schumer</i>	STATE FL
	ZIP CODE 32514
	DATE 07/08/04
	TELEPHONE 850-476-0083

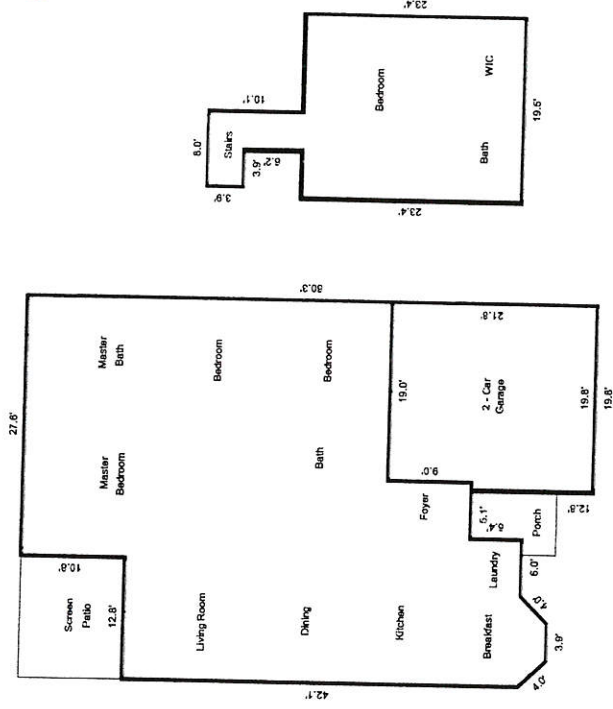
Building Sketch

Borrower/Client	Herbert Raudhael, Jr.
Property Address	25310 Windward Lakes Ave
City	Orange Beach
Lender	National Bank of Commerce
County	Baldwin
State	AL
Zip Code	36561

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Sketch by Adam Vyne

Comments:

AREA CALCULATIONS SUMMARY		
Code	Description	Net Size
GLA1	First Floor	1712.2
GLA2	Second Floor	512.9
GAR	Garage	424.4
Net LIVABLE Area		2225
		(Rounded)

LIVING AREA BREAKDOWN		
	Breakdown	Subtotals
First Floor	27.6 x 47.5	1311.0
	12.8 x 19.8	253.4
	2.7 x 3.4	14.6
	9.5 x 42.1	399.9
	2.8 x 3.8	10.9
0.5 x 2.8	2.8 x 2.8	3.9
0.5 x 2.8	2.8 x 2.8	3.9
Second Floor	3.3 x 42.1	138.9
	4.1 x 10.1	41.4
	3.9 x 3.9	15.2
Garage	19.5 x 23.4	456.3
		-424.4
11 Items	(Rounded)	2225



Full Detail: Parcel Detail

Parcel PIN :	263486	APN :	05-65-03-08-0-000-002.149	Owner 1:	RAUDNAEL, HERBERT
Address :	25310 WINDWARD LAKES AVE	Legal Description :	50' X 112' IRR LOT 75 WINDWARD LAKES PHASE	Year Built :	2004
Acres :	2004	Land Square Feet :	5602	Zoning Code :	PUD
Zoning Name :		Condominium :		Flood Zone :	AE
Flood Elevation (ft) :	8	FIRM Panel :	01003C0964L		

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BALDWIN COUNTY, ALABAMA
 TIM RUSSELL PROBATE JUDGE
 Filed cert. 9/3/2014 10:28 AM
 DEED TAX \$ 100.00
 TOTAL \$ 112.00
 2 Pages

1475183**WARRANTY DEED**

STATE OF ALABAMA:

COUNTY OF BALDWIN:

KNOW ALL MEN BY THESE PRESENTS, that **WILLIAM C. BECK II, a(n)** married man, the **GRANTOR**, for and in consideration of the sum of **THREE HUNDRED FIFTY THOUSAND AND NO/100THS DOLLARS (\$350,000.00)** and other good and valuable consideration hereby acknowledge to have been paid to the said **GRANTOR** by **HERBERT RAUDNAEL, JR.** and **DIANE M. COLQUHOUN**, the **GRANTEES**, does hereby **GRANT, BARGAIN, SELL AND CONVEY** unto the said **GRANTEES**, as tenants in common with equal interests during the period of their concurrent lives, and upon the death of either of said **GRANTEES**, the remainder to the survivor of said **GRANTEES**, in fee simple, subject to the provisions hereinafter contained, all that real property in said County, State of Alabama described as follows, to-wit:

Lot 75, Windward Lakes, Phase 2 of Mariner Lakes, as recorded on Slide 2135A and 2135B.

PROPERTY ADDRESS: 25310 Windward Lakes Avenue Orange Beach, AL 36561

THIS CONVEYANCE AND THE WARRANTIES HEREUNDER ARE SUBJECT TO THE FOLLOWING:

