REGULAR COMMITTEE OF THE WHOLE MEETING AGENDA

I. Roll Call

II. Consideration of Previous Minutes

1. Work Session 06/24/2025
2. Special-Called Council Meeting 07/01/2025
3. Regular Council Meeting 07/01/2025
4. Committee of the Whole 07/01/2025

III. Unfinished Business

Miscellaneous

Resolutions

Ordinances

IV. New Business

Miscellaneous

1. Set a public hearing to declare three vessels as abandoned after Hurricane Sally and authorizing disposal. (Suggested date 8/05/2025) (NW)
2. Discuss accepting donation of real property. (JL)

Resolutions

1. Resolution authorizing the purchase of Holiday Decorations to Jubilee Decor, LLC, through the TIPS purchasing cooperative in an amount not to exceed $259,668. (RE)
2. Resolution authorizing execution of a task order with GeoCon Engineering & Materials Testing, Inc., to provide geotechnical testing and engineering services for Jubilee Point road improvements in an amount not to exceed $7,730. (CP)

3. Resolution establishing fees for the Expect Excellence Pre-K After School Program. (PP)

4. Resolution awarding the bid for Debris Clearance, Disposal, and Sand Reclamation. (RE)

5. Resolution accepting a proposal for Debris Monitoring, Disaster Management, and Recovery Services. (RE)

6. Resolution declaring a speed radar owned by the City of Orange Beach as surplus and unneeded and authorizing the donation of said property to the Town of Elberta. (SB/CB)

7. Resolution authorizing the execution of a task order with McCollough Architecture, Inc., to provide engineering services for Hot Shop improvements in an amount not to exceed $14,400. (DB)

Public Hearings

Ordinances

V. Public Comments

VI. Adjourn

MINUTES OF
ORANGE BEACH CITY COUNCIL
WORK SESSION
JUNE 24, 2025 – 10:00 A.M.
CITY HALL – SOUTH CONFERENCE ROOM

The Orange Beach City Council met on June 24, 2025, at 10:00 A.M. with Mayor Tony Kennon presiding.

The following members were present:

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

The following members were absent:

Councilmember Jeff Boyd

The following items were discussed:

1. Upcoming municipal election.
2. Complaint about unlicensed charter boat.
3. Police Department.
4. Sign Ordinance.
5. Strategic and Comprehensive Plan study update.
6. Waterfront Park living shoreline project update.
7. School sales tax update.
8. School board appointments.
9. Sidewalk project update.
10. Traffic light at William Silvers Parkway update.
11. Shooting Range public opening and ribbon cutting planning.
12. Playground shade request.

There being no further business, the meeting adjourned.

Time: 12:43 P.M.

APPROVED this 5th day of August, 2025.

____
Renee Eberly
City Clerk

MINUTES OF
SPECIAL-CALLED COUNCIL MEETING
ORANGE BEACH CITY COUNCIL
JULY 1, 2025 – 1:30 P.M.
CITY HALL – SOUTH CONFERENCE ROOM

I. CALL TO ORDER Mayor Tony Kennon called the meeting to order at 1:36 P.M.

II. ROLL CALL

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

Absent: Councilmember Jeff Silvers
Councilmember Joni Blalock

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 as presented.** Vote unanimous in favor.

IV. NEW BUSINESS

Miscellaneous

1. Threat to city personnel. Mayor Kennon informed Council that ALEA (Alabama Law Enforcement Agency) received what they deemed as a "credible threat" this morning, and subsequently locked down the Orange Beach Marine Police Office. Out of an abundance of caution, multiple city offices were placed under enhanced security today.
2. Executive session to discuss potential litigation. **Motion made (Mitchell/Boyd) to enter into executive session to discuss potential litigation.** Vote unanimous in favor. Jamie Logan, City Attorney, advised the Council that a declaration was required by the Open Meetings Act for an Executive Session; therefore, she stated for the record that she was duly qualified and had the personal knowledge to provide the requisite declaration for the stated purposes of the Executive Session authorized by the Act. Vote unanimous in favor. The Mayor announced that Council would not reconvene.

   Time in: 1:48 P.M.

V. ADJOURN

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

Time: 2:19 P.M.

APPROVED this the 5th day of August, 2025.

Renee Eberly
City Clerk

MINUTES OF
REGULAR COUNCIL MEETING
ORANGE BEACH CITY COUNCIL
JULY 1, 2025 – 5:00 P.M.
CITY HALL – COUNCIL CHAMBERS

I. CALL TO ORDER Mayor Tony Kennon called the meeting to order at 5:00 P.M.

II. INVOCATION Father Paul, St. Thomas by the Sea Catholic Church

III. PLEDGE OF ALLEGIANCE

IV. ROLL CALL

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

Absent: Councilmember Jeff Silvers
Councilmember Joni Blalock

V. CONSIDERATION OF AGENDA

Motion made (Mitchell/Johnson) to approve the agenda as written. Vote unanimous in favor.

Work Session	06/03/2025
Regular Council Meeting	06/03/2025
Committee of the Whole	06/03/2025

The reading was waived and minutes were approved as written.

VI. 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 – Steve Brown — No report.
5. Chief, Fire Department – Jeff Smith

Chief Smith shared that the department has been notified of successful CAAS (Commission on Accreditation of Ambulance Services) accreditation. He also stated that the department has been awarded a grant to purchase LUCAS (Lund University Cardiopulmonary Assist System) device, which provides mechanical chest compressions to patients in cardiac arrest.

