



REGULAR COMMITTEE OF THE WHOLE MEETING AGENDA

I. Roll Call

II. Consideration of Previous Minutes

1. Work Session 05/05/2026
2. Regular Council Meeting 05/06/2026
3. Committee of the Whole 05/06/2026

III. Unfinished Business

Miscellaneous

Resolutions

Ordinances

IV. New Business

Miscellaneous

1. Discuss Construction Board of Appeals appointments. (AR)

Resolutions

1. Resolution authorizing execution of a grant award agreement with the United States Department of Transportation's Federal Highway Administration for the Safety Action Plan Project in the amount of \$200,000. (NW/CP)
2. Resolution authorizing execution of a grant award agreement with the Alabama USA Semiquincentennial Commission for an Independence Day Street Party in the amount of \$2,500. (NW)
3. Resolution authorizing the execution of a task order with McCollough Architecture, Inc., to provide design services for an Events Pavilion at the Coastal Arts Center in an amount not to exceed \$12,800. (DB)

4. Resolution accepting a negotiated price for Barricade Trailers. (NW)

Public Hearings

1. Reschedule public hearing and first reading for an ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0403-PUD-26, Pirates Voyage PUD from June 2, 2026, to June 16, 2026. - Applicant has deferred the project. No public hearing will be held on June 2, 2026.
2. Set a public hearing date for an ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0503-PUD-26, Bubba's Seaside Mini Golf PUD. (Suggested date 6/16/2026) (GP)

Ordinances

1. Ordinance amending Chapter 30, Article III of the Code of Ordinances for the City of Orange Beach, Alabama, entitled "Noise". (JL/JR)

V. Public Comments

VI. Adjourn

**MINUTES OF
ORANGE BEACH CITY COUNCIL
WORK SESSION
MAY 5, 2026 – 11:00 A.M.
CITY HALL – SOUTH CONFERENCE ROOM**

The Orange Beach City Council met on May 5, 2026, at 11:00 A.M. There being a quorum present, the meeting was opened for the transaction of business.

The following members were present:

Councilmember Jeff Silvers
Councilmember Jerry Johnson
Councilmember Robert Stuart
Councilmember Jack Robertson
Councilmember Ginger Harrelson
Mayor Tony Kennon

The following members were absent:

None

The following items were discussed:

1. Financial update.
2. Construction update.
3. Personnel update.
4. ALDOT bridge project update.
5. Airport rideshare partnership proposal.
6. 7 Studios project update.
7. Noise ordinance amendment.
8. Jubilee Road improvement project grant status.
9. Personnel Policy Manual draft review.
10. Upcoming public hearing schedule.
11. Bypass project update.
12. Discussion of possible additional Beach Express Bridge span.

There being no further business, the meeting adjourned.

Time: 12:09 P.M.

APPROVED this 2nd day of June, 2026.

Renee Eberly
City Clerk

**MINUTES OF
REGULAR COUNCIL MEETING
ORANGE BEACH CITY COUNCIL
MAY 6, 2026 – 5:00 P.M.
PERFORMING ARTS CENTER**

- I. CALL TO ORDER** Mayor Kennon called the meeting to order at 4:58 P.M.
- II. INVOCATION** Pastor Jared Jones, Central Church Orange Beach
- III. PLEDGE OF ALLEGIANCE**
- IV. ROLL CALL**

Present: Councilmember Jeff Silvers
Councilmember Jack Robertson
Councilmember Ginger Harrelson
Councilmember Robert Stuart
Mayor Tony Kennon

Absent: Councilmember Jerry Johnson

V. CONSIDERATION OF AGENDA

Motion made (Stuart/Silvers) to approve the agenda as written. Vote unanimous in favor.
Motion passed.

VI. CONSIDERATION OF PREVIOUS MINUTES

Regular Council Meeting 04/07/2026
Committee of the Whole 04/07/2026

The reading was waived and minutes were approved as written.

VII. REPORTS OF OFFICERS/COMMITTEES

- 1. City Administrator – Ford Handley No report.
- 2. Director, Public Works – Tim Tucker No report.
- 3. Director, Community Development – Adam Roberson No report.
- 4. Chief, Police Department – Trent Johnson No report.
- 5. Chief, Fire Department – Jeff Smith No report.
- 6. City Clerk – Renee Eberly No report.
- 7. Director, Finance – Ford Handley No report.
- 8. Director, Parks & Recreation – Nicole Ard No report.
- 9. Director, Utilities – Rob Stalcup No report.
- 10. Director, Coastal Resources – Phillip West No report.
- 11. Librarian, Public Library – Meagan Bing No report.
- 12. Director, Municipal Court – Pam Davis No report.
- 13. Director, Expect Excellence – Ford Handley No report.
- 14. Mayor/Council No report.

VIII. AUDITING OF ACCOUNTS

Motion made (Harrelson/Silvers) to certify that cash requirements with no related interests are within budget and appropriate for payment. Vote revealed: Silvers, aye; Robertson, aye; Harrelson, aye; Stuart, aye; Kennon, aye. **Motion passed. (5-0).**

Motion made (Harrelson/Stuart) to certify that cash requirements with related interests in Swift Supply are within budget and appropriate for payment. Vote revealed: Silvers, abstain; Robertson, aye; Harrelson, aye; Stuart, aye; Kennon, aye. **Motion passed. (4-0-1).**

IX. PRESENTATIONS

X. RECOGNITIONS

XI. UNFINISHED BUSINESS

Resolutions

1. Resolution appointing a member to the Orange Beach City Board of Education. **Motion made (Silvers/Stuart) to appoint Clay Tindal.** Roll call vote revealed: Silvers, aye; Robertson, nay; Harrelson, aye; Stuart, aye; Kennon, nay. **Motion passed. (3-2).** Mayor and Council recognized the exemplary service of outgoing school board member Dr. Nelson Bauer.

XII. NEW BUSINESS

Resolutions

1. Resolution authorizing the execution of a professional services agreement with Volkert, Inc., for civil engineering, land surveying, and construction management services. **Motion made (Stuart/Silvers) to adopt the resolution.** Vote unanimous in favor. **Motion passed.**
2. Resolution authorizing the execution of a task order with Volkert, Inc., to evaluate improvement alternatives for the Baldwin Beach Express Bridge in an amount not to exceed \$55,899.20. **Motion made (Silvers/Robertson) to adopt the resolution.** Vote unanimous in favor. **Motion passed.**
3. Resolution authorizing the purchase of a Vehicle for the Public Works Department through State Bid from Stivers Ford Lincoln, Inc., in the amount of \$59,674. **Motion made (Silvers/Harrelson) to adopt the resolution.** Vote unanimous in favor. **Motion passed.**
4. Resolution approving the submission of the 2025 Municipal Water Pollution Prevention (MWPP) Annual Report. **Motion made (Stuart/Harrelson) to adopt the resolution.** Vote unanimous in favor. **Motion passed.**
5. Resolution authorizing the execution of a task order with Foth Infrastructure & Environment, LLC, to perform engineered beach annual monitoring in the amount of \$59,200. **Motion made (Harrelson/Silvers) to adopt the resolution.** Vote unanimous in favor. **Motion passed.**
6. Resolution appointing Tina D'Aversa to the Board of Adjustment. **Motion made (Robertson/Silvers) to adopt the resolution.** Vote unanimous in favor. **Motion passed.**
7. Resolution authorizing the execution of State of Alabama FY2022 and FY2023 Cybersecurity Grant Program Local Consent Agreements. **Motion made (Harrelson/Robertson) to adopt the resolution.** Vote unanimous in favor. **Motion passed.**

XIII. PUBLIC COMMENTS

None

XIV. ADJOURN

There being no further business to come before the council, motion made (Robertson/Harrelson) to adjourn. Vote unanimous in favor.

Time: 5:05 P.M.

APPROVED this the 2nd day of June, 2026.

Renee Eberly
City Clerk

**MINUTES OF
COMMITTEE OF THE WHOLE MEETING
ORANGE BEACH CITY COUNCIL
MAY 6, 2026 – 5:05 P.M.
PERFORMING ARTS CENTER**

The Orange Beach City Council met to review potential items for the May 6, 2026, agenda.

The following members were present:

Councilmember Jeff Silvers
Councilmember Jack Robertson
Councilmember Ginger Harrelson
Councilmember Robert Stuart
Mayor Tony Kennon

The following members were absent:

Councilmember Jerry Johnson

The following items were discussed:

1. Resolution designating the official name of Beach Boulevard East.
2. Resolution awarding the bid for Barricades.
3. Resolution awarding the bid for Barricade Trailers.
4. Resolution awarding the bid for a Pump for the Sewer Department.
5. Resolution awarding the bid for County Road 4 Lift Station Rehabilitation and Pump Installation for the Sewer Department.
6. Reminder: Public hearing and first reading for an ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0406-PUDA-26, Buena Vista PUD Minor Modification, Lot 72, on May 19, 2026.
7. Reminder: Public hearing and first reading for an ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0408-PUDA-26, Moondance PUD, Boat Slips on May 19, 2026.
8. Reminder: Public hearing and first reading for an ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0411-PUD-25, The Wharf Landing Residential District PUD on May 19, 2026.

