

City Council
6:00 p.m., Tuesday, May 28, 2019
Council Chambers
1207 Palm Boulevard, Isle of Palms, South Carolina

AGENDA

1. **INTRODUCTION OF MEETING** and notification that members of the press and public were duly notified in accordance with the Freedom of Information Act.
A. Invocation B. Pledge of Allegiance C. Roll Call
2. **Appointment and Administration of Oath to New Employee**
Kevin Cornett as Chief of Police
3. **READING OF THE JOURNALS OF PREVIOUS MEETINGS**
Regular Meeting of April 23, 2019
4. **CITIZENS' COMMENTS**
5. **REPORTS FROM STANDING COMMITTEES**
 - A. **Ways and Means Committee**
 1. Recommendation from the Real Property Committee to approve a proposal from ATM in the amount of \$68,000 to expand the scope of work to develop a plan for the inclusion of dock areas referred to as Area B and Area C
 2. Recommendation from the Real Property Committee to award a contract to Coastal Science and Engineering for RFP 2019-02 – Island-wide Beach Monitoring in the amount of \$30,520 per year for 3 years
 3. Consideration of an award of a one-year contract to Technology Solutions in the amount of \$40,000 for City-wide IT management and support services
 4. Recommendation from the ATAX Committee
 - a. Sponsorship of Carolina Coast Surf Club website in the amount of \$1,000
 - b. Sponsorship of the SC Aquarium 2019 Turtle Trek in the amount of \$10,000
 - B. **Public Safety Committee**
Recommendation to approve a not-to-exceed number of 35 City-sanctioned night work events between July 2019 and April 2020 for the construction project in Wild Dunes
 - C. **Public Works Committee**
 - D. **Recreation Committee**
 - E. **Personnel Committee**
Recommendation for Appointment of City Administrator
 - F. **Real Property Committee**
6. **REPORTS FROM CITY OFFICERS, BOARDS AND COMMISSIONS**
 - A. **Accommodations Tax Advisory Committee** – minutes in process
 - B. **Board of Zoning Appeals** – minutes attached
 - C. **Planning Commission** – minutes attached
7. **REPORTS FROM SPECIAL OR JOINT COMMITTEES** – None
8. **PETITIONS RECEIVED, REFERRED OR DISPOSED OF –**
Petition from residents of Sparrow Drive and Forest Trail requesting a flood abatement solution

9. BILLS ALREADY IN POSSESSION OF COUNCIL

- A. Second Reading of Ordinance 2019-07 – An Ordinance Amending Title 5, Planning and Development, Chapter 4, Zoning, Article 2, District Regulations** (revisions to lot subdivision regulations)
- B. Second Reading of Ordinance 2019-09 – An Ordinance Amending Title 8, Motor Vehicles and Traffic, Chapter 2, Stopping, Standing and Parking of Vehicles, Article A, Standard Provisions** (golf carts on the beach for handicap access)

10. INTRODUCTION OF NEW BILLS, RESOLUTIONS AND PROCLAMATIONS

- A. First Reading, by title only, of Ordinance 2019-11 – Lot Coverage**
- B. First Reading, by title only, of Ordinance 2019-12 – Film Permit**
- C. First Reading, by title only, of Ordinance 2019-13 – Prohibition of single use plastics and polystyrene on beach**

11. MISCELLANEOUS BUSINESS

Next Meeting Date – 6:00 p.m., Tuesday, June 25, 2019 in Council Chambers

12. EXECUTIVE SESSION – if needed

Upon returning to open session, Council may take action on matters discussed in Executive Session

13. CONCLUSION/ADJOURNMENT

City Council

6:00 p.m., Tuesday, April 23, 2019

The regular meeting of City Council was held at 6:00 p.m. Tuesday, April 23, 2019 in Council Chambers of City Hall, 1207 Palm Boulevard, Isle of Palms, South Carolina. Attending the meeting were Councilmembers Bell, Buckhannon, Ferencz, Kinghorn, Moye, Rice, Kinghorn and Ward, Mayor Carroll, Interim Administrator Fragoso, City Attorney Copeland and City Clerk Copeland' a quorum of Council was present to conduct business.

1. Mayor Carroll called the meeting to order and acknowledged that the press and public were duly notified of the meeting in accordance with the Freedom of Information Act. Following a brief invocation and the recitation of the Pledge of Allegiance, Clerk Copeland called the role.

2. Reading of the Journals of Previous Meetings

MOTION: Councilmember Ward moved to approve the minutes of the regular meeting of March 15, 2019 and the Special Meeting of April 2, 2019 as submitted; Councilmember Rice seconded and the motion PASSED UNANIMOUSLY.

3. Citizens' Comments

Based on the comments and discussions on social media, a significant number of people spoke at this meeting in support for Michael and Mark Fiem and their business Tidalwave Watersports that operates at the IOP Marina.

Steve Will, 6 Intracoastal Court – Tidalwave pier/dock not compatible to fishing, part of the island, responsible business operators, allowed hundreds of island kids experience their first jobs

Rusty Denman – character reference for Fiem brothers, glad to hear efforts being made to resolve differences

Scott Pierce, 4 – 9th Avenue, stated that this year the IOP Marina was on track to lose \$347,000, raining tax dollars from the City of approximately one thousand dollars (\$1,000) per day. The guiding purpose of the IOP Marina was to provide residents with access to the Intracoastal Waterway, not to support commercial activities. Residents do have parking available without doing business with a commercial entity at the marina. In recent weeks it has come to light that several OCRM and Army Corps of Engineering violations that must be corrected by the tenant or the City. The leases do not have limits on the number of sub-tenants an entity might have, and now there are over a dozen sub-leases – of which the City is aware. He expressed the opinion that no third party should enter into a gross profit lease. This Council has made it clear that they do not intend to renew the Tidalwave lease as it is written.

Dennis Shaffer – employed by Tidalwave for 14 year, Fiems are great guys, contribute to island.

Michael Fiem was operating Tidalwave when the City bought the marina and the lease has been renewed over and over again. He expressed their desire to operate a shuttle between the marina and Front Beach. He commented that the marina would not be more attractive if Tidalwave was no longer there. He acknowledged the desire of the residents to have access to the water, but he did not understand why that came at the expense of their business. He indicated that they would be willing to locate to another place in the marina as long as they could operate at the same

capacity that they do today. Since only 103 watersports businesses exist in the United States, he thought sending it out in an RRB would not yield the results the City was expecting. He reminded the City that they have been in business on the island for over twenty (20) years. He said that they have just held their second Residents' Day, when they shutdown normal business and offer all of their activities to island residents at no charge; all contributions go to a local charity. He was baffled that anyone would suggest their reducing the number of activities or cutting back their business; he understood the job of every small business owner was to grow the business to provide the best life possible for himself and his family. He hoped that Council would take into consideration their lease proposal before just deciding to terminate their lease. He recognized Mike O'Malley as the third partner in their business.

Julie Nestler, 17 – 22nd Avenue, told Council that, when she arrived home today, her sixteen (15) year old daughter gave her a letter that she wanted read here strongly supporting Tidalwave. She noted that her husband, a volunteer for the IOP Fire Department, has had occasions when he could not get the fireboat launched because the boat ramp was backed up; "Tidalwave has dropped everything to get Gary [her husband] or other firefighters to the scene of an accident." In her opinion, Tidalwave and its owners have a positive impact to the residents and the City.

Dr. Gary Nestler, 17 – 22nd Avenue, serves as a volunteer fireman for the City's Fire Department for more than a decade and responds to many water medical rescue calls. As a result, he has seen firsthand "how a commercial enterprise stops everything to make sure that fire service personnel can get on the water to help people." He described Tidalwave and its owners as a "fabric of the community" and attempts by Council to shut down an enterprise like Tidalwave will have "a tremendous blowback from the citizens."

Resident of 105 Palm Boulevard – Tidalwave is the only watersports business on the island; not renewing their lease will take these fun activities away from residents and visitors.

Van Kinnett, 29 – 41st Avenue, met the Fiem brothers and Mark O'Malley when his daughters worked for them, and they became friends. The traffic on 41st would not change if Tidalwave was no longer at the marina.

Carla Kinnett, 29 – 41st Avenue, saw Tidalwave as an integral part of the island; the young people who work for them learn many life skills.

Jason Hilton said that he has worked for Tidalwave for fourteen (14) years and was happy to call owners friends. He agreed with everything that has been said about them at this meeting.

Ginger Campbell, 3907 Hartnett, is also an employee of Tidalwave, and she plans to retire from there. She reported that the owners are working toward marsh cleanups.

Jillian Kerber reported that she takes her guests to the marina to enjoy one (1) of the activities Tidalwave offers; she estimated that she and her husband spend a thousand dollars (\$1,000) a summer at Tidalwave.

Connor (did not give last name, likely 15 years old), 3 Sandpiper Lane, said that this would be his third year working at Tidalwave and that it was a benefit to the island and its residents.

Jeremy Samuels, a senior at the Citadel and three (3) year employee at Tidalwave, recalled that he spent his first day picking up trash all over the marina. He stated that Tidalwave has been a

positive influence in his life that the owners exemplify the core values of the Citadel – honor, duty and respect.

Bill Campbell stated that he and his wife live at 34 – 42nd Avenue. Having attended the Ways and Means Committee meeting last week, he was surprised at how much time was spent on non-resident issues. He saw that Council was still focused on attracting visitors to the island; he saw no reason to spend time and money to draw more people to the island. IOP is the closest beach, so where are people going to go? The comment was made during the discussion that the City sends the Charleston Visitors Bureau half a million dollars to promote IOP, and he asked why? Non-residents are going to come to the island whether it is promoted or not, and he was certain that the island reached capacity on some summer weekends. On those weekends, he has observed that “traffic is horrid, parking is crazy, driving to and from the island in the summer is nuts – a trip into Mount Pleasant must be planned or be stuck in traffic for a couple of hours, the police are overwhelmed, parking attendants are in a tizzy, will this never end?” When he asked what the capacity of the island was, he answered that it has been exceeded. Mr. Campbell noted that he and his wife have been residents since 1986 and they moved here because they were “attracted to the laid-back lifestyle” the island offered; he remembered when residents had to go to Mount Pleasant to get drinking water. He would be happy for the clock to run backwards for a time; he did not want more visitors, he did not want entertainment attractions at the marina, and he did not want short-term renters. Due to the number of short-term renters in his neighborhood, it has become a rental-hood. Mr. Campbell stated that he and his wife have hired a local realtor and are looking for a residence off the island.

Dave Gilford, 18 – 42nd Avenue, stated that he has seen a lot of change since he moved here in 2003, and he expressed understanding that Council’s job was to insure the quality of life and safety of the property owners who voted for members of Council and visitors alike. With all of the development in recent years, he thought the island was at a breaking point and questioned if the City could afford more and did the City need more. He asked Council to think proactively about the continued growth and a way to manage it.

Sandy Stone, 7 Ensign Court, informed the Committee that he had come to the island in 1973 and became a property owner in 1978; he said that he has seen tremendous change over those years. He came to address two (2) items on the Agenda, i.e. the proposed franchise fee on Water and Sewer and the increase in the short-term rental license fees. On the franchise fee on Water and Sewer, he understood that the money was going to be used to assist property owners with septic tanks to tie-in to sewer; he said that he had paid to have sewer and that he did not want to subsidize those who did not pay as he did. He thought that the Water and Sewer should have a tap-in fee for water and sewer and that everyone paying for the people who currently do not have sewer. As a vacation rental manager, he was opposed to the proposed increase to short-term rental license fees that doubles them. He asked that Council reconsider “that egregious increase;” he anticipated an unintended consequence will be creating a financial incentive for people “to go underground,” not to register their property as a short-term rental. He said that the island already has vacation rental management companies that are working underground, off the books, because of the fees. For instance, Mr. Stone might receive a call from a property owner that he manages to mark a week or month off for maintenance, when they are renting to a relative at a reduced rate and will not report that as income. This increase will produce more transactions off the books.

Olivia Bueno introduced herself as the Vice Chair of the Charleston Surfrider Foundation that works to protect the waterways. She thanked the City for its stand in being the first local government in the state to ban single-use plastic bags; today seventeen (17) municipalities have

banned these plastic bags. She noted that, with the ongoing problem of plastics in the waterways, it is making its way into our drinking water through the food chain. She said that her purpose in attending tonight's meeting was to encourage Council to move forward with the ban on plastics on the beach. Folly Beach was the first beach community to do this, and in coordination with the Surfriders' education campaign, Folly Beach has reduced the plastics on their beach by eighty percent (80%). She offered the Surfrider's assistance in the prohibition of plastics on the beach.