6. City Clerk – Renee Eberly — No report.
7. Director, Finance – Ford Handley — No report.
8. Parks & Recreation – Nicole Ard — No report.
9. Director, Utilities – Jeff Hartley — 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

Councilmember Boyd recognized all the municipal election candidates in attendance. He also addressed confusion regarding campaign signs.

Councilmember Johnson commended the Parks and Recreation Department for a successful farmers market event.

Ford Handley, City Administrator, also commended the Expect Excellence Performing Arts Division for their recent *Dream On* production.

VII. AUDITING OF ACCOUNTS

Motion made (Mitchell/Boyd) to certify that cash requirements with no related interests are within budget and appropriate for payment. Vote revealed: Johnson, aye; Mitchell, aye; Boyd, aye; Kennon, aye. **Motion passed. (4-0).**

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

VIII. PRESENTATIONS

1. Proclamation declaring July 2025 as Parks and Recreation Month. Mayor Kennon read the proclamation aloud. Nicole Ard, Parks and Recreation Director, spoke about upcoming events and recognized her staff committee.

IX. RECOGNITIONS

X. UNFINISHED BUSINESS

Ordinances

1. Second Reading – Ordinance amending Ordinance No. 172, the Zoning Ordinance, Case No. 0607-PUDA-25, Oasis at Orange Beach (formerly Phoenix West II) PUD Modification, Signage Amendment. **Motion made (Johnson/Boyd) to postpone consideration until the next council meeting on July 15, 2025.** Vote unanimous in favor. **Motion passed.**

XI. NEW BUSINESS

Miscellaneous

1. Approval of a Retail Common Carrier Liquor License Application by Adventure Cruises OB, LLC, for Delfino, 4575 Wilson Boulevard, Slip 2. **Motion made (Johnson/Boyd) to approve the liquor license.** Vote unanimous in favor. **Motion passed.**
2. Approval of a Special Events Retail Liquor License Application by Wharf Restaurant Group LLC for the "ASCE Alabama Summer Meeting" event to be held on July 17-18, 2025, at 4671 Wharf Parkway West. **Motion made (Mitchell/Boyd) to approve the liquor license.** Vote unanimous in favor. **Motion passed.**
3. Approval of a Restaurant Retail Liquor License Applicatioin by Nami Sushi LLC for Nami Sushi at 25908 Canal Road, Suite H. **Motion made (Boyd/Mitchell) to approve the liquor license.** Vote unanimous in favor. **Motion passed.**

Resolutions

1. Resolution amending the Fiscal Year 2025 Budget. **Motion made (Mitchell/Johnson) to adopt the resolution.** Vote unanimous in favor. **Motion passed.**
2. Resolution appointing the City Clerk to prepare and file the list of qualified voters for the August 26, 2025, Municipal Election in the City of Orange Beach. **Motion made (Johnson/Mitchell) to adopt the resolution.** Vote unanimous in favor. **Motion passed.**

3. Resolution appointing election officers for the August 26, 2025, Municipal Election. **Motion made (Boyd/Mitchell) to adopt the resolution.** Vote unanimous in favor. **Motion passed.**

4. Resolution appropriating $25,000 to the Coastal Alabama Business Chamber for the purpose of funding community programming. **Motion made (Johnson/Mitchell) to adopt the resolution.** Vote unanimous in favor. **Motion passed.**

5. Resolution authorizing the purchase of Vehicle Emergency Equipment for the Police Department from state bid in the amount of $61,604.23. **Motion made (Johnson/Mitchell) to adopt the resolution.** Vote unanimous in favor. **Motion passed.**

6. Resolution authorizing the execution of a software service and hardware purchase agreement with Flock Group, Inc., for license plate recognition cameras for the Police Department in the amount of $81,000. **Motion made (Mitchell/Boyd) to adopt the resolution.** Vote unanimous in favor. **Motion passed.**

7. Resolution authorizing the execution of a performance agreement with The Funky Lampshades for music entertainment at the "Pop-Up Park & Block Party" event. **Motion made (Johnson/Boyd) to adopt the resolution.** Vote unanimous in favor. **Motion passed.**

8. Resolution authorizing the execution of a software service agreement with Governmentjobs.com, Inc., dba NeoGov, for Core HR, employee benefits, payroll, time/labor management, and employee forms. **Motion made (Boyd/Mitchell) to adopt the resolution.** Vote unanimous in favor. **Motion passed.**

9. Resolution authorizing the execution of a master services agreement with OpenGov, Inc., for cloud software services. **Motion made (Johnson/Boyd) to adopt the resolution.** Vote unanimous in favor. **Motion passed.**

10. Resolution authorizing execution of a professional services agreement with Caroline Grimes for theater performance direction and stage management assistance for “Lion King JR.” **Motion made (Mitchell/Johnson) to adopt the resolution.** Vote unanimous in favor. **Motion passed.**

11. Resolution declaring Jeffrey H. Silvers duly elected to the office of City Council Place No. 4. **Motion made (Boyd/Johnson) 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 (Mitchell/Boyd) to adjourn. Vote unanimous in favor.

Time: 5:18 P.M.

APPROVED this the 5th day of August, 2025.

Renee Eberly
City Clerk

MINUTES OF
COMMITTEE OF THE WHOLE MEETING
ORANGE BEACH CITY COUNCIL
JULY 1, 2025 – 5:19 P.M.
CITY HALL – COUNCIL CHAMBERS

The Orange Beach City Council met to review potential items for the July 15, 2025, agenda.

