



Baldwin County Commission

Legislation Text

File #: 19-0917, **Version:** 2

Meeting Type: BCC Regular Meeting
Meeting Date: 3/19/2019
Item Status: Replacement
From: Joey Nunnally, P.E., County Engineer
Submitted by: Lisa Sangster, Administrative Support Specialist IV

ITEM TITLE

*First Amendment to the Foley Beach Express Agreement to Allow a Signalized Full Access Median Crossover at County Road 8

STAFF RECOMMENDATION

Take the following actions:

1) Rescind the action taken by the Baldwin County Commission, during its regularly scheduled meeting on October 16, 2018, more specifically, the staff recommendation regarding Agenda Item IA3, which approved as follows:

“AUTHORIZE THE CHAIRMAN TO EXECUTE THE FIRST AMENDMENT TO THE FOLEY BEACH EXPRESS AGREEMENT TO ALLOW A SIGNALIZED FULL ACCESS MEDIAN CROSSOVER AT COUNTY ROAD 8.”

2) Authorize the Chairman to execute the revised First Amendment to the Foley Beach Express Agreement to allow a signalized full access median crossover at County Road 8; and

3) Authorize the Chairman to execute an Indemnity and Hold Harmless Agreement between the City of Gulf Shores and Baldwin County related to the First Amendment to the Foley-Beach Express Agreement and the construction and use of a signalized full access median crossover at County Road 8.

BACKGROUND INFORMATION

Previous Commission action/date:

Staff recommendation #3 was revised by adding an Indemnity and Hold Harmless Agreement between the County and the City of Gulf Shores.

May 25, 1999 - The Baldwin County Commission approved the “Foley-Beach Express” Agreement (Tri-Party Agreement) and authorized the Chairman and County Clerk to execute with the understanding that in the Foley-Beach Express Agreement it states that the County has reviewed and administratively approved the plans and specifications.

Background: The City of Gulf Shores is requesting approval for a signalized full access median crossover at County Road 8. The City of Foley, Baldwin County Bridge Company and Baldwin County must all agree to the request by the City of Gulf Shores and the Foley-Beach Express Agreement amended and executed by all parties.

The Commission approved an amendment to the Foley Beach Express Agreement during the October 16, 2018, regular meeting. The Baldwin County Bridge Company revised that amendment.

The City of Gulf Shores has agreed to indemnify and hold harmless the County from any and all claims, demands, losses, actions or causes of action related to the County's participation in the First Amendment to the Foley-Beach Express Agreement and the construction and use of the median crossover at the intersection of County Road 8 and the Foley Beach Express.

FINANCIAL IMPACT

Total cost of recommendation: N/A

Budget line item(s) to be used: N/A

If this is not a budgeted expenditure, does the recommendation create a need for funding? N/A

LEGAL IMPACT

Is legal review necessary for this staff recommendation and related documents?
Yes

Reviewed/approved by: David Conner, County Attorney

Additional comments: N/A

ADVERTISING REQUIREMENTS

Is advertising required for this recommendation? N/A

If the proof of publication affidavit is not attached, list the reason: N/A

FOLLOW UP IMPLEMENTATION

For time-sensitive follow up, select deadline date for follow up: N/A

Individual(s) responsible for follow up: Administration Staff have Chairman and Budget Director execute amendment.

Action required (list contact persons/addresses if documents are to be mailed or emailed):

Mayor John Koniar
City of Foley
P.O. Box 1750
Foley, Alabama 36535

Mack Roberts
American Roads LLC
49 Emerald Mountain Expressway
Wetumpka, Alabama 36093

Mayor Robert Craft
City of Gulf Shores
P.O. Box 299
Gulf Shores, Alabama 32547

Additional instructions/notes: N/A