1. Any and all reservations, restrictions, easements, right of ways, covenants and/or encumbrances which may appear of record in the Probate Court Records.
2. Building setback lines, drainage and utility easements and restrictions as shown on the recorded plat of said subdivision.
3. All matters as set forth as shown on the plat as recorded in Slide 2135A and 2135B.
4. Easement granted Baldwin County Sewer Authority, Inc., by Romar Development Co., Inc., by instrument dated January 16, 1986, and recorded in Real Property Book 240, Page 1469.
5. Easement granted City of Orange Beach by Romar Development Co., Inc., by instrument dated February 10, 1997, and recorded in Real Property Book 771, Page 239.
6. Easement granted Alabama Gulf Utility, Inc., by Romar Development Co., Inc., by instrument dated February 1, 1985, and recorded in Real Property Book 335, Page 326.
7. Easement granted Baldwin County Electric Membership Corporation by Romar Development Co., Inc., by instrument dated October 21, 1998, and recorded in Real Property Book 872, Page 934.
8. Subdivision Regulations of the City of Orange Beach, Alabama as recorded at Instrument 1028536 and any amendments thereto;
9. Assignment of Minerals and all right in connection therewith from Alabama Gulf Coast Development Corporation, to Joe T. Pilcher, et al, dated August 5, 1972, and recorded in Deed Book 429, Page 643.
10. Terms, conditions, reservations, restrictions, limitations, easements and rights as set forth by Master Declaration of Covenants, Conditions and Restrictions for Mariner Lakes, filed May 14, 1985, and recorded in Miscellaneous Book 53, Page 1744, and amended and restated in Miscellaneous book 80, Page 1361, and as supplemented, June 19, 2001, at Instrument 602991.
11. Terms and conditions of the Declaration of Covenants, Conditions and Restrictions of Windward Lakes, dated June 20, 2001, and recorded at Instrument 60320, supplemented at Instrument 779745.

12. Terms and conditions of the Articles of Incorporation of Windward Lakes Property Owners Association, recorded at Instrument 603207, and By-Laws recorded at Instrument 603208, and failure to comply with said terms and conditions.
13. Covenants, conditions, restrictions, building setback lines, drainage and utility easements, sewer line easement, Baldwin County Electric Membership Corporation easements, and other matters as shown on plat of Windward Lakes, recorded on Slide 2135A and 2135B.
14. Any encroachment, encumbrance, violation, variation, discrepancy, boundary line conflict, shortage in area or adverse circumstance affecting the Property that would be disclosed by an accurate and complete land survey, where the term "encroachment" includes encroachments of existing improvements located on the Property onto adjoining land, and encroachments onto the Property of existing improvements located on adjoining land.

If married, Grantor hereby certifies that the above described real property does not constitute his homestead or the homestead of his spouse.

TOGETHER WITH ALL AND SINGULAR the rights, privileges, tenements, hereditaments and appurtenances hereunto belonging, or in anywise appertaining; **TO HAVE AND TO HOLD** unto the said **GRANTEES** during their concurrent lives, and upon the death of either of said **GRANTEES**, to the survivor of said **GRANTEES**, and to the heirs and assigns of said survivor, in fee simple, **FOREVER**.

And, except as to the above and taxes hereafter falling due, which are assumed by the **GRANTEES**, the **GRANTOR** for **GRANTOR** and for the heirs and assigns of **GRANTOR**, hereby **COVENANTS AND WARRANTS** to and with the said **GRANTEES**, the survivor of said **GRANTEES**, and the heirs and assigns of said survivor, that **GRANTOR** is seized of an indefeasible estate in fee simple in and to said real property, and have a good and lawful right to sell and convey the same; that **GRANTOR** is in quiet and peaceable possession thereof; and that said real property is free and clear of all liens and encumbrances of every kind and nature whatsoever; and **GRANTOR** does hereby **WARRANT AND WILL FOREVER DEFEND** the title to said real property, and the possession thereof, unto the said **GRANTEES** the survivor of said **GRANTEES**, and the heirs and assigns of said survivor, against the lawful claims and demands of all persons whomsoever.

IN WITNESS WHEREOF, GRANTOR has set his hand and seal on this the 27 day of August, 2014.

STATE OF

COUNTY OF

Alabama
: William C Beck II
: **WILLIAM C. BECK II**

I, the undersigned authority, a Notary Public in and for said State and County, hereby certify that **WILLIAM C. BECK II**, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he executed the same voluntarily on the same bears date.

Given under my hand and seal on this 27 day of August, 2014.

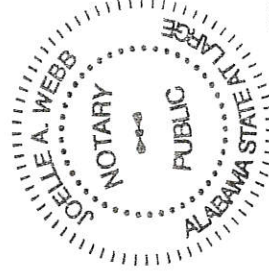
Joelle A. Webb
NOTARY PUBLIC
My Commission Expires: 5/22/16

This instrument prepared by:

*Lori Meadows, P.C.
24407 Lauder Place
Orange Beach, AL 36561
(251) 942-5541*

Grantor's address:
102 Woodmont Cove
Ridgeland, MS 39157

Grantees' address:
215 Lincoln Road
Franklin Square, NY 11010



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PLANNING & ZONING
COMMUNITY DEVELOPMENT DEPARTMENT
P.O. BOX 2432
ORANGE BEACH, ALABAMA 36561



MEMORANDUM

TO: Janie Joiner
Building Department

FROM: Griffin Powell

DATE: July 31, 2017

RE: Building Permit for 25310 Windward Place

Based on the information submitted, I have the following comments that need to be addressed before Planning and Zoning concurrence.

- (1) According to the Master Plan for Windward Lakes, residential building footprints in the subdivision are required to have front and rear setbacks of 20 feet and side setbacks of 5 feet. Expanding the building footprint with a screened porch enclosure must meet the setback requirements.

The submitted site plan shows the addition proposed addition being 14'6" feet from the rear property line.

The applicant has two options:

- (a) Revise the site and building plans to show the proposed addition in compliance with the setback requirements.
 - (b) Submit for a variance to the setback requirements. Since Windward Place is a PUD, the variance would require a minor modification approval from City Council.
- (2) The applicant needs to submit a boundary survey for the property showing the existing building footprint and the floor area for the proposed addition. The survey will be needed if the applicant intends to submit for a variance.

Please have the applicant call me with any questions.