The following members were present:

Councilmember Jerry Johnson
Councilmember Annette Mitchell
Councilmember Jeff Boyd
Mayor Tony Kennon

The following members were absent:

Councilmember Jeff Silvers
Councilmember Joni Blalock

The following items were discussed:

1. Request from The Wharf Landing LLC for a temporary sales trailer at the Margaritaville site at Brown Lane and the Foley Beach Express.
2. Resolution authorizing the execution of a use agreement with the Coastal Alabama Business Chamber for the 52nd Annual National Shrimp Festival.
3. Resolution authorizing the execution of a service agreement with Offset Consulting LLC for the Police Department instructor training.
4. Reminder: Public hearing and first reading for consideration of Conditional Use Approval for Case No. 0603-CU-25, Keel RV Storage Third Addition on July 15, 2025.

Public Comments:

1. Mayor Kennon expressed support for providing city funding for the Miss Coastal Christmas Pageant, which will be run by the same organization who handles the Miss Shrimp Festival Pageant. The Mayor stated that this pageant would benefit Orange Beach students.
2. Ford Handley, City Administrator, shared a funding request from the Orange Beach City School System related to the Athletic Complex. The request is for two items as follows: (1) approximately $100,000 to add coating on the track that will extend the surface life by 5+ years, and (2) $128,000 for 100+ additional parking spots. The cost of the additional work will not cause the total to exceed the original amount approved by City Council for facility construction.

There being no further business, the meeting adjourned.

Time: 5:22 P.M.

APPROVED this 5th day of August, 2025.

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Renee Eberly
City Clerk

REGULAR COMMITTEE OF THE WHOLE MEETING
JULY 15, 2025

Departments: Coastal Resources

Description of Topic: Set a public hearing to declare three vessels as abandoned after Hurricane Sally and authorizing disposal. (Suggested date 8/05/2025) (NW)

Background/Description: The National Fish and Wildlife Foundation – Hurricane Response Marine Debris Removal Grant is paying for the removal, storage, and disposal of these vessels. These efforts will benefit emergent, intertidal, and submerged coastal habitats such as salt marsh, beach, benthic soft-bottom, and seagrass meadows which are the priority habitats for marine debris removal and restoration.

Action Options/Recommendation:

Source of Funding (if applicable): NFWF Marine Debris Removal Grant

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ATTACHMENTS:

1. 08-05-25 25-xxx Declare Vessels Abandoned Hurricane Sally

RESOLUTION NO. 25-xxx

A RESOLUTION DECLARING THREE VESSELS AS ABANDONED AFTER HURRICANE SALLY AND AUTHORIZING DISPOSAL

FINDINGS:

1. Three displaced vessels remain unclaimed from Hurricane Sally.
2. Because of the immediate hazard presented to persons and property in the area, the City of Orange Beach, pursuant to the City of Orange Beach Code of Ordinances Section 78-59 necessarily proceeded to relocate unclaimed displaced vessels to storage yards.
3. As required by City of Orange Beach Code of Ordinances Section 78-62(c), the City Council held a public hearing on August 5, 2025, to determine whether the vessel constituted an immediate hazard justifying removal without notice
4. Based upon the evidence submitted and the testimony given during the public hearing, the Orange Beach City Council has determined that the following abandoned vessels did pose an immediate hazard following Hurricane Sally justifying removal without notice:

#	Vessel Make	Vessel Name	Registration	Vessel Description	Length
1	Steel Work Barge	N/A	N/A	Flat deck work barge	20 FT
2	Fiberglass Pontoon Barge	N/A	FL 7692 LZ	White flat deck work boat	25 FT
3	N/A	N/A	N/A	White sailboat fully submerged	20 FT

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

1. That the abandoned vessels constitute public nuisances;
2. That the City Council authorizes the removal of the abandoned vessels;
3. That the City Council authorizes the disposal of the abandoned vessels by demolition; and
4. That this Resolution shall become effective immediately upon its adoption.

ADOPTED THIS 5th DAY OF AUGUST, 2025.

____

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. 25-xxx, which was duly and legally adopted at a regular meeting of the City Council on .

____

City Clerk

REGULAR COMMITTEE OF THE WHOLE MEETING
JULY 15, 2025

Departments: City Clerk

Description of Topic: Discuss accepting donation of real property. (JL)

Background/Description:

Action Options/Recommendation:

Source of Funding (if applicable):

ATTACHMENTS:
None

REGULAR COMMITTEE OF THE WHOLE MEETING
JULY 15, 2025

Departments: City Clerk

Description of Topic: Resolution authorizing the purchase of Holiday Decorations to Jubilee Decor, LLC, through the TIPS purchasing cooperative in an amount not to exceed $259,668. (RE)

Background/Description: The majority of the city's existing Christmas pole mounts are over 10 years old and can no longer be refurbished to a functional condition. This purchase is to replace 400 Christmas pole mounts.