Public Comments:

None

There being no further business, the meeting adjourned.

Time: 5:06 P.M.

APPROVED this 2nd day of June, 2026.

Renee Eberly
City Clerk



**REGULAR COMMITTEE OF THE WHOLE MEETING
MAY 19, 2026**

Departments: City Clerk

Description of Topic: Discuss Construction Board of Appeals appointments. (AR)

Background/Description: The terms for Jon Townsend (Area of Expertise: Electrical Engineer / Contractor) and Russ Hart (Area of Expertise: Mechanical/Plumbing Design Professional / Contractor) are set to expire June 2026.

Action Options/Recommendation:

Source of Funding (if applicable):

ATTACHMENTS:

1. 2026.05.18 Staff Memo - Construction Board of Appeals



Community Development Department Memorandum

TO: Ford Handley, City Administrator

FROM: Adam Roberson, Community Development Director / Building Official

DATE: May 18, 2026

SUBJECT: Construction Board of Appeals Section 42-62 Municipal Code

Reason:

The Construction Board of Appeals is established in accordance with the International Building Code (IBC). The I-Codes require a board of appeals to provide a process for individuals to appeal an interpretation or decision made by the Building Official. The last appeal was in 2016.

Members of the Board:

The Board of Appeals shall consist of five individuals, with one member representing each of the following professions or disciplines along with two alternates:

1. A registered design professional with architectural experience, or a builder or superintendent of building construction with not fewer than ten years of experience, five of which must have been in responsible charge of work.
2. A registered design professional with structural engineering experience.
3. A registered design professional with mechanical and plumbing engineering experience, or a mechanical contractor with not fewer than ten years of experience, five of which must have been in responsible charge of work.
4. A registered design professional with electrical engineering experience, or an electrical contractor with not fewer than ten years of experience, five of which must have been in responsible charge of work.
5. A registered design professional with fire protection engineering experience, or a fire protection contractor with not fewer than ten years of experience, five of which must have been in responsible charge of work.

RESOLUTION NO. 25-128

A RESOLUTION APPOINTING J. MARTIN PITTS
TO THE CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS

FINDINGS:

1. The term of Construction Board of Adjustment and Appeals member Michael Davis is set to expire.
2. The Building Official has recommended that J. Martin Pitts be appointed to fill the vacancy on the Construction Board of Adjustment and Appeals.

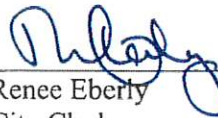
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ORANGE BEACH, ALABAMA, AS FOLLOWS:

1. That J. Martin Pitts be and is hereby appointed to serve on the Construction Board of Adjustment and Appeals for a five year term which ends June 2030;
2. That it be reaffirmed that the following persons have been appointed to the Board of Adjustment for the terms set out below:

<u>Area of Expertise</u>	<u>Name</u>	<u>Term Length</u>	<u>Term Expiration Date</u>
Design Professional (Architect) / Superintendent	Sted McCollough	5 Years	June 2029
Design Professional (Structural)	J. Martin Pitts	5 Years	June 2030
Design Prof. (Mechanical/Plumbing) / Contractor	Russ Hart	4 Years	June 2026
Electrical Engineer / Contractor	Jon Townsend	4 Years	June 2026
Fire Protection Engineer / Contractor	Vince McCoy	4 Years	June 2027
Alternate	Greg Kennedy	4 Years	June 2027
Alternate	Jeff Silvers	5 Years	June 2028

3. That this Resolution shall become effective upon its adoption.

ADOPTED THIS 17th DAY OF JUNE, 2025.



Renee Eberly
City Clerk

CERTIFICATE

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. 25-128, which was duly and legally adopted at a regular meeting of the City Council on June 17, 2025.



City Clerk



Secs. 42-44—42-60. - Reserved.

DIVISION 3. - CONSTRUCTION BOARD OF APPEALS

Footnotes:

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Editor's note— Ord. No. 2022-1408, § 1, adopted April 5, 2022, repealed the former Div. 3, §§ 42-61—42-72, and enacted a new Div. 3 as set out herein. The former Div. 3 pertained to construction board of adjustment and appeals and derived from Ord. No. 2018-1295, § 2, adopted Sept. 18, 2018.

Sec. 42-61. - Application.

Applications for appeal shall be obtained from the building official. Applications shall be filed within 20 days after notice has been served.

(Ord. No. 2022-1408, § 1, 4-5-2022; Ord. No. 2022-1410(4-19-2022), § 1, 4-19-2022)

Sec. 42-62. - Membership of board.

The board of appeals shall consist of persons appointed by the chief appointing authority as follows:

- (1) One for five years; one for four years; one for three years; one for two years; and one for one year.
- (2) Thereafter, each new member shall serve for five years or until a successor has been appointed.

The building official shall be an ex officio member of said board but shall have no vote on any matter before the board.

(Ord. No. 2022-1408, § 1, 4-5-2022; Ord. No. 2022-1410(4-19-2022), § 1, 4-19-2022)

Sec. 42-63. - Alternate members.

The chief appointing authority shall appoint two alternate members who shall be called by the board chairperson to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for board membership and shall be appointed for five years, or until a successor has been appointed.

(Ord. No. 2022-1408, § 1, 4-5-2022; Ord. No. 2022-1410(4-19-2022), § 1, 4-19-2022)

Sec. 42-64. - Qualifications.

The board of appeals shall consist of five individuals, one from each of the following professions or disciplines:

- (1) Registered design professional with architectural experience or a builder or superintendent of building construction with not fewer than ten years of experience, five of which shall have been in responsible charge of work.
- (2) Registered design professional with structural engineering experience.
- (3) Registered design professional with mechanical and plumbing engineering experience or a mechanical contractor with not fewer than ten years of experience, five of which shall have been in responsible charge of work.
- (4) Registered design professional with electrical engineering experience or an electrical contractor with not fewer than ten years of experience, five of which shall have been in responsible charge of work.
- (5) Registered design professional with fire protection engineering experience or a fire protection contractor with not fewer than ten years of experience, five of which shall have been in responsible charge of work.

(Ord. No. 2022-1408, § 1, 4-5-2022; Ord. No. 2022-1410(4-19-2022), § 1, 4-19-2022)

Sec. 42-65. - Rules and procedures.

The board is authorized to establish policies and procedures necessary to carry out its duties.

(Ord. No. 2022-1408, § 1, 4-5-2022; Ord. No. 2022-1410(4-19-2022), § 1, 4-19-2022)

Sec. 42-66. - Chairperson.

The board shall annually select one of its members to serve as chairperson.

(Ord. No. 2022-1408, § 1, 4-5-2022; Ord. No. 2022-1410(4-19-2022), § 1, 4-19-2022)

Sec. 42-67. - Disqualification of member.

A member shall not hear an appeal in which that member has a personal, professional or financial interest.

(Ord. No. 2022-1408, § 1, 4-5-2022; Ord. No. 2022-1410(4-19-2022), § 1, 4-19-2022)

Sec. 42-68. - Secretary.

The chief administrative officer shall designate a qualified clerk to serve as secretary to the board. The secretary shall file a detailed record of all proceedings in the office of the chief administrative officer.

(Ord. No. 2022-1408, § 1, 4-5-2022; Ord. No. 2022-1410(4-19-2022), § 1, 4-19-2022)

Sec. 42-69. - Notice of meeting.

The board shall meet upon notice from the chairperson, within ten days of the filing of an appeal or at stated periodic meetings.

(Ord. No. 2022-1408, § 1, 4-5-2022; Ord. No. 2022-1410(4-19-2022), § 1, 4-19-2022)

Sec. 42-70. - Open hearing.

All hearings before the board shall be open to the public. The appellant, the appellant's representative, the building official and any person whose interests are affected shall be given an opportunity to be heard.

(Ord. No. 2022-1408, § 1, 4-5-2022; Ord. No. 2022-1410(4-19-2022), § 1, 4-19-2022)

Sec. 42-71. - Procedure.

The board shall adopt and make available to the public through the secretary procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be received.

(Ord. No. 2022-1408, § 1, 4-5-2022; Ord. No. 2022-1410(4-19-2022), § 1, 4-19-2022)

Sec. 42-72. - Postponed hearing.

When five members are not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

(Ord. No. 2022-1408, § 1, 4-5-2022; Ord. No. 2022-1410(4-19-2022), § 1, 4-19-2022)

Sec. 42-73. - Board decision.

The board shall modify or reverse the decision of the building official by a concurring vote of two-thirds of its members.

(Ord. No. 2022-1408, § 1, 4-5-2022; Ord. No. 2022-1410(4-19-2022), § 1, 4-19-2022)

Sec. 42-74. - Resolution.

The decision of the board shall be by resolution. Certified copies shall be furnished to the appellant and to the building official.

(Ord. No. 2022-1408, § 1, 4-5-2022; Ord. No. 2022-1410(4-19-2022), § 1, 4-19-2022)

Sec. 42-75. - Administration.

The building official shall take immediate action in accordance with the decision of the board.