Councilmember Kinghorn, 412 Merritt Boulevard, recognized the recent passing of Senator Ernest Hollings, who served as a soldier, his state and the federal government in the U.S. Senate. He commented that Senator Hollings was an outstanding public servant and had a life well lived. He added that one (1) of the reasons he chose to run for Council was for evenings like this where the issues were not always easy, there were emotions, feelings and diverse opinions about difficult issues. He took the opportunity to congratulate his fellow Councilmembers, who come from different backgrounds, career streams and different personal experiences, but always have the island's best interests at heart.

Graham Sturgiss, 1131 Wando Road, Cainhoy, he stated that his first experience surfing was here next to the pier at the age of fifteen (15) a time that he was certain he knew what he was doing. From law school, he headed right back to the island and lived here for six (6) years; he met his wife on Palm Boulevard and proposed to her on Ocean Boulevard. He stated that the Isle of Palms had been an integral part his life and he wanted others to have the same experiences. If the lessons are legalized, he was certain that his son would be submitting a proposal; his son is the only ASI (Academy of Surfing Instructors, the world's leading surfing accreditation and training organization) surfing instructor between Florida and North Carolina. kids do not have to go to Folly, but do it right here. He said that they would be "safer surfers and be good stewards of the beach." He stated that no one was more dedicated to the ocean and the beach than surfers." He asked that Council give serious consideration of this opportunity. He said that his son's proposal was to have two (2) instructors with four (4) students; he opined that the only impact would be positive.

Request for a City-sponsored event from HGTV for filming on the beach on Thursday, May 2nd from 10:00 a.m. to 12:30 p.m. for an upcoming episode of *House Hunters*

Interim Administrator Fragoso commented that Circus Dog Productions has been producing *House Hunters* episodes for twenty years and they have requested City-sponsored event status to film on the beach in Wild Dunes for two and a half hours (2½ hrs.) on Thursday, May 2, 2019. They want to present to the viewers a look at life on the coast of South Carolina. The crew will be made up of four (4) people accompanying the homebuyer, a friend and a dog, and they will be using a normal sized van, no semi-trailer trucks. They have already submitted the Certificate of Insurance naming the City as "additional insured." Staff recommends the approval of this activity as a City-sponsored event.

MOTION: Councilmember Kinghorn moved to approve the HGTV filming on the beach on May 2, 2019 as a City-sponsored event; Councilmember Moya seconded and the motion PASSED UNANIMOUSLY.

Thomas & Hutton presentation of IOP Water and Sewer Master Plan

The Power Point presentation is attached to the historical record of the meeting.

The key points in the presentation were that sewerage of the entire island would cost approximately twenty million dollars (\$20,000,000) and accomplished over an eight (8) year window. The next step will be to look at funding strategies and to begin identifying funding sources such as raising rates, FEMA grants, loans, fees, partnering possibilities, cost-sharing strategies, etc. The Water and Sewer Commission needs to identify the site for the new pump station as soon as possible to lock it in and to begin negotiations on the price. Mr. Yodice stated that, over time, the project will only get costlier, but a time will come when it has to be done, and then the costs will be considerably higher and the timing will be tight – meet DHEC deadlines or EPA demands. He recommended that the City and IOPWSC be proactive in addressing this issue.

The Mayor suggested that Council, the Board and management of the Water and Sewer Commission and Mr. Yodice should meet together to set the groundwork for where they need to go and how they are going to get there.

Dana Love of 9 Sand Dollar Circle addressed Council as the Chair of the IOP Water and Sewer Commission and voiced the Board's opposition to the franchise fee on water and sewer that is later on the Agenda. He stated that if it is imposed, it will be an "operating expense" for the Commission and "must be passed on directly to [our] customers," and he urged Council not to "impose this tax on the water and sewer customers."

Due to the hour, Mayor Carroll asked the Committee Chairs to only cover the important matters from their Committee meetings.

4. Reports from Standing Committees
A. Ways and Means Committee

From the meeting of April 16th, Councilmember Ward reported that the Committee was updated on the City's financial position three-quarters (¾) of the fiscal year. Through March 31st, the City has received seventy-one percent (71%) of the City FY19 budget, and General Fund revenues are forecasted to end the year approximately five hundred thirteen thousand dollars (\$513,000) more than budget. General Fund expenditures for all departments were at sixty-nine percent (69%) of budget through nine (9) months, and expenditures were forecasted to end the year under budget by four hundred twenty-six thousand dollars (\$426,000). The General Fund is forecasted to end the year nine hundred fifty-nine thousand dollars (\$969,000) to the good as compared to budget. The Treasurer reported that in March parking revenue was approximately seventy-seven thousand dollars (\$77,000) when parking revenue for March 2018 was thirty-five thousand dollars (\$35,000). Revenues from the Wild Dunes construction project were forecasted to exceed the FY19 budget by four hundred seventy thousand dollars (\$470,000) at June 30, 2019. In March, the City received three hundred ninety-three thousand dollars (\$393,000) in CTC and TST grants for Phase II Drainage.

1. **Award of a contract to Munnerlyn Pyrotechnics in the amount of \$25,000 for July 4th fireworks display** (Pg. 28, In 255 - State ATAX, General Government Programs/Sponsorships, July 4th fireworks - \$35,000)

Mayor Carroll stated that this was the third renewal of a three (3) year contract.

MOTION: Councilmember Ward moved to award a contract to Munnerlyn Pyrotechnics in the amount of \$25,000 for 2019 July fireworks display; Councilmember Kinghorn seconded and the motion PASSED UNANIMOUSLY.

2. **Award of a contract to Lee and Associates to act as the City's real estate consultant relative to the RFP for the marina restaurant in the amount of six (6%) of the gross lease value payable at lease execution**

MOTION: Councilmember Bell moved to award a contract to Lee & Associates as the real estate consultant for the marina restaurant RFP; Councilmember Ward seconded.

Councilmember Kinghorn recalled that he had voted against this contract at the Ways and Means Committee but it was approved; he repeated his question from that meeting asking is the City had checked the references for this vendor. The Interim Administrator said that she had not. He expressed concern that the City would award a six (6) figure contract without checking references, and he could not support it.

VOTE: The motion PASSED on a vote of 8 to 1 with Councilmember Kinghorn casting the nay vote.

3. **Approval of Change Order to Civil Site Environmental in the amount of \$13,136.54 for labor and materials to adjust the depth of a section of the pipe adjacent to the Morgan Place Drive within Wild Dunes (Pg. 42, In 101 – Public Works Special Projects, Complete Phase II Drainage - \$1,125,000 from Capital Projects and \$375,000 from Muni ATAX)**

MOTION: Councilmember Rice moved to approve the Change Order from Civil Site Environmental; Councilmember Moyer seconded and the motion PASSED UNANIMOUSLY.

4. **Award of a contract to Ravenel Ford in the amount of \$32,738 for the purchase of one Ford F150 pickup truck for the Fire Department (Pg. 25, In 113 – Muni ATAX, Fire Department, replaces 2010 pickup truck - \$34,000)**

MOTION: Councilmember Moyer moved to award a contract to Ravenel Ford for the purchase of 1 Ford F150 for the Fire Department in the amount of \$32,738; Councilmember Bell seconded and the motion PASSED UNANIMOUSLY.

5. **Approval of a change order from Thomas & Hutton in the amount of \$13,000 to cover their costs meeting expenses (Pg. 23, In 54 – Capital Projects Fund, Public Works Drainage Contingency, drainage outfall improvements - \$400,000)**

Motion: Councilmember Rice moved to approve the Change Order from Thomas & Hutton in the amount of \$13,000; Councilmember Ward seconded and the motion PASSED UNANIMOUSLY.

6. **Approval of an expenditure not to exceed \$8,500 for the purchase and installation of a water fountain and bottle filling station at Front Beach**

(Pg. 26, In. 133 & 138 - Muni ATAX, Front Beach, Maintenance/Service Contracts & Misc.)

MOTION: Councilmember Rice moved to approve the water fountain/bottle filling for Front Beach; Councilmember Ferencz seconded.

When Councilmember Kinghorn asked if this purchase was in the budget, Councilmember Rice answered that the water fountain/bottle filling station was in the budget and would be paid from accommodations taxes. He suggested in the Committee meeting that City should seek a sponsor.

Interim Administrator informed the Council member that the City has been approached by the owner of the chair and umbrella rental company and a member of the IOP Cleanup Crew who saw the opportunity for a potential contribution. She also told Council that staff was evaluating alternatives for the installation costs; she noted that the cost of the water fountain bottle filling station was forty-three hundred dollars (\$4,300), and the installation was quoted at thirty-five hundred dollars (\$3,500). She and Director Page believe that a member of the Recreation Department staff was capable of doing the installation and substantially reduce the installation cost despite the complications it presents.

Councilmember Kinghorn reiterated that there are two (2) water fountains additional and sinks in the public restrooms. He then inquired if there was a service fee associated with the water dispenser, and the Interim Administrator responded that it was not. Since the fountain will be outside, he believed that it would increase maintenance costs. He asked if staff had contacted the Water and Sewer Commission to find out if they would sponsor it, and the Interim Administrator replied that staff had not done that.

Councilmember Kinghorn assumed that the goal was to encourage people to have re-usable bottles and not to take them on the beach.

When Councilmember Bell asked if there was a warranty, Interim Administrator Fragoso stated that the warranty was for one (1) year under normal conditions.

Councilmember Ferencz did not understand why the Committee wanted to locate the water fountain at Front beach, where there were other sources of water, when there were many accesses that have no access to water.

Councilmember Rice said that this water fountain was the beginning of a hydration station movement; she said they were trying to walk the walk and have places where families could fill their water bottles. She said that Council was doing the right thing and that it was a positive thing.

As a member of the IOP Cleanup Crew, Councilmember Smith expressed her support for the bottling filling station because she has seen firsthand how many plastic water bottles were left on the beach, and this bottle filling station was part of the solution.

VOTE: The motion PASSED on a vote of 6 to 3 with Councilmembers Bell, Ferencz and Kinghorn casting dissenting votes.

7. Approval of implementation of a 3% franchise fee on the IOP Water and Sewer Commission

MOTION: Councilmember Kinghorn moved to implement the 3% franchise fee on the IOPWSC; Councilmember Ferencz seconded.

Councilmember Kinghorn reminded Council that the City has a franchise fee on all other utilities that service the island; he stated that water was the most important utility the City has. He stated that to sewer the island was a major undertaking that was important for the health and safety of the island. In his opinion, everyone should contribute to the project "to insure that the island maintains its environment, health and safety." He questioned that the report was delivered four (4) months ago to the Water and Sewer Commission, and only now, April 23rd, has it made its way across the street. He was clear that the small increase in their billing was not a tax, but a fee, and the Water and Sewer Commission could choose not to pass it along to their customers, a business decision that they must make. It would be used to offset the City's portion of the costs to sewer the entire island. He asked Council to take a stand for the City to have full connectivity to sewer by the year 2030. He noted that the best work for Council was "to set policy and direct staff to go do it," and he urged Council to act accordingly.

Councilmember Moyer recounted that he voted to support the franchise fee at the last Ways and Means Committee meeting; over the past week, he did some research and reflecting on why and when to use a franchise fee. He said that franchise fees were intended to be used to when the fees collected were used exclusively for the purpose of maintaining and enhancing the infrastructure for which they were being collected. Based on the discussions he has heard, he does not think that the way the fees were to be collected, he did not think the City could make that case "directly" for this franchise fee. He expressed the belief that "franchise fee was, truly, a tax," and in this case, one (1) provider was offering an essential service that was used by every person on the island. He suggested that the City should be totally transparent in collecting funds for the sewer project through taxes.

Agreeing with Councilmember Kinghorn's comments completely, Councilmember Bell stated that he did not know what the problem was with collaborating with the Water and Sewer Commission. He was very disillusioned that there was no more active conversation between Council and the Commissioners and that it has taken four (4) months to get a meeting set up and to receive the Master Plan; for him the first step was to mend the relationship. He reiterated that people on the island who have sewer will be paying double the amount of someone who has a septic a septic system. He noted also that many people on septic systems do not want this change; they have not had any problems with it and do not understand the need for sewer. He voiced curiosity about whether the Water and Sewer's billing program could be programmed to allow the franchise fee to be billed only on water, making the fee equitable across the island. He thought that the topic needed a broader policy, a broader discussion and give it more thought.

VOTE: The motion FAILED on a vote of 1 to 8 with Councilmember Kinghorn's vote single supporting vote.