Action Options/Recommendation:

Source of Funding (if applicable): Budgeted, Admin Small Equipment

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ATTACHMENTS:

1. 08-05-25 25-xxx Authorize Purchase Holiday Christmas Decorations TIPS
2. 2025.07.11 Quote - Admin - Jubilee Decor Christmas Pole Mounts

RESOLUTION NO. 25-xxx

A RESOLUTION AUTHORIZING THE PURCHASE OF HOLIDAY DECORATIONS TO JUBILEE DECOR, LLC THROUGH THE TIPS PURCHASING COOPERATIVE IN AN AMOUNT NOT TO EXCEED $259,668

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

1. That the City Council for the City of Orange Beach, Alabama, hereby authorizes the purchase of Holiday Decorations through the TIPS purchasing cooperative, approved by the State of Alabama and the Public Examiners Office, in the amount of $259,668.00;
2. That the Mayor is hereby authorized to approve payment to Jubilee Decor, LLC., in an amount not to exceed $259,668.00 for 400 Pole Mounts as quoted;
3. That the equipment as described in this Resolution is to be used only for official business of the City of Orange Beach; and
4. That this Resolution shall become effective immediately upon its adoption.

ADOPTED THIS 5th DAY OF AUGUST, 2025.

____
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. 25-xxx, which was duly and legally adopted at a regular meeting of the City Council on August 5, 2025.

____
City Clerk

ESTIMATE

Jubilee Decor
224 E Three Notch St
Andalusia, AL 36420-3123

admin@jubileedecor.com
+1 (334) 679-6682
www.jubileedecor.com

City of Orange Beach:Orange Beach, AL 2025

Bill to
Renee Eberly
City of Orange Beach
P.O. Box 458
Orange Beach, Alabama 36561
US

Ship to
Renee Eberly
City of Orange Beach
Public Works Shop
7394 Roscoe Road
Orange Beach, Alabama 36561
US

Estimate details
Estimate no.: 2642
Estimate date: 06/04/2025

Sales Rep: GH

#	Product or service	Description	Qty	Rate	Amount
1.	**Fantasy Tree-4.5x8**	4.5'x8' Fantasy Tree Garland Pole Mount with C9 LED lights and mounting hardware included.	100	$602.00	$60,200.00
2.	**Candy Cane**	4'x6' Candy Cane Garland Pole Mount, Double framed with C9 LED lights and mounting hardware included.	100	$401.89	$40,189.00
3.	**Double Bell with Bow**	6'x6' Double Bell with Bow Garland Pole Mount with C9 LEDs lights and mounting hardware included.	100	$818.29	$81,829.00
4.	**Star of Bethlehem**	4'x7' Star of Bethlehem Garland Pole Mount with C9 LED lights and mounting hardware included.	100	$774.50	$77,450.00
5.	**Freight**	Shipping charges	1	$0.00	$0.00
			Total		**$259,668.00**

Note to customer

Please review the estimate below. When you are ready to proceed with the order, please use the review and approve button below.

ITEM 2.

REGULAR COMMITTEE OF THE WHOLE MEETING
JULY 15, 2025

Departments: City Clerk

Description of Topic: Resolution authorizing execution of a task order with GeoCon Engineering & Materials Testing, Inc., to provide geotechnical testing and engineering services for Jubilee Point road improvements in an amount not to exceed $7,730. (CP)

Background/Description:

Action Options/Recommendation:

Source of Funding (if applicable):

ATTACHMENTS:

1. 08-05-25 25-xxx Authorize Task Order GeoCon Jubilee Point Road
2. 2025.07.03 Task Order GeoCon Jubilee Point Road

RESOLUTION NO. 25-xxx

A RESOLUTION AUTHORIZING EXECUTION OF A TASK ORDER WITH GEOCON ENGINEERING & MATERIALS TESTING, INC. TO PROVIDE GEOTECHNICAL TESTING AND ENGINEERING SERVICES FOR JUBILEE POINT ROAD IMPROVEMENTS IN AN AMOUNT NOT TO EXCEED $7,730

FINDINGS:

1. The Orange Beach City Council, by Resolution No. 25-008 adopted January 7, 2025, approved a contract with GeoCon Engineering & Materials Testing, Inc., to perform certain geotechnical analysis and construction materials testing 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 Engineer has submitted a task order (attached Exhibit A) for Council approval.
4. The proposed Task Order requires GeoCon Engineering & Materials Testing, Inc., to provide geotechnical testing and engineering services for roadway improvements to Jubilee Point Road.
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 GeoCon Engineering & Materials Testing, 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 $7,730.00 to GeoCon Engineering & Materials Testing, Inc., to complete the Task Order as presented; and
3. That this Resolution shall become effective immediately upon its adoption.

ADOPTED THIS 5th DAY OF AUGUST, 2025.

____
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. 25-xxx, which was duly and legally adopted at a regular meeting of the City Council on August 5, 2025.

____
City Clerk

GeoCon
Engineering & Materials Testing, Inc.

July 3, 2025

City of Orange Beach
4099 Orange Beach Boulevard
Orange Beach, Alabama 36561

Attn: Mr. Chris Pappas, P.E.

Re: **Proposal for Pre-Design Geotechnical Testing**
Proposed Roadway Improvements
Jubilee Point Road
Orange Beach, Alabama

Dear Mr. Pappas:

GeoCon Engineering & Materials Testing, Inc. is pleased to submit this proposal to provide geotechnical testing and engineering services for the above referenced project. We understand that the project includes improvements to an existing waterway crossing along Jubilee Point Road in Orange Beach, AL. The project will include a new aluminum box culvert that will span 19 feet 5 inches and will have 4 foot 11 inches of rise. GPR services have been included in the price of this proposal to help reduce the chance of damaged utilities during field work activities.