(Ord. No. 2022-1408, § 1, 4-5-2022; Ord. No. 2022-1410(4-19-2022), § 1, 4-19-2022)

Secs. 42-76—42-90. - Reserved.



**REGULAR COMMITTEE OF THE WHOLE MEETING
MAY 19, 2026**

Departments: Coastal Resources

Description of Topic: Resolution authorizing execution of a grant award agreement with the United States Department of Transportation's Federal Highway Administration for the Safety Action Plan Project in the amount of \$200,000. (NW/CP)

Background/Description: The purpose of this agreement is for the United States Department of Transportation's Federal Highway Administration to provide funding under the Safe Streets and Roads for All (SS4A) grant program to the City of Orange Beach to develop a Safety Action Plan (SAP). The SAP is a comprehensive plan to work towards reducing fatal and serious injury crashes in Orange Beach.

Action Options/Recommendation:

Source of Funding (if applicable): The Federal Highway Administration will disperse \$200,000 to the City to offset the cost of the project. The City will contribute \$50,000 to carry out the scope of the project in an amount not to exceed a total of \$250,000.

ATTACHMENTS:

1. 06-02-26 26-xxx Authorize Grant Award Agreement USDOT Federal Highway Administration
2. 2026.05.15 Grant Agreement USDOT Federal Highway Administration

RESOLUTION NO. 26-xxx

**A RESOLUTION AUTHORIZING EXECUTION OF A
GRANT AWARD AGREEMENT WITH THE
UNITED STATES DEPARTMENT OF TRANSPORTATION'S
FEDERAL HIGHWAY ADMINISTRATION FOR THE SAFETY ACTION PLAN PROJECT
IN THE AMOUNT OF \$200,000**

FINDINGS:

1. The United States Department of Transportation's Federal Highway Administration (hereinafter the "FHA") has selected the City of Orange Beach (hereinafter the "City") as a grant recipient to receive funding under the Safe Streets and Roads for All (SS4A) grant program for the development of a City of Orange Beach Safety Action Plan (hereinafter the "SAP").
2. The purpose of the SAP is to work towards reducing fatal and serious injury crashes on roadways within the City of Orange Beach.
3. The City and the FHA have reached an Agreement (attached hereto Exhibit A) whereby the FHA will disperse \$200,000 to the City to offset the cost of developing the SAP.
4. The City will contribute \$50,000 towards the development of the SAP and the FHA will disperse the remaining funds to the City to carry out the scope of the project in an amount not to exceed a total of \$250,000.
5. After having reviewed said agreement, the City Council has determined that the provisions are in the best interest of the City of Orange Beach, Alabama.

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 Amendment in substantially the form and of substantially the content now before the Council between the City of Orange Beach and the United States Department of Transportation's Federal Highway Administration as an act for and behalf of the City of Orange Beach subject to final approval by the City Attorney; and
2. That this Resolution shall become effective upon its adoption.

ADOPTED THIS 2nd DAY OF JUNE, 2026.

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. 26-xxx, which was duly and legally adopted at a regular meeting of the City Council on June 2, 2026.

City Clerk

- | | | | | | | | | | | | | |
|---|--|---|----------------|-----------|------------------|----------|----------------------|-----|--------------|-----|---------------|------------------|
| <p>1. Federal Award No.
693JJ32640530</p> | <p>2. Effective Date
See No. 15 Below</p> | <p>3. Assistance Listings No.
20.939</p> | | | | | | | | | | |
| <p>4. Award To
City of Orange Beach
P.O. Box 458
Orange Beach, Alabama 36561-3401</p> <p>Unique Entity Id.: JKREAZH2DMF6
TIN No.: 63-0888669</p> | <p>5. Sponsoring Office
U.S. Department of Transportation
Federal Highway Administration
Office of Safety
1200 New Jersey Avenue, SE
HSSA-1, Mail Drop W56-485
Washington, DC 20590</p> | | | | | | | | | | | |
| <p>6. Period of Performance
Effective Date of Award – 24 months</p> | <p>7. Total Amount</p> <table border="0" style="width: 100%;"> <tr> <td>Federal Share:</td> <td style="text-align: right;">\$200,000</td> </tr> <tr> <td>Recipient Share:</td> <td style="text-align: right;">\$50,000</td> </tr> <tr> <td>Other Federal Funds:</td> <td style="text-align: right;">\$0</td> </tr> <tr> <td>Other Funds:</td> <td style="text-align: right;">\$0</td> </tr> <tr> <td>Total:</td> <td style="text-align: right;">\$250,000</td> </tr> </table> | | Federal Share: | \$200,000 | Recipient Share: | \$50,000 | Other Federal Funds: | \$0 | Other Funds: | \$0 | Total: | \$250,000 |
| Federal Share: | \$200,000 | | | | | | | | | | | |
| Recipient Share: | \$50,000 | | | | | | | | | | | |
| Other Federal Funds: | \$0 | | | | | | | | | | | |
| Other Funds: | \$0 | | | | | | | | | | | |
| Total: | \$250,000 | | | | | | | | | | | |
| <p>8. Type of Agreement
Grant</p> | <p>9. Authority
Section 24112 of the Infrastructure Investment and Jobs Act (IIJA, Pub. L. 117–58, November 15, 2021)</p> | | | | | | | | | | | |
| <p>10. Procurement Request No.
HSA260129PR</p> | <p>11. Federal Funds Obligated
\$200,000</p> | | | | | | | | | | | |
| <p>12. Submit Payment Requests To
See Article 5.</p> | | | | | | | | | | | | |
| <p>13. Description of the Project
City of Orange Beach AL Safety Action Plan</p> | | | | | | | | | | | | |

RECIPIENT

14. Signature of Person Authorized to Sign

Signature	Date
Name: Tony Kennon	
Title: Mayor	

FEDERAL HIGHWAY ADMINISTRATION

15. Signature of Agreement Officer

Signature	Date
Name: Hector R. Santamaria	
Title: Agreement Officer	

U.S. DEPARTMENT OF TRANSPORTATION

**GRANT AGREEMENT UNDER THE
FISCAL YEAR 2025 SAFE STREETS AND ROADS FOR ALL GRANT PROGRAM**

This agreement is between the United States Department of Transportation’s (the “USDOT”) Federal Highway Administration (the “FHWA”) and the City of Orange Beach (the “Recipient”).

This agreement reflects the selection of the Recipient to receive a Safe Streets and Roads for All (“SS4A”) Grant for the City of Orange Beach Safety Action Plan.

The parties therefore agree to the following:

**ARTICLE 1
GENERAL TERMS AND CONDITIONS**

1.1 General Terms and Conditions.

- (a) In this agreement, “**General Terms and Conditions**” means the content of the document titled “General Terms and Conditions Under the Fiscal Year 2025 Safe Streets and Roads for All (“SS4A”) Grant Program,” dated January 22, 2026 which is available at <https://www.transportation.gov/grants/ss4a/grant-agreements> under “Fiscal Year 2025.” Articles 7–33 are in the General Terms and Conditions. The General Terms and Conditions are part of this agreement.
- (b) The Recipient acknowledges that it has knowledge of the General Terms and Conditions. Recipient also states that it is required to comply with all applicable Federal laws and regulations including, but not limited to, the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 CFR part 200); National Environmental Policy Act (NEPA) (42 U.S.C. § 4321 et seq.); and Build America, Buy America Act (IIJA, div. G §§ 70901-27).
- (c) The Recipient acknowledges that the General Terms and Conditions impose obligations on the Recipient and that the Recipient’s non-compliance with the General Terms and Conditions may result in remedial action, termination of the SS4A Grant, disallowing costs incurred for the Project, requiring the Recipient to refund to the FHWA the SS4A Grant, and reporting the non-compliance in the Federal-government-wide integrity and performance system.

**ARTICLE 2
APPLICATION, PROJECT, AND AWARD**

2.1 Application.

Application Title: City of Orange Beach Safety Action Plan

Application Date: 06/20/2025

2.2 Award Amount.

SS4A Grant Amount: \$200,000

2.3 Federal Obligation Information.

Federal Obligation Type: Single

2.4 Budget Period.

Budget Period: See Block 6 of Page 1

2.5 Grant Designation.

Designation: Planning and Demonstration

**ARTICLE 3
SUMMARY PROJECT INFORMATION**

3.1 Summary of Project's Statement of Work.

Narrative: This award is for an action plan

The City of Orange Beach plans to develop a comprehensive safety action plan to work towards reducing fatal and serious injury crashes.

The project will be completed in one phase.

3.2 Project's Estimated Schedule.

Action Plan Schedule

Milestone	Schedule Date
Planned Final Plan Publicly Available Date:	03/31/2028
Planned SS4A Final Report Date:	05/30/2028

3.3 Project's Estimated Costs.

(a) Eligible Project Costs

Eligible Project Costs	
SS4A Grant Amount:	\$200,000
Other Federal Funds:	\$0
State Funds:	\$0
Local Funds:	\$50,000
In-Kind Match:	\$0
Other Funds:	\$0
Total Eligible Project Cost:	\$250,000

(b) Reserved

(c) Indirect Costs

Indirect costs are allowable under this Agreement in accordance with 2 CFR part 200 and the Recipient's approved Budget Application. In the event the Recipient's indirect cost rate changes, the Recipient will notify FHWA of the planned adjustment and provide supporting documentation for such adjustment. This Indirect Cost provision does not operate to waive the limitations on Federal funding provided in this document. The Recipient's indirect costs are allowable only insofar as they do not cause the Recipient to exceed the total obligated funding.