8. **Award of a contract to Benson Ford for 1 Ford Interceptor sedan with all-wheel drive in the amount of \$24,990** (The City has received \$17,000 in insurance from drive at fault; City's outlay is \$7,990)

MOTION: Councilmember Bell moved to award a contract to Benson Ford in the amount of \$24,990 for 1 Ford Interception sedan; Councilmember Ward seconded and the motion PASSED UNANIMOUSLY.

The next Ways & Means Committee meeting will be Tuesday, June 18, 2019 in Council Chambers.

B. Public Safety Committee

From the meeting of April 2nd, Councilmember Buckhannon reported that Ted McKnight of 2 Shad Roe was attending the Committee related to a follow-up from the March meeting where he brought to the Committee the issue of little to no line of sight at beach accesses at the northern end of the island. The City is working with SCDOT to eliminate this problem. The City had a presentation from the Flowbird app, which is an app to use with pay-to-park programs; the app is free to the City. The cost to the user is \$0.35 per transaction with \$0.10 coming back to the City. The rollout is planned for the Memorial Day weekend; Flowbird will provide "ambassadors" who will be on the street showing people how to down load and use the app. This system also works with the Parkeon kiosks and the T2 ticketing program. In order to establish a test area for the stabilizing product on the shoulders of the road, SCDOT needs to have an engineering plan for their review in order to approve the request for an encroachment permit. In a partnership between the City and the COG, a public transportation initiative continued to move forward for a van to bring employees from the parking lot at the old Bi-Lo store in Mount Pleasant to the island; currently food and beverage employees at the marina and Wild Dunes appear to be the most enthusiastic. In an effort to get a better understanding of the coyote problems, the Public Safety Committee will meet with members of the Board of the Wild Dune Community Association tomorrow, April 24th. In order to be legal, the golf cart must be registered with the State and display the handicap placard issued by the S.C. Department of Motor Vehicles. Three (3) persons submitted proposals to perform the enforcement assessment of the Police Department; more consideration will be given to the assessment at the May meeting. The Committee discussed the possibility of establishing a filming permit for those requests to the City for brief and unobtrusive filming on the beach to reduce the red tape for this type of event.

The Public Safety Committee will met again on Monday, May 6, 2019 in the Conference Room.

C. Public Works Committee

From the meeting of April 4th, Councilmember Rice stated that Caroline Bradner, a representative of the Coastal Conservation League offered their support and assistance in Council's efforts to ban plastic products from the beach and waterways of the Isle of Palms. In Director Pits' monthly reported he indicated that both garbage and yard debris collections were down in the month of April; other important work the Public Works' personnel completed were repairs to the Breach Inlet boat ramp, trash removal from the Methodist Church's Tea Room every day it was open, and cleanup of eleven (11) beach accesses. Director Pitts is awaiting confirmation from Charleston

County that the island will again have weekly recycling removal over the summer months. The Committee discussed and would like Council to consider making the Breach Inlet boat ramp a "Residents Only" coat ramp. The construction on Phase II Drainage has been completed; the final survey and the as-builts need to be completed. The balance in the contingency fund for this project will be moved into the account for Phase III drainage. The Committee anticipates recommendations on the areas that Thomas & Hutton have selected as possible small drainage projects the City could complete while it is waiting for the permitting and financing for the Phase III Outfall project. Renovations to the Public Works Building have nearly been completed, and the Committee looks forward to holding some meetings there; Councilmember Rice described it as a "much overdue facelift." Director Kerr confirmed that the subdivisions planned for Forest Trail have generated a good amount of controversy related to drainage and flooding because it has no drainage/stormwater infrastructure. The drainage pipe replacements on Ocean Boulevard have been postponed until October; the City will be obligated to contribute twenty-five thousand dollars (\$25,000) towards materials that is expected to be reimbursed by FEMA. No changes in the Public Works FY20 budget have occurred since the last review. The Committee discussed, at great length, the potential project to install and implement sewer for the entire island; Councilmember Rice asked that you please read the minutes on the City's website if you want more information. They discussed the possibility of using solar power on City Buildings; currently the City is buying solar power from a windmill farm elsewhere in the state through SCE&G. The Committee approved and recommended to City Council the approval of the change order from Thomas & Hutton. Councilmember Smith moved to expand the plastics ban by prohibiting single-use plastic bags, plastic straws, and Styrofoam products on the beach and to include a fine of \$100 per violation. From there the Committee discussed implementing a ban on smoking on the beach since cigarette butts comprise the biggest problem with littering on the beach; the Chair acknowledged that this was a complicated issue and requested that City Attorney Copeland provide the legalities related to it and recommend a course of action.

The next Public Works Committee meeting will be at 4:00 p.m., Thursday, May 7 in the City Hall Conference Room.

MOTION: Councilmember Moyer moved to prohibit the use of single-use plastic bags, plastic straws and Styrofoam Products on the beach with a fine of \$100 for each violation; Councilmember Rice seconded.

Referencing an email she received from a resident, Councilmember Ferencz stated that it had a picture attached of the resident holding what was called a "mutt mit" that she got out of the pooper-scooper station, and it was plastic. She asked why the City was disobeying its ordinance.

Mayor Carroll stated that the ordinance would not go into effect until January 1, 2020.

Interim Administrator Fragoso explained that the new pooper-scooper bags (mutt mitts) are biodegradable and they are going into the distribution boxes when they are refilled. The first locations to have them were the beach accesses where the new beach signs have been installed; she noted that the pooper-scooper bags were made exempt in the ordinance.

Councilmember Ward asked if the City staff had reached out to the businesses to get a feeling for their thoughts on expanding the ban.

The Interim Administrator replied that a meeting was held in City Hall and all business owners on the island were invited to attend, and she commented that not everyone attended. Those who did attend had questions and were actually quite supportive of the change.

According to Councilmember Ward, several Front Beach business owners were not happy about it.

Mayor Carroll said that he was dismayed at the small number of owners who attended.

VOTES: The motion PASSED UNANIMOUSLY.

D. Recreation Committee

Reporting on the meeting of April 1st, Councilmember Smith stated that Dan Harvey, 1004 Grand Pavilion, spoke to the Committee about his enthusiasm at the idea of island children learning to surf. But his level of enthusiasm fell dramatically at the possibility of surfing lessons or camps being offered in the area of the beach in such close proximity to this home and those of his neighbors. When reviewing the monthly report generated by Director Page, they briefly discussed the activity levels in the Cardio Room before moving to the upcoming events beginning with Music in the Park scheduled for Saturday, May 4th which is also the first day of registration for summer camps for island residents. Councilmember Smith reported that Wild Dunes and the Wild Dunes Community Association have notified the City that they have had a change of heart about holding surfing lessons on the beach inside the gates. After meeting with the market managers and considering their reasoning, the Farmers' Market for the summer of 2019 will be held at the Rec Center on 27th Avenue. The plan is to have a scaled-back market and to have more vegetable vendors and fewer craft vendors; although no decisions were made, the Committee discussed changing the months the market would be open and was considering a change to the time of day. On the subject of the FY20 budget, Director Page was asked to investigate an alternate software program to replace RecTrac and to eliminate the outdoor WiFi. Director Page stated that she was looking for instructors or lecturers for coastal science classes for adults and that plans were moving forward. The Committee again discussed the possibility for a community pool at the Rec Center. Councilmember Kinghorn clarified his suggestion about commemorating the 30th anniversary of Hurricane Hugo to a day of education about the changes that have occurred to make the homes on the island more resilient and to educate on hurricane preparedness.

E. Personnel Committee

Councilmember Moye reported that, at the regular meeting of April 2nd, the Committee had studied the selected resumes for the job of Chief of Police and the subsequent interviews where one (1) candidate stood out above the others. He announced that the background and reference checks were completed with no hiccups, and the selected candidate was to be announced to Council in the next couple of weeks at a Special Meeting of Council. For the position of the Assistant Public Works Director, a number of qualified candidates were sent the employee assessment to complete. Based on those scores, Director Pitts and HR Officer DeGroot would set up face-to-face interviews; the goal was for Director Pitts make his decision known to Council at the end of the month.

For the position of City Administrator, the Personnel Committee was happy with the quality of candidates Mr. Mercer attracted. Councilmember Moyer said that the process the City undertook to hire the Chief of Police had been a learning experience for the Personnel Committee and that the process would be handled differently when interviewing for the City Administrator. The candidates have been screened, and the top four (4) candidates will be interviewed by the Personnel Committee on Thursday, May 9th and Friday, May 10th. The finalists(s) will be selected and invited back in a couple of weeks for a more in depth interview with the members of the Personnel Committee and HR Officer DeGroot, and the balance of Council will be invited to observe. He asked that Councilmembers submit interview questions to the HR Officer; the Personnel Committee will review them and determine how to add them to the structured interview questions.

Councilmember Bell recalled that the resumes for Police Chief were sent to all of Council to select the candidates to be interviewed based on the number of votes he/she received, and he noted that no one outside of the Personnel Committee has seen any of the resumes submitted for the City Administrator position. In his opinion, the lesson learned from the interviews for the Chief of Police position was what Council did not know about how to conduct an interview. He added that following the process described above, Councilmember Moyer was assuming that Councilmembers trust the Personnel Committee to select the candidates to be interviewed without any input from the other members of Council.

Councilmember Moyer quoted the City Code §1-3-31C(5)(d) that states

“The Personnel Committee shall serve as the hiring committee to fill a vacancy in any City department manager position.”

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He added that what he learned was that he was “far too accommodating” in the process of hiring the Police Chief; he continued that the Personnel Committee was going to take charge and present Council with finalist(s). Since the City ended up with the right person for Chief of Police, he was confident that, by doing it this way, the process will be faster and painlessly and would result in the right candidate for City Administrator.

The Personnel Committee did not get an update on ad hoc committees due to the involvement of the Interim Administrator in the hiring processes and matter of far greater importance, but the top candidate for Chief of Police recommended establishing citizen action committees. The Committee discussed criteria for selecting members to serve on the City's board and commissions; the Committee also learned more about the duties and lengths of terms of each one. They also discussed the strategic planning process and the addition of funds to the FY20 budget to have outside assistance through this process from the Joseph F. Riley Center for Livable Communities. The Committee discussed elevating the position to Director of Human Resources, creating a more strategic HR role in the City, and the Chair noted that funds were added to the FY20 budget to accommodate that position. In the discussion of the FY20 budget, the primary change was the addition of a line for Employee Training in General Government; the Building Department budget was increased to allow for the purchase of software to track short-term rentals on the island.

The Personnel Committee will meet again at 8:30 a.m., Tuesday, June 4th in the City Hall Conference Room.

The vacancies as of this date were:

Police Department – 1 Chief of Police, 1 Communications Specialist, 2 BSOs
Fire Department – none
Public Works – 1 Assistant Director, 1 CDL driver
Recreation – seasonal openings
General Government – 1 City Administrator

F. Real Property Committee

From the meeting of April 3rd, Councilmember Bell reported that Carla Pope and Jay Clarke from Morgan Creek Grill stated that an independent engineer had determined that the building's structure under the walk-in cooler was stable at this time and he will return to check it again in June. The plan is to replace that part of the building in the fall. The Councilmember informed Council that a meeting, attended by Mr. Clarke, the Fiem brothers of Tidalwave and Brian Berrigan, Maria Manager, was held on the issue of parking. Mr. Clarke reported that, due to the heavy equipment used for the rehabilitation of the bulkhead and installation of new underground storage units, the roadway leading to the restaurant was damaged, as were the boat ramp and other sections of the marina. Ms. Pope again pleaded with the Committee to complete the RFP for the marina restaurant as quickly as possible in order to get it out to potential bidders; she indicated that Morgan Creek Grill was having problems in attracting and keeping wait staff and kitchen help because of the state of limbo that the restaurant was operating. Councilmember Bell stated that no matter what financial arrangements were worked out over the remaining term of the lease, the roof and the walk-in cooler must be replaced. Relative to the Tidalwave lease, the Councilmember wanted to make one (1) thing clear to everyone interested that, if the docks were to go out to bid, as Chair of the Real Property Committee, he did not want to see another water sports business operating from those docks. The bigger question was what was the City going to do in a longer term with the marina overall? Then contemplating whether to issue a new lease with Tidalwave. On the subject of a new lease, he stated that, acting on the advice of Council to enter into a new lease for those docks would require that it go out to bid. Although a discussion on the restaurant building assessment was on the Real Property's agenda for the April meeting, the Committee had not received the report prior to the meeting; he expected to have that discussion at the May 1 meeting. The assessment report will be the basis from what the City must do financially and otherwise in the RFP process for the marina restaurant and will likely generate interesting discussion about the future of the marina. Steven Traynham of Coastal Science and Engineering (CSE) presented the results of the 2018 beach monitoring survey; he was pleased with the way the last renourishment project was holding. In this report, he brought up the concerns related to Breach Inlet; after further explanations and discussion, the Committee agreed that CSE should begin the permitting process for a project in that area of the beach. He was concerned that the City should get a permit so that it could respond to a serious storm rapidly.