Proposed Scope of Geotechnical Services

This proposal is based on two (2) 35-foot-deep borings. One (1) of the borings on the north side of the existing crossing and one (1) on the south side of the existing crossing. The boring locations will be determined after the line locate and GPRS services are performed. Depending on the location of utilities the borings may have to be performed in the existing road way to reduce the chance of damaged utilities during field work activities. Based on the number of dwellings that would use Jubilee Point Road, it is assumed that traffic should be minimal. Traffic control during field work activities will be provided by GeoCon.

The purpose of our investigation will be to determine the subsurface soil and groundwater conditions in the proposed construction area and make recommendations regarding site grading, subgrade preparation and foundation design. laboratory testing will include soil grain size determination, Atterberg limit determination, soil moisture content determination and water chemical analysis.

The collected soil test boring data and related soil laboratory test data would be evaluated by our engineering staff. A written geotechnical engineering report would be prepared and would include an assessment of the soil and groundwater conditions relative to the proposed box culvert construction. The geotechnical report would be prepared and signed by a Professional Engineer registered in the state of Alabama.

22830 McAuliffe Drive Robertsdale, Alabama 36567
Phone (251) 947-1035

Fee Estimate

Based on the proposed borings and sampling, the proposed laboratory testing, and engineering work scope, we can provide geotechnical testing and engineering services for a cost of **$7,730.00.**

Scheduling

We can proceed with the boring and sampling within 2 weeks following your notice to proceed. We estimate that drilling and sampling will be completed in 2 days, weather permitting, and soil laboratory testing can be completed in an additional 3 days. A completed geotechnical engineering report could be available no later than 30 days from the date we receive the signed authorization page.

Testing Standards

Our work on this project will be completed in general accordance with applicable ASTM standards and with generally accepted current standards of geotechnical engineering practices. We maintain general and professional liability insurance in amounts typically acceptable for similar projects. A copy of our insurance certificate can be obtained at your request.

Authorization

To authorize us to proceed with the above-described geotechnical services, please complete the authorization form and return it to this office for our file. GeoCon's Terms and Conditions, which are attached hereto, are hereby incorporated by reference as if fully set forth herein. By signing this Proposal, Client acknowledges and agrees that he/she has read the Terms and Conditions and agrees to be bound by the terms and conditions set forth therein.

We appreciate the opportunity to provide a proposal for this project. Please feel free to contact our office if you have any questions or if you need any additional information.

Sincerely,

GeoCon, Inc.

Christopher Rea
Vice President

Proposal Authorization Form

Please Print

Accepted By:____

Signature: ____

Entity: ____

Mailing Address: ____

Report will be addressed to: ____________________________________

Provide email address of all entities that should receive a copy of the report:

____
(Architect, Structural or Civil Engineer, Builder, Owner, Etc.)

Customer Email Address: ______________________________________

Invoice sent to: Mailing Address or Email Address

Contact Number: ____

Property cleared and accessible? Y or N

Project Address or PIN/Parcel number: _____________________________

Proposed Amount: $7,730.00

Date: ________________________________

Comments: ____

GeoCon is not responsible for any damage to anything underground that is not marked.
The proposed amount is only valid for 60 days unless executed.
Failure to complete this form could delay the completion of the final report.
Addendums can be subject to an additional fee.

TERMS AND CONDITIONS

SERVICES TO BE PROVIDED. GeoCon Engineering & Material Testing, Inc. (hereinafter GeoCon) is an independent consultant and agrees to provide Client, for Client's sole benefit and exclusive use, consulting services set forth in our proposal.

PAYMENT TERMS. Client agrees to pay our invoice upon receipt. If payment is not received within 30 days from the invoice date, Client agrees to pay a service charge on the past due amount at a rate of 1.5% per month, and GeoCon reserves the right to suspend all work until payment is received. No deduction shall be made from GeoCon's invoice on account of liquidated damages or other sums withheld from payments to contractors or others.

TERMINATION. Either party may terminate this Agreement without cause upon 20 days advance notice in writing. In the event Client requests termination prior to completion of the proposed services. Client agrees to pay GeoCon for all costs incurred plus reasonable charges associated with termination of the work.

PROFESSIONAL LIABILITY. Notwithstanding any other provision of this Agreement, the Engineer's and GeoCon's total liability to the Client for any loss or damages from claims arising out of or in connection with this Agreement from any cause including the Engineer's strict liability, breach of contract, or professional negligence, errors and omissions (whether claimed in tort, contract, strict liability, nuisance, by statute or otherwise) shall not exceed the lesser of the total contract price of this Agreement or the proceeds paid under GeoCon's liability insurance in effect at the time such claims are made. The Client hereby releases the Engineer from any liability exceeding such amount. In no event shall either party to this Agreement be liable to the other for special, indirect, incidental or consequential damages, whether or not such damages were foreseeable at the time of the commencement of the work under this Agreement.

SITE OPERATIONS. Client will arrange for right-of-entry to all applicable properties for the purpose of performing studies, tests and evaluations pursuant to the agreed services. Client represents that it possesses necessary permission, permits and licenses required for its activities at the site.