ARTICLE 4 CONTACT INFORMATION

4.1 Recipient Contact(s).

Nicole Woerner
Deputy Director
City of Orange Beach
P.O. Box 458
Orange Beach, Alabama 36561-3401
251-981-1180
nwoerner@orangebeachal.gov

4.2 Recipient Key Personnel.

Name	Title or Position
Chris Pappas	City Engineer

4.3 USDOT Project Contact(s).

Safe Streets and Roads for All Program Manager
Federal Highway Administration
Office of Safety
HSSA-1, Mail Stop: W56-485
1200 New Jersey Avenue, S.E.
Washington, DC 20590
SS4A.FHWA@dot.gov

and

Agreement Officer (AO)
Federal Highway Administration
Office of Competitive Grants and Workforce Programs
HACG-30, Mail Stop W51-232
1200 New Jersey Avenue, S.E.
Washington, DC 20590
HCFASS4A@dot.gov

and

Division Administrator – Alabama
Agreement Officer’s Representative (AOR)
9500 Wynlakes Place
Montgomery, Alabama 36117
(334) 274-6340
Alabama.fhwa@dot.gov

and

Shaun Capps
Alabama Division Office Lead Point of Contact
Competitive Grant Program Manager
9500 Wynlakes Place
Montgomery, Alabama 36117
(334) 274-6347
Alabama.fhwa@dot.gov

ARTICLE 5 USDOT ADMINISTRATIVE INFORMATION

5.1 Office for Subaward and Contract Authorization.

USDOT Office for Subaward and Contract Authorization: FHWA Office of Competitive Grants and Workforce Programs

SUBAWARDS AND CONTRACTS APPROVAL

Note: See 2 CFR § 200.331, Subrecipient and contractor determinations, for definitions of subrecipient (who is awarded a subaward) versus contractor (who is awarded a contract).

Note: Recipients with a procurement system deemed approved and accepted by the Government or by the Agreement Officer (the “AO”) are exempt from the requirements of this clause. See 2 CFR 200.317 through 200.327.

In accordance with 2 CFR 200.308(f)(6), the recipient or subrecipient shall obtain prior written approval from the USDOT agreement officer for the subaward, if the subaward activities were not proposed in the application or approved in the Federal award. This provision is in accordance with 2 CFR 200.308 (f) (6) and does not apply to procurement transactions for goods and services. Approval will be issued through written notification from the AO or a formal amendment to the Agreement.

5.2 Reimbursement Requests

- (a) The Recipient may request reimbursement of costs incurred within the budget period of this agreement if those costs do not exceed the amount of funds obligated and are allowable under the applicable cost provisions of 2 C.F.R. Part 200, Subpart E. The Recipient shall not request reimbursement more frequently than monthly.
- (b) The Recipient shall use the DELPHI iSupplier System to submit requests for reimbursement to the payment office. When requesting reimbursement of costs incurred or credit for cost share incurred, the Recipient shall electronically submit supporting cost detail with the SF-270 (Request for Advance or Reimbursement) or SF-271 (Outlay Report and Request for Reimbursement for Construction Programs) to clearly document all costs incurred.
- (c) The Recipient’s supporting cost detail shall include a detailed breakout of all costs incurred, including direct labor, indirect costs, other direct costs, travel, etc., and the Recipient shall identify the Federal share and the Recipient’s share of costs. If the Recipient does not provide sufficient detail in a request for reimbursement, the Agreement Officer’s Representative (the “AOR”) may withhold processing that request until the Recipient provides sufficient detail.
- (d) The USDOT shall not reimburse costs unless the AOR reviews and approves the costs to ensure that progress on this agreement is sufficient to substantiate payment.
- (e) In the rare instance the Recipient is unable to receive electronic funds transfers (EFT), payment by EFT would impose a hardship on the Recipient because of their inability to manage an account at a financial institution, and/or the Recipient is unable to use the DELPHI iSupplier System to submit their requests for disbursement, the FHWA may waive the requirement that the Recipient use the DELPHI iSupplier System. The Recipient shall contact the Division Office Lead Point of Contact for instructions on and requirements related to pursuing a waiver.
- (f) The requirements set forth in these terms and conditions supersede previous financial invoicing requirements for Recipients.

ARTICLE 6
SPECIAL GRANT TERMS

- 6.1** SS4A funds must be expended within five years after the grant agreement is executed and DOT obligates the funds, which is the budget period end date in section 10.3 of the Terms and Conditions and section 2.4 in this agreement.
- 6.2** The Recipient demonstrates compliance with civil rights obligations and nondiscrimination laws, including Titles VI of the Civil Rights Act of 1964, the Americans with Disabilities Act (ADA), and Section 504 of the Rehabilitation Act, and accompanying regulations. Recipients of Federal transportation funding will also be required to comply fully with regulations and guidance for the ADA, Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and all other civil rights requirements.
- 6.3** SS4A Funds will be allocated to the Recipient and made available to the Recipient in accordance with FHWA procedures.
- 6.4** The Recipient of a Planning and Demonstration Grant acknowledges that the Action Plan be made publicly available and agrees that it will publish the final Action Plan on a publicly available website.
- 6.5** There are no other special grant requirements.

**ATTACHMENT A
PERFORMANCE MEASUREMENT INFORMATION**

Study Area: City of Orange Beach, AL

Baseline Measurement Date: N/A

Baseline Report Date: N/A

Table 1: Performance Measure Table

Measure	Category and Description	Measurement Frequency and Reporting Deadline
Costs	Project Costs: Quantification of the cost of each eligible project carried out using the grant	Within 120 days after the end of the period of performance
Lessons Learned and Recommendations	Lessons Learned and Recommendations: Description of lessons learned and any recommendations relating to future projects or strategies to prevent death and serious injury on roads and streets.	Within 120 days after the end of the period of performance

**ATTACHMENT B
CHANGES FROM APPLICATION**

Scope: N/A

Schedule: The overall duration was increased from 10 months to 24 months based on discussions with the FHWA Alabama Division office and their experience from the previous rounds of SS4A for the development of Action Plans.

Budget: N/A

**ATTACHMENT C
[RESERVED]**

**ATTACHMENT D
[RESERVED]**

**ATTACHMENT E
LABOR AND WORK**

1. Efforts to Support Good-Paying Jobs and Strong Labor Standards

The Recipient states that rows marked with “X” in the following table align with the application:

	The Recipient or a project partner promotes robust job creation by supporting good-paying jobs directly related to the project with free and fair choice to join a union. <i>(Describe robust job creation and identify the good-paying jobs in the supporting narrative below.)</i>
	The Recipient or a project partner will invest in high-quality workforce training programs such as registered apprenticeship programs to recruit, train, and retain skilled workers, and implement policies such as targeted hiring preferences. <i>(Describe the training programs in the supporting narrative below.)</i>
	The Recipient or a project partner will partner with high-quality workforce development programs with supportive services to help train, place, and retain workers in good-paying jobs or registered apprenticeships including through the use of local and economic hiring preferences, linkage agreements with workforce programs, and proactive plans to prevent harassment. <i>(Describe the supportive services provided to trainees and employees, preferences, and policies in the supporting narrative below.)</i>
	The Recipient or a project partner will partner and engage with local unions or other worker-based organizations in the development and lifecycle of the project, including union participation or project labor agreements which promote cost-effectiveness and open competition. <i>(Describe the partnership or engagement with unions and/or other worker-based organizations and agreements in the supporting narrative below.)</i>
	The Recipient or a project partner will partner with communities or community groups to develop workforce strategies. <i>(Describe the partnership and workforce strategies in the supporting narrative below.)</i>
X	The Recipient or a project partner has taken other actions related to the Project to create good-paying jobs with the free and fair choice to join a union and incorporate strong labor standards. <i>(Describe those actions in the supporting narrative below.)</i>
	The Recipient or a project partner has not yet taken actions related to the Project to create good-paying jobs with the free and fair choice to join a union and incorporate strong labor standards but, before beginning construction of the Project, will take relevant actions described in schedule B. <i>(Identify the relevant actions from schedule B in the supporting narrative below.)</i>
	The Recipient or a project partner has not taken actions related to the Project to improve good-paying jobs and strong labor standards and will not take those actions under this award.

2. Supporting Narrative.

The City of Orange Beach in partnership with project stakeholders, has taken steps to support the creation of good-paying jobs while upholding strong labor standards and workers’ rights. All Project contracts require compliance with applicable federal, state, and local labor laws, including prevailing wage, nondiscrimination, and workplace safety requirements. The City supports workers’ free and fair choice to join a union and requires contractors to comply with the National Labor Relations Act, including respecting lawful organizing activities. This Project will create good-paying jobs with the free and fair choice to join a union and incorporate strong labor standards.