Councilmember Bell said that contractor for the removal and installation of the underground storage tanks was behind his timeline by three to four (3 – 4) weeks; he was expected to complete the electrical and concrete work this week. If his plans hold true, the final DHEC inspection is scheduled on Friday, April 26. The hose reels should be received in a couple of weeks, and, in the meantime, the old hoses will be used. Per the contract, the project was to have been completed in eighty (80)-days, and the City is prepared to initiate the liquidated damages clause of the contract. On the marina dock rehabilitation, the City has continued its partnering with ATM through Kirby Marshall to complete the permit application documents, and Mr. Marshall was trying to schedule a meeting with DHEC, the Army Corps of Engineers, City staff, marina tenants and Mr. Marshall. On the subject of the OCRM violations found at Tidalwave and their encroachment into the 125-foot setback from the centerline established by the Corps of Engineers, he stated

that the City was working collaboratively with Tidalwave in an effort to resolve them. In addition, the City needed to learn what could be done about the City dock that also intrudes about three (3) feet. Trident Construction Company was working to complete the report on the forensics performed on the Public Safety Building; they have agreed to have the report to the City before the FY20 budget was adopted. Councilmember Bell commented that the Interim Administrator has been working with the City Attorney on an ordinance about small antennae that will be needed in order for 5G to replace 4G; the ordinance would prevent the larger carriers, Comcast, AT&T and Verizon, from placing the new antennae anywhere they choose. He assured those present that neither the Real Property Committee nor City Council have discussed "throwing Tidalwave out"; the only discussions have been relative to the lease they currently have. The current lease requires that the City advise them one (1) year in advance of the lease termination that it does not intend to renew that lease.

MOTION: Councilmember Bell moved to suspend the rules of order to allow the property owner's attorney Beth Settle to explain the circumstances to Council; Councilmember Rice seconded and the motion PASSED UNANIMOUSLY.

1. Ms. Settle explained that lots 54 and 55 were purchased in 1957; as years passed, this area of the beach accreted significantly and, in 1991, The Beach Company sold the accreted land to the property owners behind them to prevent these new lots from being built upon thereby blocking the ocean views. They were sold with the restriction that the accreted lots would be joined with the lot behind it and would always be sold as one (1) lot, i.e. lots 54/55 and lots 54A/55A. In 1992, The Beach Company conveyed the right to enforce the covenants to the City, which was why they were before Council at this meeting; they were seeking to have the lots conveyed as 54/54A and 55/55A.

MOTION: Councilmember Ward moved to approve a request by landowner for the City of Isle of Palms to modify covenants and restrictions related to lots 54/55 between 34th and 35th Avenue to conform to intent of the parties and consistent with previous action of City Council on similarly situated lots; Councilmember Bell seconded and the motion PASSED UNANIMOUSLY.

2. Interim Administrator Fragoso stated that this section of 33rd Avenue was a paper road that was never developed and was evenly split among the adjoining property owners. One (1) property was still in need of getting a Quit Claim deed to obtain clear title to the land.

MOTION: Councilmember Bell moved to provide the property owner with a Quit Claim deed from the City for the unopened portion of 33rd Avenue, 2,532 sq.ft.; Councilmember Ward seconded and the motion PASSED UNANIMOUSLY.

3. Consideration of notification to Tidalwave Watersports that the City has no intention to renew the lease as is or to exercise the lease renewal option

Councilmember Bell stressed that this motion and action of Council was specific to the lease as it existed today; it has nothing to do with any future relationship with Tidalwave Watersports.

MOTION: Councilmember Bell moved to notify Tidalwave Watersports that the City will not renew the lease or exercise the renewal option of the existing lease; Councilmember Ferencz seconded.

Councilmember Ward requested that, if the City's intention was to work with Tidalwave in the future, it should begin today; they should not be left out in limbo.

Councilmember Bell stated that, to remain consistent with other actions related to the marina, the City must go out to bid, but the Tidalwave lease will not expire until September 30, 2020. He said that the City could start the RFP process today or it could wait until Lee & Associates comes back with their data on the possibilities for the marina property facing the Intracoastal Waterway. He voiced his preference to follow the process in an orderly manner and to go with where it will lead the City.

From the Ways and Means Committee meeting, Councilmember Ferencz recalled the request for a marina workshop to discuss the many issues at the marina. She opined that City Council as a whole needed to get a clear picture of where the City was going with the marina, and a lot of work was put into that and the City poses those documents. Council would not be starting from scratch. She added that she did not know how to move forward with actions related to the restaurant or the watersports dock until the future makeup and appearance of the marina was established. She asked that the staff work with the Mayor to set a date for a marina workshop as soon as possible.

Councilmember Bell stated that none of that would happen before the notification related to the current lease.

Councilmember Bell expressed his agreement with Councilmember Ferencz and stated that the date for this meeting should be set sooner rather than later. He recognized a recurring theme in the citizen's comments that the owners operate a quality business in a most professional manner and that they have earned the respect of a large portion of the population. He reiterated that this action of Council was not about the owners or the City's doing business with them; it was about the way the existing lease was written.

Interim Administrator Fragoso explained that the City Code did not require the City to go out to on a Request for Proposal (RFP); it is an alternative. She reminded Council that, last year, they passed a motion that new leases and contracts were to go through the RFP process.

Councilmember Rice opined that the City needed stringent guidelines in terms of time to ensure that Tidalwave knew what the future held for them.

Councilmember Bell granted that the marina rehabilitation plan had many good elements, but no one was going to support expending the amount of money tied to it. Council was responsible to go through the process, as smartly as they can; he stated that Council must have a process on how it deals with all of the real estate at the marina.

Mayor Carroll noted that the City would have an opportunity in 2020 with two (2) tracks of land available. He noted that the young owners have done a great job with Tidalwave Watersports, and residents have been clear that they want water access to fish off the docks, to launch a kayak, to go paddle boarding.

Councilmember Ferencz asked that Council come to the marina workshop knowing that they need a decision at meeting's end.

Councilmember Buckhannon reminded Councilmember that presently the City has failing infrastructure at the marina with one (1) dock that recently collapsed and other finger piers on questionable. He thought that the idea of getting rid of a potential revenue source made no sense, but he agreed that a new lease needed to be negotiated.

VOTE: The motion PASSED on a vote of 5 to 4 with Councilmembers Kinghorn, Rice, Smith and Ward dissenting.

5. REPORTS FROM CITY OFFICERS, BOARDS AND COMMISSIONS

- A. Accommodations Tax Advisory Committee** – no meeting March
- B. Board of Zoning Appeals** – minutes attached
- C. Planning Commission** – minutes attached

6. REPORTS FROM SPECIAL OR JOINT COMMITTEES – None

7. PETITIONS RECEIVED, REFERRED OR DISPOSED OF – None

8. BILLS ALREADY IN POSSESSION OF COUNCIL

- A. Second Reading of Ordinance 2019-05 – An Ordinance Amending Title 7, Chapter 1, Business Licenses, of the City of Isle of Palms Code of Ordinances, Regarding the Increase of Short-Term Rental License Fees**

MOTION: Councilmember Ferencz moved to waive the reading and to adopt Second Reading of Ordinance 2019-05 - An Ordinance Amending Title 7, Chapter 1, Business Licenses, of the City of Isle of Palms Code of Ordinances, Regarding the Increase of Short-Term Rental License Fees; Councilmember Bell seconded.

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Knowing that this increase must be done through an ordinance means to Councilmember Moya that it is done infrequently, and, since the City has not increased the business license fees in twelve (12) years, he was not comfortable judging if it was a drastic increase.

Councilmember Rice said that she could not support the ordinance because she thought the increase was severe.

Councilmember Ferencz noted that the City had not made gradual increases over the years and that it now had to catch up; Council has recognized that it must find new revenue sources.

The Mayor opined that passage of this ordinance doubling the fees for short-term rental licenses was "killing the golden goose; he stated that the rental business needed to survive on the Isle of Palms because of the revenue they bring into the City, i.e. rental license fees, property taxes, accommodations tax fees, etc.

VOTE: The motion PASSED on a vote of 5 to 4 with Councilmembers Buckhannon, Rice, and Ward and Mayor Carroll dissenting.

- B. Second Reading of Ordinance 2019-06 – An Ordinance Amending Title 3, Public Works, Article A, Stormwater Management Fee**

MOTION: Councilmember Smith moved to waive the reading and to adopt Ordinance 2019-06 – An Ordinance Amending Title 3, Public Works, Article A, Stormwater Management Fee; Councilmember Ferencz seconded.

Mayor Carroll stated that the stormwater fee would go from forty-eight dollars

Councilmember Buckhannon stated that he opposed passage of this ordinance because it as an across-the-board increase – the small house was being asked to pay the same as the rental house the sleeps fifteen to twenty (15 to 20) people. He opined that the fee should be based on the square footage of the house because of the difference in the impact of stormwater runoff.

VOTE: The motion PASSED on a vote 7 to 2 with Councilmembers Buckhannon and Moya dissenting.

C. Second Reading of Ordinance 2019-07 – An Ordinance Amending Title 5, Planning and Development, Chapter 4, Zoning, Article 2, District Regulations

Mayor Carroll stated that this ordinance was about lot size, and he would like to see it turned back to the Planning Commission for further consideration because he thought it would have unintended consequences. Based on the “pending ordinance doctrine”, the ordinance was already into effect; therefore, he did not want any action on the ordinance tonight, and Council agreed.

D. R.2019-01 – A Resolution to increase Franchise Fees with Comcast from 3% to 5%

MOTION: Councilmember Ferencz moved to approve Resolution R.2019-01 to increase the franchise fees with Comcast from 3% to 5%; Councilmember Bell seconded.

Councilmember Moya said that he had an internal conflict with this ordinance because a franchise fee was a tax, and, currently Comcast was being given an unfair advantage over its competitors whose franchise fees has been 5% for some time. With the adoption of this resolution, the City would be leveling the playing field.

VOTE: The motion PASSED on a vote of 7 to 2 with Councilmembers Buckhannon and Ward dissenting.

E. Resolution.2019.02 – A Resolution to increase Building Permit Fees

MOTION: Councilmember Buckhannon moved to approve Resolution.2019-02; Councilmember Moya seconded, and the motion PASSED UNANIMOUSLY.

9. Introduction of New Bills, Resolutions and Proclamations

A. First Reading, by title only, of Ordinance 2019-08 – An Ordinance to Establish the Standards for the Placement of Small Wireless Facilities in Covered Areas of the City of Isle of Palms, South Carolina; and for other purposes.

MOTION: Councilmember Bell moved to approve for First Reading, by title only of Ordinance 2019-08 - An Ordinance to Establish the Standards for the Placement of Small Wireless Facilities in Covered Areas of the City of Isle of Palms, South Carolina; and for other purposes; Councilmember Ferencz seconded and the motion PASSED UNANIMOUSLY.

- B. First Reading, by title only, of Ordinance 2019-09 – An Ordinance Amending Title 8, Motor Vehicles and Traffic, Chapter 2, Stopping, Standing and Parking of Vehicles, Article A, Standard Provisions**

Mayor Carroll said that this ordinance was about handicap access to the beach via golf carts.

MOTION: Councilmember Moyer moved to approve for First Reading, by title only, of Ordinance 2019-09 – An Ordinance Amending Title 8, Motor Vehicles and Traffic, Chapter 2, Stopping, Standing and Parking of Vehicles, Article A, Standard Provisions; Councilmember Ward seconded and the motion PASSED UNANIMOUSLY.

- C. First Reading, by title only, of Ordinance 2019-10 – An Ordinance to Raise Revenue and to Adopt a Budget for the City of Isle of Palms, South Carolina, for the Fiscal Year Beginning July 1, 2019 and Ending June 30, 2020**

MOTION: Councilmember Ward moved to approve, by title only, Ordinance 2019-10 – An Ordinance to Raise Revenue and to Adopt a Budget for the City of Isle of Palms, South Carolina, for the Fiscal Year Beginning July 1, 2019 and Ending June 30, 2020; Mayor Carroll seconded and the motion PASSED UNANIMOUSLY.