OWNERSHIP AND USE OF PROJECT DOCUMENTS. All documents are instruments of service in respect to the Services, and GeoCon shall retain an ownership and proprietary property interest therein (including the right of reuse at the discretion of Geocon) whether or not the Services are completed. Client may make and retain copies of documents for information and reference in connection with the services by Client. Such documents are not intended or represented to be suitable for reuse by Client or others on extensions of the services or on any other project. Any such reuse or modification without written verification or adaptation by Geocon as appropriate for the specific purpose intended, will be at Client's sole risk and without liability or legal exposure to GeoCon or GeoCon's consultants. Client shall indemnify and hold harmless GeoCon and GeoCon's consultants from all claims. Damages, and expenses including attorneys' fees arising out of or resulting therefrom.

ADDITIONAL SERVICES OF CONSULTANT. If authorized in writing by the Client, GeoCon shall furnish additional services that are not considered as an integral part of the Scope of Services outlined in the Proposal Acceptance Sheet. Under this Agreement, all costs for additional services will be negotiated as to activities and compensation. In addition, it is possible that unforeseen conditions may be encountered that could substantially alter the original scope of services. If this occurs, GeoCon will promptly notify and consult with Client and any additional services will be negotiated.

ASSIGNABILITY. GeoCon shall not assign any interest on this Agreement and shall not transfer any interest in the same (whether by assignment or novation) without the prior written consent of the Client; provided, however, that claims for money by GeoCon against Client under this Agreement may be assigned to a bank, trust company, or other financial institution without such approval. Written notice of any such assignment or transfer shall be promptly furnished to the Client.

SERVICES TO BE CONFIDENTIAL. All services, including opinions, designs, drawings, plans, specifications, reports and other services and information, to be furnished by GeoCon under this Agreement are confidential and shall not be divulged, in whole or in part, to any person, other than to duly authorized representatives of the Client, without prior written approval of the Client, except by testimony under oath in a judicial proceeding or as otherwise required by law. GeoCon shall take all necessary steps to ensure that no member of its organization divulges any such information except as may be required by law.

CLAIMS. The parties agree to attempt to resolve any dispute without resort to litigation. However, in the event a claim is made that results in litigation, and the claimant does not prevail at trial, then the claimant shall pay all costs incurred in defending the claim, including reasonable attorney's fees. The claim will be considered proven if the judgment obtained and retained through any applicable appeal is at least ten percent greater than the sum offered to resolve the matter prior to the commencement of trial.

SEVERABILITY. It is understood and agreed by the parties hereto, that if any part, term or provisions of this Agreement is held by any court of competent jurisdiction to be illegal or in conflict with any applicable law, the validity of the remaining portion or portions of this Agreement shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

SURVIVAL. All obligations arising prior to the termination of this Agreement and all provisions of this Agreement allocating responsibility or liability between Client and GEOCON shall survive the completion of the services and the termination of this Agreement.

INTEGRATION. This Agreement, the attached documents and those incorporated herein constitute the entire Agreement between the parties and cannot be changed except by a written instrument signed by both parties.

GOVERNING LAW. This Agreement shall be governed in all respects by the laws of the State of Alabama and venue shall be in Baldwin County, Alabama

ITEM 3.

REGULAR COMMITTEE OF THE WHOLE MEETING
JULY 15, 2025

Departments: City Clerk

Description of Topic: Resolution establishing fees for the Expect Excellence Pre-K After School Program. (PP)

Background/Description:

Action Options/Recommendation:

Source of Funding (if applicable):

ATTACHMENTS:

1. 08-05-25 25-xxx Establish Fees Expect Excellence Pre-K After School Program
2. 2025-2026 Fee Schedule - Expect Excellence Pre-K After School Program

RESOLUTION NO. 25-xxx

A RESOLUTION ESTABLISHING FEES FOR THE EXPECT EXCELLENCE PRE-K AFTER SCHOOL PROGRAM

FINDINGS:

1. The City of Orange Beach developed the Expect Excellence program in March 2018 to provide additional programming focused on academics, arts, and athletics for school-aged children in our local community.
2. In order to align with current legal and financial advice, the Expect Excellence Director would like to adopt the attached Fee Schedule for the Expect Excellence Pre-K After School Program.
3. The attached Fee Schedule includes discounts for City of Orange Beach employees, Orange Beach City School employees, and active military members.
4. The Council finds that these fees are imposed to offset some portion of the operating cost of the Expect Excellence Pre-K After School Program. The Council finds that providing the above-referenced discounts serves a public purpose by promoting and providing access to extracurricular programs for the children of Orange Beach which promotes public welfare by enhancing the lives of the children, promoting good character and preventing potential negative impacts of unsupervised time for children.
5. After having reviewed the attached Fee Schedule, the City Council has determined it is in the best interest of the City of Orange Beach to adopt the attached Fee Schedule for the Expect Excellence Pre-K After School Program.

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

1. That the attached Fee Schedule is hereby adopted for the Expect Excellence Pre-K After School Program. The Expect Excellence Director is hereby authorized to issue and enforce rules, regulations, and policies and procedures as is deemed necessary for the proper and efficient operation of the Expect Excellence Pre-K After School Program in accordance with all applicable state laws, municipal ordinances, and policies established by the Mayor;
2. That providing discounts as set out therein serves a public purpose in employee recruitment and retention and promoting public welfare; and
3. That this resolution shall become effective upon its adoption.

ADOPTED THIS 5th DAY OF AUGUST, 2025.

____
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. 25-xxx, which was duly and legally adopted at a regular meeting of the City Council on August 5, 2025.