ATTACHMENT F
CRITICAL SECURITY INFRASTRUCTURE AND RESILIENCE

1. Efforts to Strengthen the Security and Resilience of Critical Infrastructure Against Both Physical and Cyber Threats.

The Recipient states that rows marked with “X” in the following table are accurate:

	The Recipient demonstrates, prior to the signing of this agreement, effort to consider and address physical and cyber security risks relevant to the transportation mode and type and scale of the activities.
	The Recipient appropriately considered and addressed physical and cyber security and resilience in the planning, design and oversight of the project, as determined by the Department and the Department of Homeland Security.
	The Recipient complies with 2 CFR 200.216 and the prohibition on certain telecommunications and video surveillance services or equipment.
X	Not applicable. Grant does not require the purchase of information technology or operational technology.

2. Supporting Narrative.



**REGULAR COMMITTEE OF THE WHOLE MEETING
MAY 19, 2026**

Departments: Coastal Resources

Description of Topic: Resolution authorizing execution of a grant award agreement with the Alabama USA Semiquincentennial Commission for an Independence Day Street Party in the amount of \$2,500. (NW)

Background/Description: The purpose of this grant is to provide funds for the City to support events and activities that commemorate the 250th anniversary of the signing of the Declaration of Independence, ensuring that the City's local community can meaningfully participate in the celebration of this historic milestone. The \$2,500 will go towards the 2026 "Independence Day Street Party" at the Wharf.

Action Options/Recommendation:

Source of Funding (if applicable): The City of Orange Beach has passed Resolution 26-037 appropriating funds to the Wharf to sponsor the 2026 "Independence Day Street Party" Event in the amount of \$25,000. Therefore this grant, in addition to city matching funds, will be paid to the Wharf to serve the public purpose for the City of Orange Beach and also reflects the City's commitment to commemorate the 250th anniversary of the signing of the Declaration of Independence.

ATTACHMENTS:

1. 06-02-26 26-xxx Authorize Grant Award Agreement Semiquincentennial Commission Independence Day Street Party Wharf

2. 2026.05.15 Grant Agreement Semiquincentennial Commission Independence Day Street Party Wharf

RESOLUTION NO. 26-xxx

**A RESOLUTION AUTHORIZING EXECUTION OF A
GRANT AWARD AGREEMENT WITH THE
ALABAMA USA SEMIQUINCENTENNIAL COMMISSION FOR AN
INDEPENDENCE DAY STREET PARTY IN THE AMOUNT OF \$2,500**

FINDINGS:

1. The Alabama USA Semiquincentennial Commission (hereinafter the "Commission") has selected the City of Orange Beach (hereinafter the "City") as a grant recipient to receive funding to support the 2026 "Independence Day Street Party" at the Wharf.
2. The purpose of this grant is to provide funds for the City to support events and activities that commemorate the 250th anniversary of the signing of the Declaration of Independence, ensuring that the City's local community can meaningfully participate in the celebration of this historic milestone.
3. The City and the Commission have reached an Agreement (attached Exhibit A) whereby the Commission will disperse \$2,500 to the City to offset the cost of the 2026 "Independence Day Street Party" at the Wharf.
4. After having reviewed said agreement, the City Council has determined that the provisions are in the best interest of the City of Orange Beach, Alabama.

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 Amendment in substantially the form and of substantially the content now before the Council between the City of Orange Beach and the Alabama USA Semiquincentennial Commission as an act for and behalf of the City of Orange Beach subject to final approval by the City Attorney; and
2. That this Resolution shall become effective upon its adoption.

ADOPTED THIS 2nd DAY OF JUNE, 2026.

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. 26-xxx, which was duly and legally adopted at a regular meeting of the City Council on June 2, 2026.

City Clerk

Independence Day Street Party at The Wharf

Semiquincentennial Community Grant (\$2,500)

City of Orange Beach, AL

Tony Kennon
P.O. Box 458
Orange Beach, AL 36561

reberly@orangebeachal.gov
O: 251-981-6979

Ms. Nicole Woerner

4697 Walker Avenue
Orange Beach, AL 36561

nwoerner@orangebeachal.gov
O: 251-981-1180
M: 251-747-7176

FollowUp Form

Grant Number

2026_0191SQ

Organization Name

City of Orange Beach, Alabama

Project Name

Independence Day Street Party at The Wharf

Project Description

The City of Orange Beach will commemorate the United States Semiquincentennial with a premier Independence Day celebration at The Wharf. This signature event invites residents and visitors to gather for a large-scale, public fireworks display and drone show that honors 250 years of American freedom and coastal heritage. City funding is going toward making the celebration extra special and bigger than ever this year.

Amount Awarded

\$2,500.00

Budget Spreadsheet

Line Items	Budgeted Costs (Application)	Approved Costs (Grant Agreement)	Actual Costs (Final Report)
Artist Stipends and Fees	\$0.00		
Honoraria for Scholars and Presenters	\$0.00		
Printing and Publications	\$0.00		
Promotion and Advertising	\$0.00		
Supplies, Materials, and Equipment	\$0.00		

Travel Costs	\$0.00		
Venue Rentals and Facility Fees	\$0.00		
Other Costs (describe below)	\$2,500.00	\$2,500.00	
Total	2500	2500	

Budget Notes

The City of Orange Beach has passed Resolution 26-037 appropriating funds to the Wharf to sponsor the 2026 "Independence Day Street Party" Event in the amount of \$25,000. Therefore this grant, in addition to city matching funds, will be paid to the Wharf to serve the public purpose for the City of Orange Beach and also reflects the City's commitment to commemorate the 250th anniversary of the signing of the Declaration of Independence.

PAYMENT SCHEDULE: Unless otherwise agreed, the full grant award shall be paid by check following execution of the grant agreement below.

This Grant Agreement (the "Agreement") is entered into by and between the Alabama USA Semiquincentennial Commission (the "Commission") and the organization listed above (the "Grantee").

I. Grant Agreement Terms

1. PURPOSE: The purpose of this grant is to provide funds for Grantee to support, create, and execute events and activities that commemorate the 250th anniversary of the signing of the Declaration of Independence, ensuring that Grantee's local community can meaningfully participate in the celebration of this historic milestone.

2. USE OF GRANT FUNDS: Grantee must expend awarded funds only for project activities as described in the Grantee's approved grant application and Budget Spreadsheet provided above unless otherwise approved by the Commission in writing.

3. FUNDING AND COMPENSATION: This Agreement is financed with state funds not to exceed the sum awarded above. Payments made by the Commission under the terms of this agreement shall not constitute approval of work accomplished or accounting for costs that are claimed for payment.

4. GRANT PERIOD: This Agreement is effective as of the date that it is fully executed. The grant period for the award begins January 1, 2026, and will end on August 31, 2026. Grantee must complete approved activities and expend awarded funds within the grant period unless otherwise approved by the Commission in writing.

5. ACKNOWLEDGMENT OF SUPPORT: The Grantee must acknowledge support from the Commission when promoting project activities. All materials resulting from the grant award should include the America 250 Alabama logo. The grantee must adhere to the logo use terms and brand guidelines provided below when utilizing the America 250 Alabama logo.

6. REPORTING REQUIREMENTS: The Grantee shall provide a report through the Commission's online grant portal within 30 days of the end of the grant period, detailing grant activities, expenditures, and outcomes with financial documents, papers, photographs, event programs, attendance numbers, or any other source documentation requested by the Commission.

7. INELIGIBLE ACTIVITIES: Funds may not be used for personnel, the purchase of food or alcohol, lobbying or lobbying services, contributions to endowment funds, or to purchase real estate.

8. AUDITS: The Commission, or any of its duly authorized representatives, shall have access to any pertinent books, documents, papers, and records of the Grantee for the purpose of making audits, financial reviews, examinations, excerpts, and transcripts.

9. RETENTION OF RECORDS: All financial, procurement, and programmatic records must be retained for a period of five years from the date the Commission receives the final report. The Commission reserves the right to request and review these records within the five-year retention period.

10. GOVERNANCE AND MODIFICATIONS: This Agreement is governed by the laws of the State of Alabama. Modifications must be made in writing and signed by the Commission and Grantee.

11. SUSPENSION AND RECAPTURE OF FUNDS: Payment of funds awarded under this grant agreement may be suspended or withdrawn/recaptured in the event that there is an outstanding audit exception under this program administered by any division of the Commission. Unexpended funds or funds determined to be ineligible shall be returned to the Commission within thirty (30) days after the termination of the agreement.

12. SETTLEMENT OF DISPUTES: For any and all disputes arising under the terms of this agreement, the parties hereto agree to utilize appropriate forms of non-binding alternative dispute resolution, including, but not limited to, mediation by and through the Attorney General's Office.

II. Logo Use Terms

III. Complete Agreement

1. PURPOSE: The purpose of this Agreement is to authorize Grantee to publicly display and use the official America 250 Alabama logo (the "Logo") solely in connection with programming, events, and communications within the State of Alabama that align with the educational, historical, and civic purposes of the Semiquincentennial. Versions of the Logo can be downloaded by clicking [here](#) and [here](#).