- 10. Miscellaneous Business – None**

Next Meeting Date – 6:00 p.m., Tuesday, June 18, 2019 in Council Chambers

- 11. Executive Session – not needed**

- 12. Adjourn**

MOTION: Councilmember Buckhannon moved to adjourn the meeting at 9:35 p.m.; Councilmember Moyer seconded and the motion PASSED UNANIMOUSLY.

Respectfully submitted:
Marie Copeland, City Clerk

APPLIED TECHNOLOGY AND MANAGEMENT, INC.



PROPOSAL FOR MARINA CONSULTING SERVICES

ISLE OF PALMS MARINA

PREPARED FOR:
CITY OF ISLE OF PALMS

REV. APRIL 29, 2019

PROPOSAL FOR MARINA CONSULTING SERVICES

ISLE OF PALMS MARINA ISLE OF PALMS, SOUTH CAROLINA

INTRODUCTION AND PROJECT UNDERSTANDING

Per previous discussion with Ms. Desiree Fragoso of the City of Isle of Palms, ATM understands that the City would like to review design and bidding fees for the replacement of additional dock areas within the Isle of Palms Marina facility. ATM's initial RFP response and current contract includes the design and bidding of what we have termed "Dock Area A" (see below image).



This proposal provides a scope and fee to develop a plan and specification package for Dock Areas "B" and "C" as well as a scope and fee for additional bidding efforts. Please see the below tasks for additional information.

TASK 1: COASTAL CONDITIONS ASSESSMENT

The project site is exposed to a dynamic environment in which conditions such as wind, waves, wakes, currents, tides, and extreme water levels will have a marked effect on the proposed marina rehabilitation during both operational and storm conditions. Design of the proposed improvements requires input design hydrodynamic conditions (e.g. extreme and operational winds, wave heights, surge levels, etc.).

ATM will provide a desktop analysis of the range of environmental conditions (including bathymetry, winds, waves, wakes, currents, tides, and storm surges) which can be expected to affect the project site. This updated analysis will include readily available updated datasets and methodologies. Under this task, ATM will:

- Review of ATM's previous local and regional efforts and design condition conclusions
- Review of readily available wind data, normals and extremes for the project site
- Evaluate potential tides, water levels and currents at the site (operational and extreme conditions)
- Assess site exposure to winds, waves, and currents
- Calculation of wind-generated waves under the range of wind scenarios (operational and extreme conditions)
- Determine potential vessel wakes at the site
- Develop wave characteristics at the site (significant wave height, max wave height, wave period, wave direction, etc.) for operational and extreme conditions

Note that all analyses will be based solely on readily available information and simplified methods and do not include numerical models, physical models, or studies of seiching, wave refraction or diffraction.

Deliverable – The deliverable for this task will be a short technical memorandum (PDF format) summarizing the coastal conditions assessment, including a range of design conditions (e.g. 25-yr, 50-yr storm level) for Owner and project bidder consideration.

TASK 2: DOCK AREA B DESIGN DEVELOPMENT

Under this task ATM will develop:

- Dimensional layout(s) of the docks suitable for project bidding
- Detailed design plans and specifications for marine utility systems on the fuel dock:
 - Fire standpipe – Based upon recent experience and National Fire Protection Association standards, it is assumed that a fire suppression standpipe system will be required. *Note:*

This item may be removed or modified based on direction/negotiations with City Fire Department officials.

- Electrical service to slip pedestals and fuel hut building
- Potable water to slip pedestals
- Gangway technical specifications
- Floating dock technical specifications
 - ATM will utilize readily-available information sources as well as that developed in Task 1 to determine appropriate wind, wave, current, and other design criteria for the floating docks.
 - Design loading will be reviewed with the City as part of the development of the floating dock technical specifications.
- Anchor piling technical specifications

The deliverable for this task will be a comprehensive set of drawings and specifications suitable for project bidding and construction.

TASK 3: DOCK AREA C DESIGN DEVELOPMENT

Under this task ATM will develop:

- Dimensional layout(s) of the docks suitable for project bidding
- Detailed design plans and specifications for marine utility systems on the fuel dock:
 - Fire standpipe – Based upon recent experience and National Fire Protection Association standards, it is assumed that a fire suppression standpipe system will be required. *Note: This item may be removed or modified based on direction/negotiations with City Fire Department officials.*
 - Electrical service to slip pedestals and fuel hut building
 - Potable water to slip pedestals
- Gangway technical specifications
- Floating dock technical specifications
 - ATM will utilize readily-available information sources as well as that developed in Task 1 to determine appropriate wind, wave, current, and other design criteria for the floating docks.
 - Design loading will be reviewed with the City as part of the development of the floating dock technical specifications.
- Anchor piling technical specifications

The deliverable for this task will be a comprehensive set of drawings and specifications suitable for project bidding and construction.

TASK 4: BID PACKAGE DEVELOPMENT AND BIDDING SERVICES

Bid Package Development

Once the design of the various project components is developed, ATM will compile a comprehensive bid package for solicitation of competitive bids from qualified marine general contractors and commercial dock suppliers. This package will be developed using AIA, EJCDC, or City-provided form documents to the extent practicable and will include, but not necessarily be limited to, the following primary components:

- Front End Documents
 - Project Narrative/Invitation to Bid
 - Instructions to Bidders
 - Bid Form/Schedule of Values
 - Form of Contract
 - Insurance/Bonding Requirements
- Bid Drawings
- Technical Specifications
- Technical Appendices (Geotechnical Information*, Coastal Conditions Assessment, Permits, etc.)
 - * *It is assumed that the geotechnical investigation initiated with the Dock Area A work will include requisite borings and geotechnical information for the remainder of the dock system replacement on Morgan Creek.*

All of the documents described above will be compiled into a comprehensive set of bid documents suitable for distribution to Contractors and commercial dock suppliers for bidding of the work. Those elements of the package that represent final designs will be signed/sealed by a Professional Engineer registered in the State of SC, as/if required.

The deliverable for this sub-task will be a comprehensive bid package including drawings, specifications, and front-end documents suitable for bidding of the proposed expansion works.

Bidding Services

ATM will utilize the comprehensive bid package developed above to procure formal, competitive bids for the proposed replacement of the dock section. ATM will administer the bidding process on behalf of the City and will act as primary point of contact and liaison between the City and bidders. Specific responsibilities under this task will include:

- Contact regional contractors and dock suppliers to gauge interest in the project and to identify appropriate contact persons for bid package distribution
- Develop distribution list of qualified bidders and suppliers based upon ATM's experience in the region and industry contacts
- Coordinate with the City to advertise/distribute bid packages.
- Coordinate and lead a pre-bid meeting with the City, prospective bidders, and suppliers. *It is assumed that this meeting will be held onsite and will be two (2) hours in duration.*

- Review and respond to technical queries (RFIs) during the bidding process; Formal addenda will be developed and issued to bidders as needed. *Limited to 8 hours of ATM professional time for proposal purposes.*
- Conduct technical review of received bids
 - Tabulate bids in MS Excel™ software for ease of comparison
 - Review bids to ensure thoroughness and adherence to bid requirements
 - Review contractor's technical bid submittals for conformance with design intent and criteria

Note: ATM's technical review is not intended to include an exhaustive review of multiple alternates or complex contractual matters.

- Provide formal recommendation for award to the City with regard to contractor selection
- Provide technical support to the City during negotiations with the selected contractor(s). *Limited to 2 hours of ATM professional time for proposal purposes.*

Deliverables: *Pre-bid meeting agenda, pre-bid meeting minutes, addenda, bid tabulation in MS Excel format, summary memorandum of technical review of bids including contractor selection recommendations*

Pricing below is PER Bidding Occurrence.

SUMMARY OF PROFESSIONAL FEES

Task	Scope Element	Professional Fee
1	Coastal Conditions Assessment	\$6,500
2	Dock Area B Design Development	\$20,000
3	Dock Area C Design Development	\$26,500
4	Bid Package Development and Bidding Services (per occurrence)	\$15,000

ATM is prepared to initiate work on this effort immediately upon receipt of an executed contract amendment. Does not include Intracoastal Dock or Watersports Dock.

April 25, 2019

Desirée Fragoso
Interim City Administrator
City of Isle of Palms
1207 Palm Boulevard
Post Office Box 508
Isle of Palms, SC 29451

Re: RFP 2019-02 Island Wide Beach Monitoring Outside of the Beach Renourishment Project Area

Dear Ms. Fragoso,

CSE is pleased to submit the enclosed proposal for beach monitoring outside of the 2018 beach nourishment project area at Isle of Palms. CSE has been involved with shoreline management at Isle of Palms for over 35 years. Over the past decade, CSE has worked for the City in all aspects of beach management, including surveys similar to those detailed in the RFP, permitting and execution of beach restoration projects, hurricane response, coastal policy, education, and outreach. This work has been completed for costs lower than contracted budgets, demonstrating CSE's appreciation for the responsible use of public funds. Our team has invested corporately and individually in the island and has developed close working relationships with City staff and the community. We hope to continue this relationship long into the future.

CSE is unquestionably the most experienced and qualified company to complete the work, as we have over 35 years of local experience working on the shoreline of Isle of Palms. We also have more experience surveying and analyzing South Carolina beach volume changes than any other entity. The quality of our work is evident in our long-running working relationships with several coastal communities, including Edisto Beach (20+ years), SC Department of Park, Recreation, and Tourism (25+ years), Seabrook Island (35 years), Kiawah Island (10+ years), and Nags Head, NC (13 years). We are also the company hired by SCDHEC-OCRM to complete annual surveys of the state-wide beach monitoring network of ~400 profiles, and have worked with OCRM over the past 5 years to refine and improve the quality of the beach profile data to assist OCRM's program goals.

Beyond our consulting role for the City, CSE has invested in Isle of Palms and the beach processes affecting the island by supporting studies, preparing conference presentations and scientific papers, and sponsoring graduate-level student research of the island at our own expense. These efforts increase our professional understanding of the area while providing the City with a work product that exceeds simple beach volume calculations, which improves future beach management decisions.



COASTAL SCIENCE & ENGINEERING
PO BOX 8056 • COLUMBIA SC 29202 • TEL 803-799-8949 • FAX 803-799-9481 • www.coastalscience.com

CSE is presently under contract for permit-required monitoring of the 2018 Beach Nourishment Project area. Selecting CSE for the additional island-wide monitoring will allow for seamless data collection, which provides an improved product, more accurate analysis, and reduces impacts to beachgoers. It will also significantly reduce the administrative requirements of the City, which would otherwise have to coordinate schedules, data transfers, and communication between two consultants. Over the past 10 years, CSE has learned the specific needs and expectations of the City and tailors our reports and communication products to those needs.

We sincerely hope the City selects our team for the work included in RFP-2019-02, and we look forward to continuing serving the City Council, residents, and visitors of Isle of Palms.

Sincerely,

Steven B. Traynum, MS
Vice President
Coastal Science & Engineering

Timothy W. Kana, PhD, PG
President
Coastal Science & Engineering

NON-COLLUSION AFFIDAVIT

The undersigned bidder or agent, being duly sworn on oath, says that he/she has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be bid by anyone at such letting nor to prevent any person from bidding nor to include anyone to refrain from bidding, and that this bid is made without reference to any other bid and without any agreement, understanding or combination with any other person in reference to such bidding.

He/She further says that no person or persons, firms, or corporation has, have or will receive directly or indirectly, any rebate, fee gift, commission or thing of value on account of such sale.

OATH AND AFFIRMATION

I HEREBY AFFIRM UNDER THE PENALTIES FOR PERJURY THAT THE FACTS AND INFORMATION CONTAINED IN THE FOREGOING BID FOR PUBLIC WORKS ARE TRUE AND CORRECT.

Dated this 25 day of April, 2019

Coastal Science & Engineering
(Name of Organization)

Vice President
(Title of Person Signing)

[Signature]
(Signature)

ACKNOWLEDGEMENT

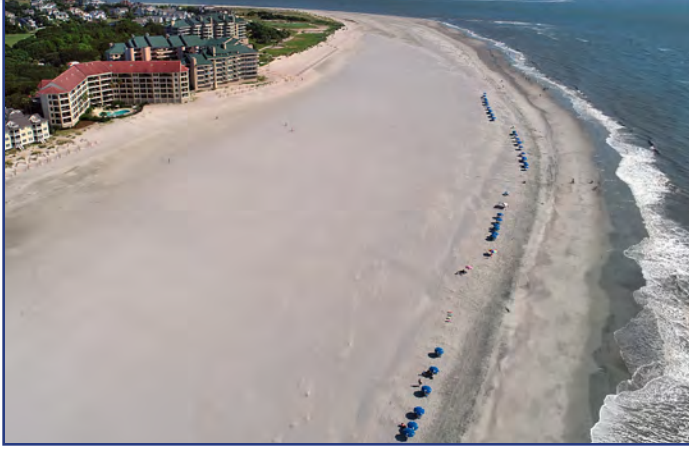
STATE OF South Carolina)
COUNTY OF Richland) ss

Before me, a Notary Public, personally appeared the above named and swore that the statements contained in the foregoing document are true and correct.