____
City Clerk

Expect Excellence
Pre-K After School Program

TUITION AND PAYMENTS

The Expect Excellence Pre-K after school program fees are $40.00 per week, per student. On partial weeks, the payments will be prorated to reflect the $8.00 per day cost. Registration and payments will be made through ActiveNet.
Cards will be charged the weekend prior to each week of the program.

Students who have a due or unpaid balance for the week may NOT attend. If the week's payment is not paid over the prior weekend, it must be made prior to 2:00 PM on the first day of attendance for the week.

Late Pick Up Charges

Any pick up after 5:30 pm will result in a base charge of $25.00 plus $1.00 for every minute past 5:30 pm.
Charges will be added to the parent's ActiveNet Account the following week.

We will only prorate fees based on attendance if a student is absent for an entire week.

In order to avoid charges for any week your student will not attend, please un-select that week during registration OR email Polly Pittman at ppittman@orangebeachal.gov AT LEAST ONE WEEK PRIOR to the week your student will be absent so she can cancel the charge for the corresponding week.

DISCOUNTS

City & City School Employees - 50% off

Active Military - 10% off

REGULAR COMMITTEE OF THE WHOLE MEETING
JULY 15, 2025

Departments: City Clerk

Description of Topic: Resolution awarding the bid for Debris Clearance, Disposal, and Sand Reclamation. (RE)

Background/Description: The bid opening is scheduled for July 31, 2025. The current contract for debris clearance, disposal, and sand reclamation will expire in August.

Action Options/Recommendation:

Source of Funding (if applicable):

ATTACHMENTS:
None

REGULAR COMMITTEE OF THE WHOLE MEETING
JULY 15, 2025

Departments: City Clerk

Description of Topic: Resolution accepting a proposal for Debris Monitoring, Disaster Management, and Recovery Services. (RE)

Background/Description: The deadline for proposals is scheduled for July 31, 2025. The current contract for debris monitoring will expire in August.

Action Options/Recommendation:

Source of Funding (if applicable):

ATTACHMENTS:
None

ITEM 6.

REGULAR COMMITTEE OF THE WHOLE MEETING
JULY 15, 2025

Departments: City Clerk

Description of Topic: Resolution declaring a speed radar owned by the City of Orange Beach as surplus and unneeded and authorizing the donation of said property to the Town of Elberta. (SB/CB)

Background/Description:

Action Options/Recommendation:

Source of Funding (if applicable):

ATTACHMENTS:

1. 08-05-25 25-xxx Donate Surplus Speed Radar Elberta
2. 2025.03.27 Letter of Request - Town of Elberta Car Radar

RESOLUTION NO. 25-xxx

A RESOLUTION DECLARING A SPEED RADAR OWNED BY THE CITY OF ORANGE BEACH AS SURPLUS AND UNNEEDED AND AUTHORIZING THE DONATION OF SAID PROPERTY TO THE TOWN OF ELBERTA

FINDINGS:

1. That the following personal property owned by the City of Orange Beach, Alabama, is no longer needed for public or municipal purposes:

DEPARTMENT	ITEM DESCRIPTION	QTY	NOTES
POLICE	MPH INDUSTRIES BEE KA Band CPU 991222	1	S/N BEE 122200653
	MPH INDUSTRIES CONTROL HEAD BEE 990664	1	S/N BEE 664016390
	MPH RADAR ANTENNA 990653	1	S/N BEN 653038864
	MPH RADAR ANTENNA 990653	1	S/N BEN 653038863
	MPH BEE WIRELESS REMOTE W/ WIRING, BRACKETS, HOOD & HOLDER		

2. Section 11-43-56 of the Code of Alabama of 1975 authorizes the municipal governing body to dispose of unneeded personal property.
3. The City of Orange Beach has received a request from the Town of Elberta, Alabama, for assistance.
4. Orange Beach City Council has determined that donating a surplus speed radar to the Town of Elberta serves a public purpose.

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

1. That the aforementioned personal property owned by the City of Orange Beach, Alabama, is not needed for public or municipal purposes;
2. That the Mayor and City Clerk are hereby authorized and directed to execute the documents necessary to donate and convey surplus items, as described above, to the Town of Elberta, Alabama, on behalf of the City of Orange Beach; and
3. That this Resolution shall become effective immediately upon its adoption.

ADOPTED THIS 5th DAY OF AUGUST, 2025.

____
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. 25-xxx, which was duly and legally adopted at a regular meeting of the City Council on August 5, 2025.

____
City Clerk

ELBERTA, AL

fur das gute Leben

"for the good life"

MAYOR
STEVE KIRKPATRICK

TOWN OF ELBERTA

March 27, 2025

Honorable Tony Kennon
City of Orange Beach
4099 Orange Beach Blvd.
Orange Beach, AL 36561

RE: Surplus Car Radar – Dual Head

Dear Tony:

It was great to see you yesterday at the Mayor's luncheon. Please accept this correspondence as a formal request for the radar that Orange Beach has in surplus property. This radar could be used right away by our Police Department as we are currently short of vehicle radars. We would gladly pay the surplus value if needed.

The generosity shown toward our community by the City of Orange Beach over the years has been immeasurable and we look forward to a continued partnership between us.