2. LICENSE: Subject to the terms herein, the Commission grants to Grantee a non-exclusive, non-transferable, revocable, royalty-free license to use the America 250 Alabama logo within the State of Alabama for non-commercial, commemorative purposes through August 31, 2026. This license does not authorize use of the national "America250" logo, which requires separate permission.

3. CONDITIONS OF USE: Grantee agrees to the following terms:

- The Logo must be used in accordance with official brand guidelines provided by the Commission.
- The Logo may not be altered, distorted, or combined with other logos without express written permission.
- The Logo shall not be used for commercial merchandise, paid sponsorships, or political purposes.
- The Logo must be used in ways that reflect positively on the mission and values of America 250 and the State of Alabama.

4. TERMINATION: The Commission may revoke the license at any time for misuse, noncompliance, or reputational risk. Upon termination, the User must immediately cease all use of the Logo.

This Agreement constitutes the full and complete terms of agreement of the parties as of the date signed below and effective for the grant period provided above:

Authorized Official's Electronic Signature*

Enter the name of the individual at your organization who has reviewed the full agreement above and has the legal authority to sign agreements on the Grantee's behalf.

Signatories may be invited to review this form using the blue "Collaborate" button at the top of the page. The Grantee may also download the full agreement as a PDF to share offline using the "FollowUp Packet" button at the top of the form.

Authorized Official's Organization and Title*

Grantee W9*

Upload a completed Form W-9 for your organization to confirm the EIN provided on the application. The W9 should match the Organization Name provided above.

Grantee Payment Address*

Enter a mailing address below. The Commission will mail a check to the provided address upon execution of the Agreement.

Provisions Acknowledgement*

By completing and submitting this agreement form, the Grantee affirms that the signatories have had an opportunity to review the provisions included above and that said provisions and the certification statement below are agreed to and accepted.

Grantee certifies to the best of their knowledge and belief that the information provided herein is true, complete, and accurate. Grantee is aware that the provision of false, fictitious, or fraudulent information, or the omission of any material fact, may subject me to criminal, civil, or administrative consequences.

Agreement Execution

The Commission may require revisions or resubmissions of the Agreement if the information provided by the Grantee is incomplete or does not match with documentation previously provided.

The Commission's approval of this form signifies the execution of the grant agreement. Approved forms will be listed as Complete in the online portal.

File Attachment Summary

Applicant File Uploads

No files were uploaded



**REGULAR COMMITTEE OF THE WHOLE MEETING
MAY 19, 2026**

Departments: City Clerk

Description of Topic: Resolution authorizing the execution of a task order with McCollough Architecture, Inc., to provide design services for an Events Pavilion at the Coastal Arts Center in an amount not to exceed \$12,800. (DB)

Background/Description:

Action Options/Recommendation:

Source of Funding (if applicable):

ATTACHMENTS:

1. 06-02-26 26-xxx Authorize Task Order McCollough Architecture Art Center Events Pavilion
2. 2026.04.17 Task Order McCollough Architecture Art Center Events Pavilion

RESOLUTION NO. 26-xxx

**A RESOLUTION AUTHORIZING THE EXECUTION OF A
TASK ORDER WITH MCCOLLOUGH ARCHITECTURE, INC.
TO PROVIDE DESIGN SERVICES FOR A
WEDDING VENUE AT THE COASTAL ARTS CENTER
IN AN AMOUNT NOT TO EXCEED \$12,800**

FINDINGS:

1. The Orange Beach City Council, by Resolution No. 25-239 adopted December 16, 2025, approved a contract with McCollough Architecture, Inc., to perform certain architectural 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 Coastal Arts Center Director has submitted a task order (attached Exhibit A) for Council approval.
4. The proposed Task Order requires McCollough Architecture, Inc., to provide design services for a Wedding Venue at the Coastal Arts Center.
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 McCollough Architecture, Inc., 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 \$12,800.00 to McCollough Architecture, Inc., to complete the Task Order as presented; and
3. That this Resolution shall become effective immediately upon its adoption.

ADOPTED THIS 2nd DAY OF JUNE, 2026.

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. 26-xxx, which was duly and legally adopted at a regular meeting of the City Council on June 2, 2026.

City Clerk



TASK ORDER AUTHORIZATION

TASK ORDER NO. 32

CITY OF ORANGE BEACH - PERFORMANCE CONTRACT

ARCHITECTURAL SERVICES

This Task Order is for the Architectural Services for the new Coastal Arts Wedding Venue for the City of Orange Beach, Alabama. This is based on the attached mark-ups from the previous scheme and will be located at the Orange Beach Coastal Art Center. The estimated cost of construction is undetermined at this time.

The cost for completing this work shall be a lump sum fee of **\$12,800.00**.

The following exhibits are made part of this Task Order and are attached here to:

Exhibit A - Scope of Work

Exhibit B - Man-Hour/Fee Estimate


OFFERED BY CONSULTANT

Sted McCollough

Representative's Printed Name

McCullough Architecture

Firm Name



Signature

Title

2026.04.23

Date

RECOMMENDED FOR APPROVAL

Signature

Title

Date

APPROVED BY CITY OF ORANGE BEACH

Signature

Title

Date



EXHIBIT A

TASK ORDER NO. 32

CITY OF ORANGE BEACH, ALABAMA

SCOPE OF WORK:

This Task Order is for the Architectural Services for the Coastal Arts Wedding Venue for the City of Orange Beach Alabama.

SPECIFIC TASKS TO BE COMPLETED INCLUDE:

- Schematic Design
- Design Development
- Construction Drawings including Electrical Engineering

PRELIMINARY SCHEDULE

- Schematic Design – 10 Days
- Design Development of Drawings – 10 Days
- Construction Drawings including Electrical Engineering – 30 Days

***NOTE: Numerous items outside of the control of the architect and engineer can greatly affect the overall schedule. Schedule will be adjusted for time required for City reviews; input; and approvals.**

END OF EXHIBIT A



EXHIBIT B

CITY OF ORANGE BEACH, ALABAMA

TASK ORDER NO. 32

MAN – HOUR RATES FOR ADDITIONAL SERVICES (IF NEEDED)

CLASSIFICATION:	HOURLY RATE:
Principal Architect	\$200.00
Architect	\$150.00
CAD Operator	\$85.00
Project Manager	\$100.00
Clerical	\$30.00
Engineering	(Cost plus 15%)
Landscape Architect	(Cost plus 15%)

PHASES AND PAYMENT:

- Schematic Design – \$2,150.00
- Design Development – \$2,150.00
- Construction Drawings including Electrical Engineering – \$4,300.00
- Bidding/Negotiations – \$1,000.00
- Project Manual – \$800.00
- Construction Administration: \$2,400.00 to be divided up into 3 months (800.00)

END OF EXHIBIT B



**REGULAR COMMITTEE OF THE WHOLE MEETING
MAY 19, 2026**

Departments: City Clerk

Description of Topic: Resolution accepting a negotiated price for Barricade Trailers.
(NW)

Background/Description: Bid opening scheduled for May 14, 2026. No bids received.

Action Options/Recommendation: Staff will obtain quotes and obtain the necessary products through negotiation.

Source of Funding (if applicable):

ATTACHMENTS:

None



**REGULAR COMMITTEE OF THE WHOLE MEETING
MAY 19, 2026**

Departments: Community Development

Description of Topic:

Reschedule public hearing and first reading for an ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0403-PUD-26, Pirates Voyage PUD from June 2, 2026, to June 16, 2026. - Applicant has deferred the project. No public hearing will be held on June 2, 2026.

Background/Description: Kadre Engineering, on behalf of Beech Camper & Mobile Home Park Inc., requests preliminary and final PUD approval to rezone 24+ acres from Mobile Home Park (MHP) to Planned Unit Development (PUD) with the initial phase on 13+ acres featuring a 59,000-SF dinner theater. The property is located at 4224 Orange Beach Boulevard.

Action Options/Recommendation: The Planning Commission will consider this application at its regular meeting on April 13, 2026.

Source of Funding (if applicable): N/A

ATTACHMENTS:

None



**REGULAR COMMITTEE OF THE WHOLE MEETING
MAY 19, 2026**

Departments: Community Development

Description of Topic: Set a public hearing date for an ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0503-PUD-26, Bubba's Seaside Mini Golf PUD. (Suggested date 6/16/2026) (GP)

Background/Description: 411 OBA LLC requests approval of Preliminary and Final Planned Unit Development ("PUD") to rezone 3+ acres from General Business or GB to PUD to permit a bumper car facility on a portion of Bubba's Seaside Mini Golf located at 24621 and 24645 Perdido Beach Boulevard.

Action Options/Recommendation: Planning Commission held a public hearing and considered this application at its regular meeting on May 11. There were no participants in the public hearing. The Planning Commission gave the request a FAVORABLE recommendation on an 8-0 vote.