Subscribed and sworn to me this 25 day of April, 2019

[Signature]
Notary Public Signature

My Commission Expires: 8/5/2020



Proposal

Island Wide Beach Monitoring
Outside of the Beach Renourishment
Project Area

RFP - 2019-02



COASTAL SCIENCE & ENGINEERING



PROPOSAL

Island Wide Beach Monitoring Outside of the Beach Renourishment Project Area

RFP 2019 – 02

[Due 26 April 2019]

Submitted to:



City of Isle of Palms

1207 Palm Boulevard
Post Office Box 508
Isle of Palms, SC 29451

Submitted by:



Coastal Science & Engineering (CSE)
PO Box 8056, Columbia SC 29202-8056

April 2019

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- Appendix A - Data collection / processing methodology / equipment (supplementary information)
- Appendix B - Resumes of key personnel

Introduction — Island Wide Beach Monitoring at Isle of Palms

This proposal is submitted at the request of the City of Isle of Palms (SC) for annual beach monitoring services of the beach and inshore zone along the Isle of Palms (not including the area of the recently restored beach). The proposed services follow successful completion of previous beach monitoring from 2009 to 2017.

CSE has previously been retained by the City to complete post-nourishment monitoring of the project area as well as the downcoast areas of the Isle of Palms. CSE completed comprehensive surveys of the island and adjacent inlets every year between 2009 and 2017, including additional surveys following a 2008 nourishment project and hurricanes from 2015 to 2017. That monitoring provided yearly updates on the beach condition as well as guidance on expected future trends for project planning. It also served as pre-storm conditions for determining FEMA-eligible storm losses during declared disasters (Hurricanes *Joaquin*, *Matthew*, and *Irma*). The surveys allowed the City to receive \$2,725,000 in federal funds for use in construction of the 2018 project.

The present proposal covers the following engineering services required to provide annual condition assessments for the beach at Isle of Palms. Proposed work includes:

- Liaison with City representatives for scheduling field surveys and preparing periodic project summaries (including graphics and web updates)
- Annual surveys of the downcoast area of the island (Breach Inlet to 53rd Avenue)
- Annual surveys of the Dewees Inlet ebb-tidal delta
- Annual surveys of the Breach Inlet ebb-tidal delta
- Annual reports documenting beach volume changes and nourishment performance

Section A —CSE Background Information, Ability to Perform, and Proposed Personnel

A1. CSE Background Information



CSE specializes in coastal erosion assessments and formulation of soft-engineering solutions, particularly beach nourishment. The cornerstone of our practice is periodic measurements of the littoral profile and development of sand budgets, which are basic prerequisites for determining the principal causes of erosion or projecting future changes at a site.

As the National Academy of Science Panel on Beach Nourishment and Protection (NRC 1995) observed – coastal erosion is site-specific and time-dependent and, therefore, must be placed in context for the particular setting and project life. Misconceptions regarding coastal erosion can often be traced to a lack of understanding of the primary processes acting on a site or confusion regarding the planning horizon.

CSE and its professionals are registered coastal engineers and coastal geologists in North Carolina, South Carolina, Georgia, and New York. Since 1984, CSE principals have completed shoreline erosion assessments at more than 100 sites representing a wide range of wave and tide conditions. This work includes pioneering methods for data collection through the surf zone, numerous sand budget formulations, comprehensive numerical modeling studies, and hundreds of technical reports.

In 1999, CSE set up the Carteret County beach monitoring program which is ongoing using the same methodology and standards. Similarly, CSE initiated annual beach monitoring programs for the state of South Carolina (1988), Nags Head, NC (2004), Town of Southampton, NY (2011), Buxton, NC (2013), and Pine Island, NY (2015). CSE initiated monitoring programs encompassing 50 miles of North Carolina's ~320 miles of beachfront. Many of CSE's shoreline erosion assessments have led to beach restoration projects building on sequential measurements which are key to predicting project design life and preparing realistic construction cost estimates.

Since 1984, CSE has engineered nearly 50 large-scale nourishment projects encompassing over 75 miles of oceanfront and placement of ~40 million cubic yards of beach-quality sand. Five projects have been recognized as Best Restored Beaches by the American Shore & Beach Preservation Association (ASBPA), including Sagaponack-Bridgehampton, NY (2018), Seabrook Island, SC (2016), Folly Beach County Park, SC (2015), Nags Head, NC (2013), and Isle of Palms, SC (2011).



CSE has a staff of 13 individuals, all dedicated to the field of coastal engineering.

If we can be of any assistance in your project plans, please contact any of the individuals listed below.

Dr. Timothy Kana – President

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Drew Giles – Senior Technical Associate

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Coastal Science and Engineering is located at 160 Gills Creek Parkway, Columbia, SC 29209.

This proposal has been prepared and submitted by CSE under the supervision of:

Haiqing Liu Kaczkowski (SC PE #24737)



A2. Ability to Perform Work

Overview

CSE brings the longest history of beach monitoring in South Carolina to the proposed project. The genesis of our database predates the founding of the company in 1984. CSE was originally the Coastal Dynamics Division of Research Planning Institute Inc. (RPI). From 1978 to 1984, RPI established a network of recoverable beach monitoring stations in Myrtle Beach, Isle of Palms, Kiawah Island, and Seabrook Island. These stations were expanded to other sites in the 1980s after CSE was founded and included North Myrtle Beach, Pawleys Island, DeBordieu Beach, Dewees Island, Edisto Island, Hunting Island, Hilton Head Island, and Daufuskie Island. In many cases, these stations served as a basis for some of the earliest detailed shoreline erosion assessments at the sites. In 1987, the Coastal Council of the state of South Carolina established first-order beach survey monuments on nearly all developed beaches using CSE profile lines for many of the monuments. This network of monuments is now well over 400 sites encompassing the developed coast of South Carolina. For nearly five years, CSE coordinated monitoring efforts for the State of South Carolina, providing beach profile analysis software, quality control, and data archiving. The results were reported annually (eg – Eiser et al 1988, Eiser and Jones 1989).

While the SC state network of historical profiles essentially dates to ~1987, many of the earlier RPI/CSE profiles and U.S. Army Corps of Engineers (USACE) profiles have been recovered and incorporated into CSE's database. To supplement the state profiles, several beach communities conduct annual monitoring using more closely spaced profiles. The majority of sites that have been nourished conduct more detailed beach monitoring with 200-foot (ft) profile spacing typical in some areas. Post-nourishment monitoring by the local communities has been ongoing at Hilton Head Island (1990s to present), Hunting Island (1990 to present), Edisto Island (1995 to present), Seabrook Island (1983 to present), Kiawah Island (2006 to present), Isle of Palms (2008 to present), and Myrtle Beach (1986 to present). Numbers and spacing of profiles vary from site to site, but often these efforts offer many times more lines than the state program. CSE continually adds to this database through its ongoing beach monitoring at Edisto Island (SC), Hunting Island (SC) Isle of Palms (SC), Kiawah Island (SC), Myrtle Beach (SC), and Seabrook Island (SC). For this reason, CSE has direct access to the oldest and most comprehensive set of profiles along the South Carolina coast.

Since 1984 (over 30 years in operation), CSE has collected topographic and/or bathymetric data on almost every beach and inlet in South Carolina. Our equipment and in-house capabilities support conducting measurements necessary for shoreline erosion assessments and restoration plans. Combined, CSE has surveyed nearly 1,000 profile lines along the East Coast, most of which have been surveyed multiple times as part of local beach monitoring programs. A majority of the data was

collected in high-energy areas (ie – over shoals, near the beach, and in high-current inlets). Example data coverage from a monitoring survey at Isle of Palms is illustrated in Figure 1. Relevant project experience is discussed in subsequent sections.

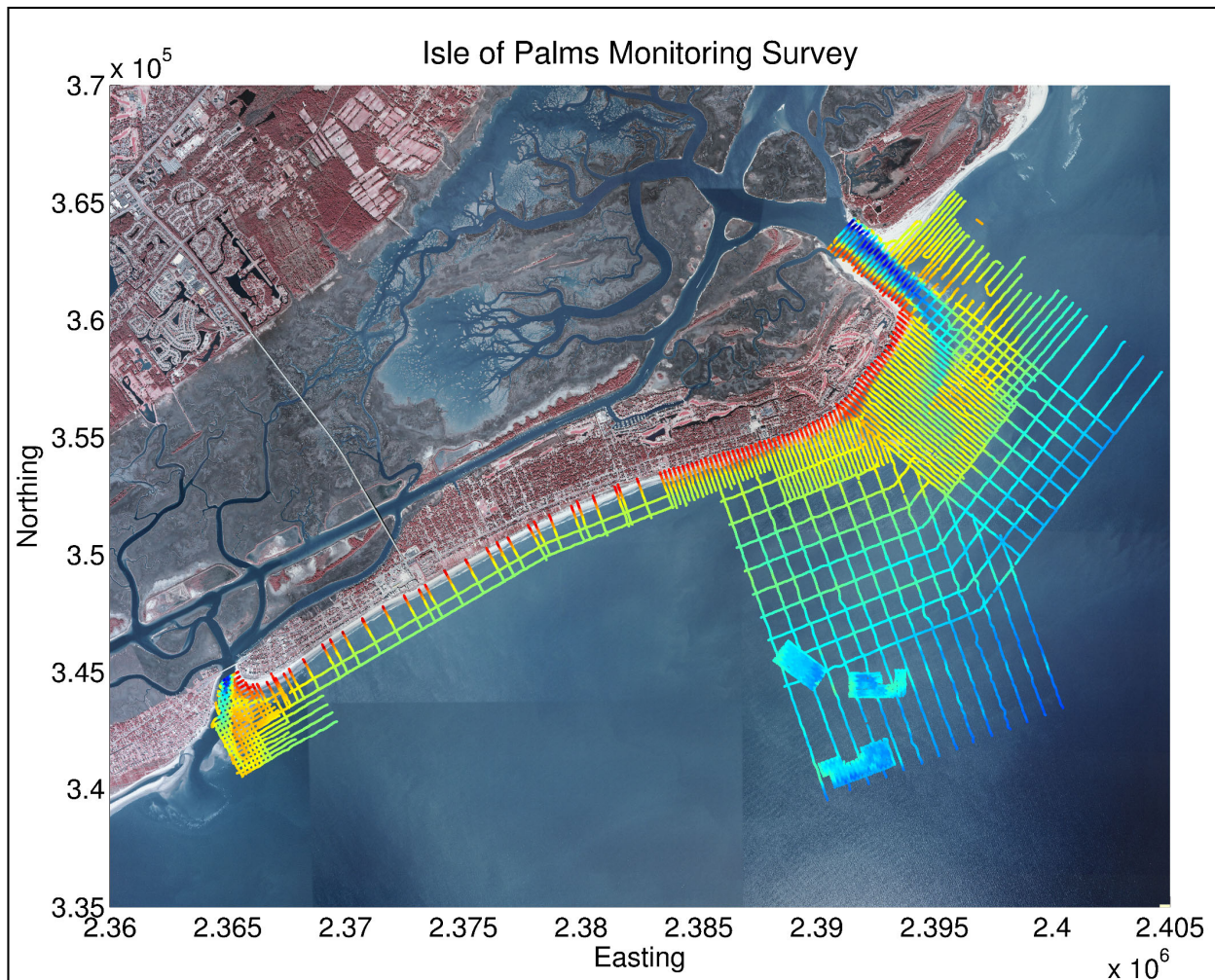


FIGURE 1. Data coverage (track-lines) from a monitoring survey of Isle of Palms (SC). CSE collected profile data from ~130 stations up to 15,000 ft from the dune area, including lines spaced 200 ft apart in the nourishment project area (right side of image). As part of the survey, CSE was required to survey over the ebb-tidal delta shoals of Dewees Inlet and Breach Inlet. Over 1.4 million data points were collected during this monitoring survey. This survey includes re-occupation of numerous OCRM lines along the island.

Relevant Project Experience

CSE has completed several hundred projects involving beach surveys, which range from simple delineations of dune crests and mean high-water lines to dense networks of transects over ebb-tidal deltas. CSE's surveys have established standards and common reference contours for wading depth profiles, long profiles to the local depth of closure, long profiles to (~)–30 ft (USACE standard), and surveys over borrow areas. The degree of survey coverage depends on the specific requirements of each project.