Sincerely,

Steve Kirkpatrick
Mayor

SK/chw

P.O. Box 277
13052 Main Street

ELBERTA, ALABAMA
townhall@townofelberta.com

(251) 986-5995
(251) 986-8499 fax

REGULAR COMMITTEE OF THE WHOLE MEETING
JULY 15, 2025

Departments: City Clerk

Description of Topic: Resolution authorizing the execution of a task order with McCollough Architecture, Inc., to provide engineering services for Hot Shop improvements in an amount not to exceed $14,400. (DB)

Background/Description:

Action Options/Recommendation:

Source of Funding (if applicable):

ATTACHMENTS:

1. 08-05-25 25-xxx Authorize Task Order McCollough Architecture Hot Shop
2. 2025.07.10 Task Order McCollough Architecture Hot Shop

RESOLUTION NO. 25-xxx

A RESOLUTION AUTHORIZING THE EXECUTION OF A TASK ORDER WITH MCCOLLOUGH ARCHITECTURE, INC. TO PROVIDE ENGINEERING SERVICES FOR HOT SHOP IMPROVEMENTS IN AN AMOUNT NOT TO EXCEED $14,400

FINDINGS:

1. The Orange Beach City Council, by Resolution No. 23-155 adopted August 15, 2023, 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 Art 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 renovation of the existing Hot Shop facility to improve ventilation and temperature control.
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 $14,400.00 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 5th DAY OF AUGUST, 2025.

____
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. 25-xxx, which was duly and legally adopted at a regular meeting of the City Council on August 5, 2025.

____
City Clerk

McCOLLOUGH ARCHITECTURE

TASK ORDER AUTHORIZATION

TASK ORDER NO. 30

CITY OF ORANGE BEACH - PERFORMANCE CONTRACT

ARCHITECTURAL SERVICES

This Task Order authorizes limited architectural, mechanical, electrical, and plumbing (MEP) engineering services for the Hot Shop facility located in Orange Beach, Alabama. The scope of work includes a site visit, measure and draw of as-built conditions, code study and drawings to bring existing space into full code compliance. It is understood that the City will self-perform the work.
These services are intended to support the City's efforts in ensuring compliance with relevant codes and enhancing overall safety and functionality of the facility. We anticipate the estimated construction cost to be approximately $150,000.00. While we do not anticipate structural engineering is needed for this project, we have included a $2,000.00 allowance in this proposal shall the need arise. The structural amount will not be billed if it is not needed. The cost for architectural, mechanical, electrical, plumbing and potential structural engineering to complete this work shall be a lump sum fee of **$14,400.00.**

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

Representative's Signature

Firm Name

Printed Name

Date

Title

RECOMMENDED FOR APPROVAL

Signature

Date

Title

APPROVED BY CITY OF ORANGE BEACH

Signature

Date

Title

McCOLLOUGH ARCHITECTURE

EXHIBIT A

TASK ORDER NO. 30

CITY OF ORANGE BEACH, ALABAMA

SCOPE OF WORK:

The scope of work includes:

- A site visit to document existing conditions
- Measure and draw as-built building.
- Architect to conduct code study to comply with life safety requirements.
- Engineer's review and assessment of applicable building and equipment code requirements relevant to the facility's architectural and MEP systems.
- New design drawings from architect and engineers showing fully code compliant furnace area.

SPECIFIC TASKS TO BE COMPLETED INCLUDE:

Architectural Services:

- Measure the existing facility and prepare accurate as-built drawings.
- Conduct a Code Study and assess life safety requirements.
- Develop and provide a Life Safety Plan based on the assessment.
- Develop Construction Drawings in lieu of Equipment Changes and Code Compliance

Mechanical, Electrical, and Plumbing (MEP) Engineering Services:

- Site visit to review existing MEP equipment and provide verbal recommendations regarding applicable code requirements as they relate to the building's systems.
- New Design Drawings to bring the furnace area into full code compliance which includes:
  - Add 5 custom stainless steel heat capture hoods similar to the attached cut sheet.
  - Add 5 custom stainless steel "eyebrow" hoods over the opening of each furnace (can be an additive alternate for cost considerations).
  - Add stainless steel ductwork and roof or sidewall exhaust fans.
  - Add carbon monoxide sensors for automatic control of the fans.
  - All ductwork will include 3M fire wrap due to the combustible construction of the building.
  - New electrical circuits for the new fans.

Structural Engineering Services:

- Although not anticipated, an allowance has been included in this proposal in the event that the work requires it. If not used, this will not be billed.

PRELIMINARY SCHEDULE (Schedule is contingent on City input and turn-around time)

- The Architect, Mechanical, Electrical and Plumbing engineer conducted a site visit on June 10, 2025.
- The Architect will provide as-built drawings – 7 days
- The Architect will provide a Code Study and a life safety plan – 15 days.
- The Electrical, Mechanical, and Plumbing Engineer will provide new drawings to bring the existing space up to code – 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

McCOLLOUGH
ARCHITECTURE

EXHIBIT B

CITY OF ORANGE BEACH, ALABAMA

TASK ORDER NO. 30

MAN – HOUR RATES FOR ADDITIONAL SERVICES (IF NEEDED)

CLASSIFICATION:	HOURLY RATE:
Principal Architect	$150.00
Structural Engineer	$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:

- Site Visit Engineer Fee (Lump-sum $800.00)
- Measure and Draw Existing Building with Equipment (Lump-sum $1,000.00)
- Code Study, Life Safety Plan, Construction Drawings ($3,800.00)
- Mechanical, Electrical, Plumbing Engineers Design Fee and Site Visit after Installation (Lump-sum $6,800.00)
- Structural Allowance ($2,000.00) – If not used, this will not be billed.

END OF EXHIBIT B