Source of Funding (if applicable):

ATTACHMENTS:

None



**REGULAR COMMITTEE OF THE WHOLE MEETING
MAY 19, 2026**

Departments: City Clerk

Description of Topic: Ordinance amending Chapter 30, Article III of the Code of Ordinances for the City of Orange Beach, Alabama, entitled "Noise". (JL/JR)

Background/Description:

Action Options/Recommendation:

Source of Funding (if applicable):

ATTACHMENTS:

1. 2026-xxxx Amd Ch 30 Art III Noise

ORDINANCE NO. 2026-xxxx

**AN ORDINANCE AMENDING CHAPTER 30, ARTICLE III OF THE
CODE OF ORDINANCES FOR THE CITY OF ORANGE BEACH, ALABAMA
ENTITLED "NOISE"**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ORANGE BEACH, ALABAMA, AS FOLLOWS:

1. That Chapter 30, Article III of the City of Orange Beach Code of Ordinances is hereby amended to read in its entirety as follows:

Chapter 30 - ENVIRONMENT

Article III. - NOISE

Sec. 30-41. - Legislative findings.

The City Council finds:

- (1) The City of Orange Beach is a resort island community that attracts thousands of visitors each year. Tourism is an important part of the local economy supporting numerous restaurants, hotels, and entertainment venues..
- (2) Orange Beach's numerous attractions for tourists and residents include peaceful nature trails and campgrounds, as well as beaches, fishing, and boating. The city also has an active nightlife with music, dancing and dining.
- (3) In recent years there have been an increasing number of complaints from both tourists and residents about excessive noise, especially at night.
- (4) Excessive noise and excessive vibration degrade the environment; interfere with the comfortable enjoyment of life, property and recreation; and with the conduct and operation of business and industry; and cause nuisances.
- (5) The United States Environmental Protection Agency has found that that there are direct links between noise and health. Problems related to noise include stress related illnesses, high blood pressure, speech interference, hearing loss, sleep disruption, and lost productivity. Noise induced hearing loss (NIHL) is the most common and often discussed health effect, but research has shown that exposure to constant or high levels of noise can cause countless adverse health affects.

Sec. 30-42. - Purpose.

- (a) The purpose of this article is to reduce, control and prevent loud and raucous noise, or any noise which unreasonably disturbs, injures, or endangers the comfort, repose, health, peace, or safety of reasonable persons of ordinary sensitivity who live, work, visit, or play in the City of Orange Beach.
- (b) The use of sound amplification equipment creates loud and raucous noise that may, in a particular manner and at a particular time and place, substantially and unreasonably invade the privacy, peace, and freedom of inhabitants of, and visitors to, the City of Orange Beach.
- (c) Certain short-term easing of noise restrictions is appropriate and necessary for the physical and commercial vitality of Orange Beach.
- (d) The effective control and the elimination of loud and raucous noise are essential to the health and welfare of Orange Beach's inhabitants and visitors, and to the conduct of the normal pursuits of life, including recreation, work, and communication.

It is the intent of this article to strike an appropriate balance between the right of individuals to obtain information and derive pleasure by listening to radios and other devices, and the right of residents to the quiet enjoyment of their property, and the public's right to a peaceful and healthful environment. It is not the intent of this legislation to interfere unduly with speech or religion by regulating the initial production or amplification of the human voice or sound.

Sec. 30-43. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. All terminology used in this article, not defined in this section, shall be in conformance with applicable publications of the American National Standards Institute (ANSI) or its successor body.

Commercial area means an area designated for commercial uses under the zoning ordinance of the city.

Demolition means any dismantling, intentional destruction or removal of structures, utilities, public or private right-of-way surfaces, or similar property.

Emergency means any occurrence or set of circumstances involving actual or imminent physical trauma or property damage demanding immediate attention.

Emergency work means any work performed for the purpose of preventing or alleviating physical trauma or property damage, whether actually caused or threatened by an emergency, or work by private or public utilities when restoring utility service.

Entertainment district means a specific area designated by Resolution of the City Council pursuant to Ala. Code § 28-3A-17.1 where patrons may legally leave licensed restaurants with open containers of alcohol to consume them within authorized public boundaries.

Neighborhood residual sound level means that sound level value as measured on a public street or right-of-way 15 feet or more from the source, which represents the summation of the sound from all of the discrete sources affecting a given site at a given time, exclusive of extraneous sound and the sound from the source of interest.

Noise means any unwanted sound. Sound becomes unwanted when it either interferes with normal activities such as sleeping, or disrupts or diminishes one's quality of life.

Noise disturbance means any extraordinary noise which annoys or disturbs humans, or which causes or tend to cause an adverse psychological or physiological effect; any noise which endangers or injures the safety or health of humans or animals; or which annoys or disturbs a reasonable person of normal sensitivities, or endangers or injures personal or real property.

Noise sensitive zone means any area designated pursuant to this article for the purpose of ensuring exceptional quiet.

Outdoor music venue means a commercial property where, during the normal course of business, sound equipment is used to amplify sound that is not fully enclosed by permanent, solid walls and a roof. The term does not include special events that may use sound equipment.

Person means any individual, firm, association, partnership, joint venture, or corporation.

Public right-of-way means any street, avenue, boulevard, highway, sidewalk, alley, or similar place normally accessible to the public which is owned or controlled by a government entity.

Public property means property owned by the government or one of its agencies, divisions, or entities, including, but not limited to, parks, playgrounds, streets, sidewalks, schools, libraries and other property regularly used by the general public.

Private property means land not owned by the government or dedicated to public use.

Real property boundary means a line along the ground surface, and this vertical extension, which separates the real property owned by one person from that owned by another person, but not including intrabuilding real property divisions.

Residential area means any real property which contains a structure or building in which one or more persons reside, provided that the structure or building is properly zoned, or is legally nonconforming, for residential use in accordance with the terms and maps of the City of Orange Beach zoning ordinance.

Sound equipment means a loud speaker, public address system, amplification system or other sound producing device.

Week nights means the evenings or night times referenced within Table I of Section 30-45 which fall between the hours of 10:00 PM Sunday and 9:00 AM Friday within the standard calendrical seven (7) day week.

Weekend nights means the evenings or night times referenced within Table I of Section 30-45 which fall between the hours of 9:00 AM Friday and 10:00 PM Sunday within the standard calendrical seven (7) day week.

Sec. 30-44. - General prohibition.

(a) No person shall make, continue, or cause to be made in the city any noise disturbance, including, but not be limited to:

- (1) Any noise which unreasonably disturbs, injures, or endangers the comfort, repose, health, peace, or safety of reasonable persons of ordinary sensitivity, within the limits of the City of Orange Beach; or
- (2) Any noise which is so harsh, prolonged, unnatural, or unusual in time or place as to occasion unreasonable discomfort to any persons within the vicinity from which said noises emanate, or as to unreasonably interfere with the peace and comfort of neighbors or their guests, or operators or customers in places of business, or as to detrimentally or adversely affect such residences or places of business.

(b) Factors for determining whether a sound is noise disturbance, include, but are not limited to:

- (1) The proximity of the sound to sleeping facilities, whether residential or commercial;
- (2) The land use, nature, and zoning of the area from which the sound emanates and the area where it is received or perceived;
- (3) The time of day or night the sound occurs;
- (4) The duration of the sound;
- (5) Whether the sound is recurrent, intermittent, or constant; and
- (6) Whether an outdoor music permit has been issued by the City.

Sec. 30-45. - Noises prohibited.

The following acts are declared to be public nuisances and are hereby declared per se violations of this article. This enumeration does not constitute an exclusive list.

- (1) *Unreasonable noises*. The unreasonable making of, or knowingly and unreasonably permitting to be made, any unreasonably loud, boisterous or unusual noise, disturbance, commotion or vibration in any boarding facility, dwelling, place of business or other structure, or upon any public street, park, or other place or building. The ordinary and usual sounds, noises, commotion or vibration incidental to the operation of these places when conducted in accordance with the usual standards of practice and in a manner which will not unreasonably

disturb the peace and comfort of adjacent residences or which will not detrimentally affect the operators of adjacent places of business are exempted from this provision.

- (2) *Non-emergency signaling devices.* Sounding or permitting the sounding of any amplified signal from any bell, chime, siren, whistle, or similar device that is used primarily for non-emergency purposes, from any place for more than ten consecutive seconds in any hourly period. The reasonable sounding of such devices by houses of religious worship, seasonal contribution solicitors or by the city for traffic control purposes are exempt from the operation of this provision.
- (3) *Emergency signaling devices.* The intentional sounding or permitting the sounding outdoors of any emergency signaling device including fire, burglar, civil defense alarm, siren, whistle, or similar emergency signaling device, except in an emergency- including but not limited to fire, collision, civil defense, police activity, or imminent danger- or except as provided in subsections a and b below.
 - a. Testing of an emergency signaling device shall occur between 7:00 a.m. and 7:00 p.m. Any testing shall use only the minimum cycle test time. In no case shall such test time exceed five minutes. Testing of the emergency signaling system shall not occur more than once in each calendar month.
 - b. Sounding or permitting the sounding of any exterior burglar or fire alarm or any motor vehicle burglar alarm shall terminate within 15 minutes of activation unless an emergency exists. If a false or accidental activation of an alarm occurs more than twice in a calendar month, the owner or person responsible for the alarm shall be in violation of this article.
- (4) Radios, cassette players, disk players and similar devices associated with motor vehicles or motorboats, shall not be operated in such a manner as to create noise at 50 feet or more from service, when operated on a public right-of-way, waterways, beaches, or public space.
- (5) Any noise that exceeds the maximum sound level limits set forth in Table I when measured on the property line of the complainant's affected property. Sound level measurements shall be conducted with the sound level meter set for "A-weighted" measurement from the complainant's property line nearest the property generating the noise.