CSE's field survey experience includes preparation of the first bathymetric map of Bogue Inlet, encompassing the entire ebb-tidal delta and mid-inlet shoal areas and channels. Another example of CSE's experience in preparing surveys requiring near-blanket coverage of inlet, shoal, and beach morphology is Seabrook Island (SC). CSE and its predecessor companies, dating back to the 1970s, have conducted over 40 beach surveys along the Seabrook shoreline in connection with beach restoration projects. Recent project experiences relevant to the proposed work are described below.

Post-Project Monitoring of the 2008 and 2018 Isle of Palms Beach Restoration Projects — As part of an annual monitoring agreement with the City of Isle of Palms following completion of the 2008 and 2018 nourishment projects, CSE established and monitors ~130 profiles along the length of the island. The monitoring program built on previous studies by CSE at Isle of Palms dating to the 1980s. Profile spacing in the nourishment project area (north of 53rd Avenue) is 200 ft and increases to no more than 1,000 ft in other areas of the island. Inlet shoals on either side of the island are surveyed in detail to map the movement of channels and sandbars. Profiles along the northeastern end extend up to 15,000 ft from the baseline to fully account for changes in the inlet and its associated ebb-tidal delta. The monitoring program includes a total of nearly 220 miles of planned survey lines. Since 2007, CSE has completed seventeen (17) monitoring events at Isle of Palms (some of which were limited to the project area and included ~85 profile lines).

Collection of Beach Erosion Monitoring Data for SCDHEC-OCRM — CSE was awarded the 2013–2014, 2015, 2016–2018, and 2019–2021 Beach Erosion Monitoring Data Collection contracts for the SCDHEC Division of Ocean and Coastal Resource Management (OCRM). CSE has successfully conducted the OCRM BERM data collection for the past six years. The 2013 to 2018 data were collected and delivered to SCDHEC-OCRM promptly. Data were collected at the 397 monument locations along the developed beaches of South Carolina. CSE worked closely with OCRM staff to improve the data quality of the monitoring effort, which had previously experienced inconsistent survey methods and data collection. Rigorous QA/QC procedures were developed and employed to ensure data quality, including narrow survey offsets, close spacing of data points, field notes, photos, accounting for gaps in the data, and post-processing inspections.

Beach Monitoring along Kiawah Island (SC) — The Town of Kiawah Island sponsors annual surveys and additional monitoring following the most recent East End Restoration Project completed in June 2015. The monitoring determines the rates of sand movement, accretion, and erosion over the ~10-mile island. These efforts follow a dozen shoreline erosion reports prepared by RPI and CSE for Kiawah Island since the 1980s (eg – Kana et al 1984, CSE 1999). Post-project surveys have been conducted yearly in early fall between September 2006 and December 2018. Profiles along Kiawah Island are surveyed perpendicular to the local shoreline (CSE baseline) azimuth from the approximate dune crest to a minimum of –12 ft NAVD (depth equal to the normal limit of sand movement in this setting) or at least 3,000 ft from the dune. CSE surveys 87 stations along the length of Kiawah Island. Twenty-three (23) of these stations are OCRM stations (2615–2730) and encompass the beach downcoast of the 2006 project area. The remaining 64 stations are spaced 400 ft apart, follow the 2006 project baseline, and encompass the Ocean Course, incipient lagoon, and Stono Inlet shorelines.

Monitoring and Analysis of the 1997 Myrtle Beach (Reach 2) Shore Protection Project — The City of Myrtle Beach retained CSE in 2001 to complete annual shoreline monitoring of the 1997 shore protection project – Reach 2 (9.23-mile length of ocean shoreline between 82nd Avenue North and 29th Avenue South). The 18th annual study, focusing on the 2008 USACE nourishment project (CSE 2018), was completed by CSE for the City and the U.S. Army Corps of Engineers (USACE). Project monitoring is performed to track the performance of beach nourishment and document the movement of sand out of the nourishment area. Monitoring provides estimates of shoreline movement trends and identifies areas of erosion and accretion after nourishment, providing important design guidance for future beach projects. The City’s surveys take place annually in May/June and include 26 OCRM lines and 45 additional lines established by CSE. Completion and submission of survey observation forms and annotated photographs are also part of the monitoring. Results of the Myrtle Beach monitoring program have been summarized in professional articles and presented at national conferences such as ASCE’s conference on Coastal Engineering Practice San Diego 2011.

Beach Surveys at Nags Head (NC) — CSE has collected a series of over 100 profiles at Nags Head as part of a beach nourishment project involving 4.6 million cubic yards (completed in 2011). CSE has collected fifteen (15) full sets of profiles from the dune to ~40-ft-depth offshore along ~12 miles of shoreline since 2005 and has completed post-storm surveys following Hurricane *Irene* (2011) and (2012). Data collection at Nags Head presents unique challenges as it is a much higher energy environment than the South Carolina coast.

Beach Monitoring of the 2006 and 2017 Edisto Beach Nourishment Projects — CSE currently conducts annual post-project monitoring surveys following the 2006 and 2017 Edisto Beach nourishment projects, which placed over 1.8 million cubic yards (cy) of offshore sand on the beachfront. The monitoring effort provides a current status of the beach, including changes in sand volume compared to pre-nourishment and post-nourishment conditions, and serves as an up-to-date reference for pre-storm conditions in the event of a major storm event directly impacting Edisto Beach. The monitoring involves collection of beach profiles at permanent monuments established by OCRM along the South Edisto River shoreline and the state park, and three profiles per groin cell along the Town’s beachfront. Extra lines within each groin cell allow evaluation of fillet development under northerly and southerly waves. CSE has monitored the shoreline for the Town of Edisto Beach since the early 1990s.

Edisto Beach Offshore Sand Search Project — CSE was retained by HDR One Company (Charlotte NC) to provide a detailed bathymetric survey covering the offshore area in the vicinity of Edisto Beach, Edingsville Beach, and Botany Bay Island from St Helena Sound to the North Edisto River. The services supported the USACE (Charleston District) feasibility study for the nourishment of Edisto Beach and Edingsville Beach (Colleton County SC). It included detailed bathymetric and geotechnical data of the large shoal on the north side of the South Edisto River Inlet (CSE 2008). The general purpose of the study was to locate ~20 million cubic yards of beach-quality sand sufficient for up to 50 years of initial and future renourishment along Edisto Beach and Edingsville Beach. The bathymetric survey was conducted over a 33,000-acre region between ~2,000 ft and 24,000 ft from Edisto Island. A survey grid was constructed with shore-parallel line spacing of 1,500 ft (1,000 ft for the two most landward lines) and shore-perpendicular spacing of 500 ft totaling ~700 miles of planned surveying.

Seabrook Island Annual Surveys — CSE has produced a series of annual beach monitoring reports for Seabrook Island since the first relocation of Captain Sam’s Inlet in 1983. Since 1990, annual surveys have been performed at ~60 transects between Camp St Christopher and Captain Sams Inlet. Some of these transects (CSE-0 through CSE-8) date back to the late 1970s. The remaining transects (2500 series) were established by OCRM. The surveys document rates of inlet migration and allow the community to identify developing erosional hotspots associated with channel encroachment, changes in offshore shoals, or other interruptions of longshore transport.

Hunting Island Post-Project Monitoring — CSE has monitored a series of up to 50 beach profiles at Hunting Island since 1988, including before and after nourishment conditions. CSE designed a restoration project which included nourishment and placement of six groins to combat erosion in the most widely used areas of the park in 2006–2007 and has monitored the beach each year since. Annual reports detailing sand volume change are submitted to the state park service (and OCRM) each year.

A3. Proposed Personnel

CSE’s proposed team members bring a combined 80 years of experience in beach erosion studies and surveys. This experience is reflected, not only in projects completed but in professional publications related to beach survey and analysis techniques. CSE’s staff is intimately familiar with the area based on prior experience along South Carolina’s coast mapping shorelines, designing beach nourishment projects, and performing monitoring for several communities. Figure 2 lists the personnel and project organization that CSE proposes to complete the work. Resumes for our key personnel are given in Appendix B.

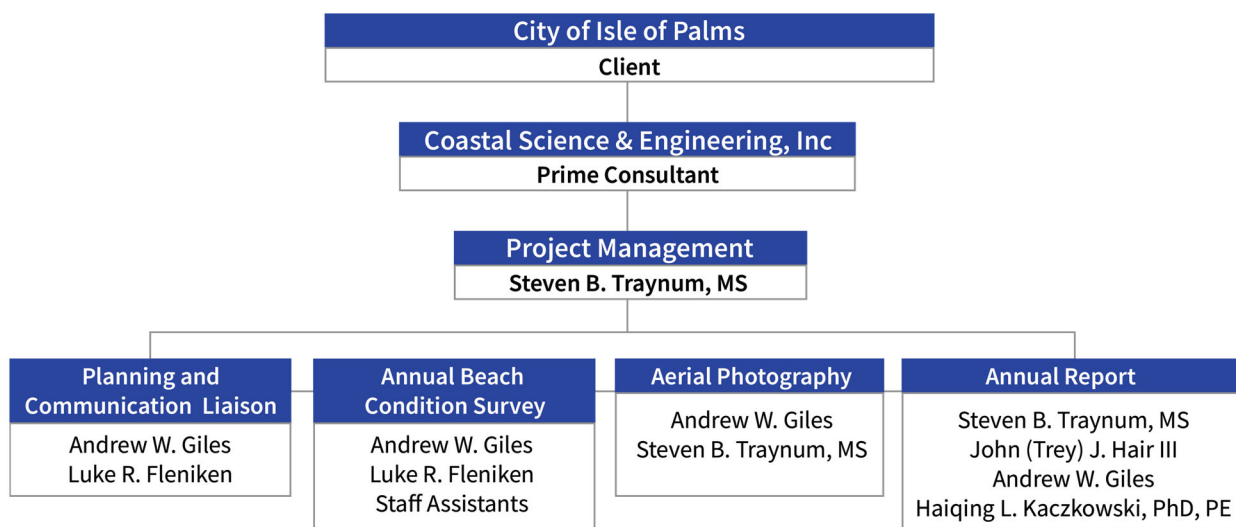


FIGURE 2: Proposed project organization.

Trey Hair

Mr. Hair is an engineering technician with 20 years of experience who supports CSE’s professional engineers and geologists in projects pertaining to beach nourishment, groin, and jetty design, revetments and seawalls, inlet relocations, and waterfront and marina designs. He performs profile analysis from collected and/or existing data, historical shoreline assessments, topographic and bathymetric data compilation, volume calculations, erosion assessments, and sediment transport studies. Mr. Hair maintains CSE’s database of annual monitoring projects, which includes data from locations in South Carolina, North Carolina, and other East Coast beaches. He has extensive data collection experience, including field investigations of project sites, installation of coastal engineering instrumentation, and sediment sample collection. Mr. Hair is proficient in survey processes from the initial setup of projects to data reduction and map production. Relevant project experience includes:

Bogue Banks (NC) Beach Restoration Project – Engineering Technician. Collection and analysis of beach profiles from ~160 stations along nearly 25 miles of shoreline. Produced construction plans which included profile data and nourishment fill quantities.

Edisto Beach and Hunting Island (SC) Nourishment Projects – Engineering Technician. Assembled beach profile data and nourishment fill templates for permit drawings and construction plans. Assisted with beach profile data collection and analysis.

Isle of Palms (SC) Beach Restoration Project – Engineering Technician. 3D modeling of the beach and offshore zone, including inlet shoals. Assisted in development of monitoring baselines as well as collection and analysis of beach profile data.

Haiqing L Kaczkowski, PE, Registered Coastal Engineer

Dr. Haiqing Kaczkowski (SC PE 24737) is a professional coastal engineer and is registered in South Carolina, North Carolina, and New York. She has over 17 years of experience in coastal processes erosion studies, and beach nourishment design. Dr. Kaczkowski was CSE's project engineer for the Nags Head beach nourishment project, the largest locally funded nourishment to date in the U.S. She is responsible for preparing annual monitoring reports, data analyses, and QA/QC for all beach survey data. Dr. Kaczkowski is also project manager for CSE's annual survey of Myrtle Beach. She participates in field data collection, performs QA/QC on the data, and prepares the annual report submitted to the City. In her capacity as a project manager, she provides liaison with USACE staff and reports the performance of each federal beach fill. She has also co-authored a published paper on the performance of the Myrtle Beach project.