TABLE I

MAXIMUM PERMISSIBLE SOUND LEVEL IMMISSIONS

	Residential Properties/ Commercial Establishments	Entertainment Districts
Week Nights (10:00PM – 7:00AM)	50 dB(A)	50 dB(A)
Weekend Nights (10:00PM – 9:00AM)	50 dB(A)	50 dB(A)
All Other Times	65 dB(A)	75 dB(A)

- (6) Yelling, shouting and similar activities. Yelling, shouting, whistling, singing, or other unamplified human vocalization in any residential area or in public places between the hours of 10:00 p.m. and 7:00 a.m., or at any time or place so as to unreasonably disturb the quiet, comfort, or repose of reasonable persons of ordinary sensitivities.

Sec. 30-46. - Construction activity.

(1) Notwithstanding Section 30-45, any and all construction activity including, but not limited to, activity incidental to the creation, erection, demolition, assembling, altering, remodeling, repairing, installing, or equipping of buildings, structures, roads, or appurtenances thereto—including land clearing, grading, excavating and filling—so as to cause or create a noise disturbance across a property boundary in a residential area anytime Sunday is prohibited. Activities subject to this section specifically include operation of any pile driver, power shovel, pneumatic hammer, derrick or hoist, as well as any other appliance which is attended by loud or unusual noises in its use or application.

(2) The following exceptions to this subsection shall apply:

- a. Emergency repair or maintenance of public roads, parks, sewers, water, electric, gas, internet or cable/phone systems at any time or any such private construction necessary to restore property to a safe condition following a public calamity or work required to protect persons or property from imminent exposure to danger shall be exempt from the operation of this provision. It shall be a defense to prosecution for violation of this section that the construction activity was necessary to prevent or mitigate an emergency.
- b. Public works projects being performed on behalf of city, county, state or federal government entities, or agents thereof.
- c. When a permit of exception has been issued. Permits of exception may be granted by the community development director to allow specific stated construction activities outside of the hours stated herein. Permits shall be granted in the discretion of the community development director when it is determined that circumstances exist wherein compliance with the time restrictions established herein would result in an undue hardship or when construction is required due to unforeseen or emergency circumstances. Determinations of undue hardship shall be made by the community development director or his designee in accordance with guidelines developed by the director, but exceptions will generally be limited to cases of urgent necessity and in the interest of public health and safety.

Sec. 30-46. - Exemptions.

Sounds caused by the following activities are exempt from the prohibitions set out in sections 30-44 and 30-45. The exemptions in this section are in addition to the exemptions specifically set forth in sections 34-44 and 30-45.

- (1) Motor vehicles on traffic ways of the City of Orange Beach provided that the prohibition of section 30-45(2) continues to apply.
- (2) Repairs to utilities, streets or any structure that pose a clear and immediate danger to life, health, or significant loss of property.
- (3) The emission of sound for the purpose of alerting persons to the existence of an emergency or the emission of sound in the performance of emergency work.
- (4) Repairs or excavations of bridges, streets or highways by or on behalf of the City of Orange Beach, the state, or federal government, between the hours of 9:00 p.m. and 7:00 a.m. when public welfare and convenience renders it impractical to perform the work between 7:00 a.m. and 9:00 p.m.
- (5) Outdoor school and playground activities. Reasonable activities conducted on public playgrounds and public or private school grounds, which are conducted in accordance with the manner in which such spaces are generally used, including, but not limited to, school athletic and school entertainment events.
- (6) Trucks, jack hammers, and the operation of other equipment for construction purposes between the hours of 7:00 a.m. and 9:00 p.m. on weekdays.

- (7) Other outdoor events. Outdoor gatherings, public dances, shows and sporting events, and other similar outdoor events, provided that a permit has been obtained from the appropriate permitting authority.

Sec. 30-47. - Outdoor music venue permit.

- (a) *General restrictions.* A person may not:

- (1) Use or permit the use of sound equipment at an outdoor music venue without obtaining a permit.
- (2) Use or permit the use of sound equipment at an outdoor music venue in excess of the decibel limits prescribed in this chapter.

- (b) *Restriction on decibel level.* No person shall cause, suffer, allow, or permit the operation of any sound production device in noncompliance with section 30-45 of this article unless an exception is allowed as a condition of the outdoor music permit.

- (c) *General provisions.* A person must obtain a permit to operate sound equipment at an outdoor music venue as prescribed by this article. The outdoor music venue permit is valid for one calendar year and must be renewed annually.

- (d) *Application requirements.* A person seeking a permit to operate sound equipment must complete and file a written application for an outdoor music venue permit with the community development department on a form approved by the department. The application for an outdoor music venue permit must include, but not be limited to:

- (1) The name, address and telephone number of the applicant and operator of the sound equipment;
- (2) The address and description of the location of the property where the sound equipment will be used;
- (3) The time and days of the week during which the sound equipment will be used;
- (4) A sketch providing the layout of the venue and the surrounding property land uses;
- (5) The proposed hours of amplified sound;
- (6) The outdoor venue size and capacity; and
- (7) The type of liquor license, if applicable.

- (e) *Permit issuance.* The community development department will have the authority to approve or deny an outdoor music venue permit application based on the following criteria:

- (1) Proximity of the proposed outdoor music venue to existing land uses and zoning districts, including consideration of the date which the venue was originally permitted relative to surrounding land uses and zoning districts;
- (2) The size and capacity of the outdoor music venue;
- (3) Sound mitigation to be provided by the operator of the outdoor music venue, including, but not limited to, building design, landscaping and buffering;
- (4) The hours and days of the week during which sound equipment will be operated;
- (5) Sound propagation over existing or proposed surface water bodies; and
- (6) The history of noise complaints regarding the outdoor music venue as verified by the chief of police or the city administrator.

- (f) *Appeal.* An applicant may appeal the denial of an outdoor music venue permit to the City Council. The City Council may exceed the limits provided in section 30-45 if it is determined that the venue

will not cause negative impacts on surrounding residential or hotel land uses. The city council may mitigate adverse negative impacts by imposing conditions deemed necessary to protect the health and safety of single family, multi-family and hotel land uses in the vicinity of the proposed music venue.

(g) *Permit suspension.* The chief of police may suspend outdoor music activities if there is a history of noise complaints associated with the site upon which the outdoor music venue is located.

(1) The chief of police shall notify the permittee that the permit has been suspended, the time period of the suspension, and the permittee's right to appeal the decision to the city council.

(2) Upon notice from the chief of police that a permit has been suspended, the city clerk shall set the matter on the next city council agenda for consideration of the revocation of the outdoor music venue permit, and shall notify the permit holder of the location, date and time of the hearing. The council may reinstate the permit, with or without conditions or may revoke the permit.

(h) *Denial or revocation of permit for repeated offenses.* The city council may revoke an existing permit or refuse to issue or renew a permit to a permittee if there is a history of noise ordinance violations or complaints associated with the site upon which the outdoor music venue is or will be located.

Sec. 30-48. - Enforcement.

(a) The police chief will have the primary responsibility for the enforcement of the noise regulations contained herein. Nothing in this article shall prevent the police chief from obtaining voluntary compliance by way of warning, notice or education.

(b) If a person's conduct would otherwise violate this article and consists of speech or communication; of a gathering with others to hear or observe speech or communication; or of a gathering with others to picket or otherwise express in a non-violent manner a position on social, economic, political or religious questions; the person must be ordered to and have the opportunity to move, disperse, or otherwise remedy the violation prior to arrest or a citation being issued.

Sec. 30-49. - Penalties.

(a) Any person who violates a provision of this article is guilty of a misdemeanor which is punishable by a fine not to exceed \$500.00 or imprisonment not to exceed 60 days or both.

(b) Each occurrence of a violation or, in the case of continuous violations, each day a violation occurs or continues, constitutes a separate offense and may be punished separately.

(c) In addition to the foregoing, the city may institute a civil action in the circuit court to restrain and enjoin any conduct that constitutes a public nuisance.

2. That all ordinances or parts in conflict with this ordinance, to the extent of such conflict, are repealed; and

3. That this Ordinance shall become effective immediately upon its adoption and publication as required by law.

ADOPTED THIS 2nd DAY OF JUNE, 2026.

Renee Eberly
City Clerk

The City Clerk of the City of Orange Beach, Alabama hereby certifies that the foregoing ORDINANCE 2026-xxxx was posted on _____ in the following three

(3) public places:

Orange Beach City Hall _____

Orange Beach Post Office _____

Orange Beach Public Library _____

Renee Eberly, City Clerk

DRAFT