Nags Head (NC) – Project Engineer. Developed the final nourishment plan and managed the construction of beach sand nourishment totaling 4.6 million cubic yards along 10 miles at Nags Head, NC. The work included several pre and post-nourishment surveys along ~15 miles of high energy shoreline.

Myrtle Beach (SC) – Project Manager. Responsible for data collection analysis and preparation of annual monitoring reports for the City of Myrtle Beach following federal nourishment along ~9 miles of oceanfront.

Andrew Giles – Master (Licensed USCG)

Captain Andrew Giles is the senior technical associate specializing in bathymetric and topographic field data collection and data management for CSE (2006-present). Mr. Giles holds a BS from the University of South Carolina. He is a Coast Guard-licensed Master of 50 GT Near Coastal, has Hypack® Certification (2017), and is certified in CPR/First-Aid. His field data collection experience includes topographic and bathymetric surveys using the newest methods of Real-Time-Kinematics positioning (RTK-GNSS) utilizing Virtual Reference Station (VRS) and Real Time Networks (RTN) for achieving centimeter-level accuracy. Captain Giles has conducted these surveys in a wide range of tidal and wave energy conditions and has field experience at almost every beach and inlet in South Carolina.

SCDHEC-OCRM – Project Manager and Field Party Leader (data collection), for Collection of Beach Erosion Monitoring Data along ~400 profiles (~3,500 ft long) during all deployments throughout 2013–2018 surveys.

Nags Head (NC) – Field Party Leader (data collection). Collected data along ~100 profiles (~2,000 ft long) during multiple deployments, including post-storm surveys.

Myrtle Beach (SC) – Field Party Leader (data collection). Collected data along ~100 profiles (~3,000 ft long) during multiple deployments, including OCRM profiles.

Isle of Palms (SC) – Field Party Leader (data collection). Collected data along ~130 beach and inshore profiles located along the Isle of Palms beach. The scope of services included a bathymetric survey of Dewees Inlet and Breach Inlet (lines spaced between 200 and 800 ft over ~8 sq. miles) and the development of a three-dimensional digital terrain model.

Luke Fleniken

Luke Fleniken is a technical associate specializing in bathymetric and topographic field data collection and resource management for CSE (2013–present). Mr. Fleniken holds a BS from the University of Alabama and an AS from Wallace Junior College. His field data collection experience includes topographic and bathymetric surveys using the newest methods of Real-Time-Kinematics positioning (RTK-GNSS) utilizing Virtual Reference Station (VRS) and Real Time Networks (RTN) for achieving centimeter-level accuracy.

SCDHEC-OCRM – Technical Associate (data collection), for Collection of Beach Erosion Monitoring Data along ~400 profiles (~3,500 ft long) during all deployments throughout 2013–2018 surveys.

Nags Head (NC) – Technical Associate (data collection). Collected data along ~100 profiles (~2,000 ft long) during multiple deployments, including post-storm surveys.

Myrtle Beach (SC) – Technical Associate (data collection). Collected data along ~100 profiles (~3,000 ft long) during multiple deployments, including OCRM profiles.

Steven Traynum MS

Mr. Traynum specializes in coastal hydrodynamics and estuarine processes. He also serves as project manager for several local beach monitoring programs and beach nourishment projects for CSE (ie– Kiawah, Seabrook, Edisto, Hunting Island, Isle of Palms). His coastal engineering project experience includes monitoring and analysis of erosion and morphological changes of natural and nourished beaches and coastal inlets; measurement and analysis of tidal inlet currents, and land and hydrographic surveys, including sediment collection on-land and in deep water. Mr. Traynum has collected hundreds of beach profiles using the latest surveying techniques (RTK-GNSS). He serves as project manager for local beach monitoring programs involving collection and analysis of land-based and hydrographic profile data to determine short and long-term erosion rates, as well as underlying causes of erosion. Relevant work experience includes:

SCDHEC-OCRM – Project Manager. Collection of Beach Erosion Monitoring Data along ~400 profiles. Conducted in office Quality Assurance / Quality Control (QA/QC), generated direct deliverables for SCDHEC-OCRM staff and management.

Edisto Beach (SC) – Project Manager. Post-project beach monitoring encompassing ~90 survey stations, including three stations per groin cell. Participated in field data collection and analysis. Generated monitoring reports showing comparative conditions of the beach.

Hunting Island (SC) – Project Manager. Post-project beach monitoring encompassing ~50 survey stations. Participated in field data collection and analysis. Generated monitoring reports showing comparative conditions of the beach.

Isle of Palms (SC) – Project Manager. Post-project beach monitoring encompassing over 120 survey stations and 220 miles of survey lines over ~7 miles of beach. Produced monitoring reports detailing volume changes inside and outside of the 2017 project area as well as produced digital models of the ebb-tidal deltas of Dewees Inlet and Breach Inlet showing changes in shoal positions. Participated in field data collection and analysis.

A3. CSE's Commitment to Isle of Palms

Since 2007, CSE has had an ongoing working relationship with the Isle of Palms. This work has included design, permitting, and execution of two nourishment projects totaling over 2.5 million cubic yards of sand, execution of two shoal-management projects, over a dozen annual surveys, three post-hurricane surveys, and regular communication and support of the community's interests related to the beach beyond the scope of typical beach monitoring services. CSE's team members have developed beneficial working relationships with the City staff, as well as with representatives from the Wild Dunes community and local residents. These relationships have proven beneficial in implementing beach management strategies quickly and with the support of the community. CSE regularly attends City Council and committee meetings to provide updates on beach management activities and is available on short notice to provide ongoing consulting work for the City (all within existing contract budgets). Since 2007, CSE has performed all services for the City without requesting additional funds for contracted work. Any change orders to contracts resulted from new work agreements, such as for new permitting services or emergency coordination.

In addition to the engineering services CSE has completed for the City, CSE has also invested in the Isle of Palms beach academically. CSE has presented several papers and presentations about the shoal bypassing cycle, sediment transport, and engineering aspects of the Isle of Palms' beach in professional journals and scientific conferences around the world. In 2018, CSE sponsored five students from Delft University of Technology (Netherlands) to spend the summer at Isle of Palms studying the coastal processes and management as part of their graduate studies. They collected beach survey data and tide and current data, ran morphological models of sediment transport, and interviewed City staff and other members of the local community about beach management at Isle of Palms. The group developed a comprehensive report which received favorable reviews from their advisors at Delft.

CSE has been invested in Isle of Palms for over 35 years, and has gained valuable institutional knowledge while providing effective consulting services. We wish to continue this mutual beneficial relationship into the future.

CSE is presently contracted with the City for permit-required monitoring of the 2018 project area. If selected for the RFP, CSE will combine the survey scopes to provide a single, comprehensive survey and analysis of the island. This will provide a higher quality product and will significantly reduce the administration requirements of City staff.

Section B —CSE Survey Capabilities, Quality Control and Assurance, and Equipment/Software

B1. Survey Capabilities

CSE will accomplish the proposed services by deploying one field crew to Isle of Palms for approximately a one-week deployment. Coastal weather forecasts are monitored prior to deployment, allowing CSE to determine the most suitable wind, wave, and tide conditions for data collection. CSE will avoid collecting beach profiles immediately after storm events, as the beach shape may be altered from its typical configuration after storms. [Note: CSE will be available for emergency post-storm surveys if requested by the City of Isle of Palms as an additional scope of services.]

At each profile, CSE will perform a topographic survey between the landward most accessible or at least 50 feet landward of the primary dune and low-tide wading depth (typically -6 ft NAVD or as far seaward as possible during low tide) using Trimble® R-10 Global Navigation Satellite System (GNSS) receivers utilizing the South Carolina Geodetic Survey (SCGS) South Carolina Real Time Network (SCRTN) for corrected positions. In areas where a connection to SCRTN is unavailable due to poor connectivity, a base station will be set up on a SCDHEC-OCRM monument for corrected positions broadcasted via UHF radio to the local area. Data in x-y-z format will be recorded at appropriate spacing along the transect to accurately depict the beach profile. The spacing between land data points will be no more than 10 ft and will include at a minimum all major breaks in slope. More data will be collected in the dunes, upper beach, and areas with a higher degree of varying topography. CSE prefers surveys performed on foot (with the GNSS antennae mounted on a survey rod) to those conducted on 4x4 vehicles due to errors associated with varying loads in the vehicle and the potential for the vehicle to sink below the surface elevation of the sand. For this reason, a 4x4 utility vehicle will only be used to move the crew and instruments between stations. All transects will be surveyed using the Trimble R-10 GNSS receiver mounted on fixed height 2-meter rod.

Offshore work will be performed the same week, typically within one or two days, as the onshore work and difference in time between the onshore and offshore data will never exceed three days. Offshore work is collected at high tide so that the vessel will overlap the land-based portion of the profile data. To maximize data collection, the inshore parts (1,500 ft from the most landward portion of the transect) of all profiles in a region may be collected during the high-tide window (± 2 hrs from high tide) while the portions of the profile further offshore (1,500–6,000 ft from the most landward

portion of the transect) may be collected on the same day during lower tides. Overwater data collection will be accomplished using HYPACK® 2019 software.

Bathymetric data will be collected at 20 Hz utilizing the Applanix™ POS-MV Surfmaster inertial motion and positioning unit and stored instantaneously on the vessel's dedicated Spartan ruggedized, high-performance computer. Soundings or depths will be measured by an Odom Echotrac CV100 single channel echo sounder utilizing a 4° single beam transducer. Data will be collected from the vessel as far landward as possible at high tide. In CSE's experience, the overlap between the boat survey and land-based survey is between 50 and 100 ft, offering several comparison points between the two surveys. CSE generally removes the overlapping boat based data to provide a smoother profile (errors in the boat-based survey data are compounded in the surf zone due to aeration, breaking waves, and distance from the track line, therefore, the land-based data are assumed to be more accurate).

CSE plans to survey each geographical area in 2–3 days, collecting up to but not limited to 30 profiles each day. Weather and/or tide conditions may restrict data collection to only land-based work one day, followed by overwater work later the same week. CSE will not separate land-based and overwater work by more than four days for any profile. After all over-water work for a region is collected, data is examined in HYPACK® post-processing software. Spikes are removed, and the remaining data are smoothed using a 16-point filter in HYPACK® Single Beam Editor Software. Since offshore data are collected at 20 Hz, CSE generally reduces the number of data points to generate data files which are of manageable size. The land-based and overwater portions of each profile are then combined in Microsoft® Excel and examined to ensure the overlapping portions of the two surveys overlap and vertical differences between the two are minimal. Finally, the overlapping overwater data is removed to provide a complete profile.

B2. Quality Assurance/Quality Control

From the analysis of tens of thousands of profiles over many years, CSE professionals have learned how to collect quality data efficiently, evaluate those data to identify processes affecting an area, and communicate the results to clients to provide sound solutions to beach management. Of the utmost importance is ensuring the accuracy of our data. CSE employs rigorous QA/QC procedures to make certain accurate data are being collected. As part of our ongoing attempt to offer the best product, CSE utilizes the latest in surveying and communication technology. CSE is able to transmit data to office personnel, compare newly collected data with historical profiles, track weather, and communicate with the home office while mobilized in the field. This allows an efficient and effective means of ensuring data accuracy. QA/QC procedures for the land-based and overwater aspects of CSE's survey methods are detailed below.

Land-Based Survey

Prior to obtaining profile data, CSE's field team completes a QA/QC worksheet for both land (walking) and overwater work (Appendix A). Each sheet contains spaces for instrument configuration parameters and environmental conditions so that hardware setups, as well as project metadata (date, time, surveyors, weather conditions, and spatial references), are documented and checked. Most of the hardware configuration settings are digitally recorded with each data point; even so, having these QA/QC worksheets can eliminate errors which may arise from using different survey equipment, antennae heights, and instrument configurations at different locations.

At each profile location, where a monument exists or is accessible, CSE will position the GNSS antenna and receiver on the monument and observe that point. This method is also known as "checking in" with the existing monument using coordinates and elevations provided by OCRM and SCGS in comparison to the coordinates and elevations being observed by the instrument. Three (3) measurements or observations will be recorded on each monument, if accessible. In the event horizontal or vertical discrepancies are present, CSE will recheck all instrument configuration settings. If there is still a discrepancy, CSE will record the differences and report them to OCRM if it appears to be an isolated incident or that the monument has become disturbed. In the event several stations show unacceptable discrepancies between CSE positioning and OCRM positioning, the survey will be stopped until the discrepancies are resolved. Photographs will be taken of each monument cap and at the pre-established profile locations per requirements given in the RFP. CSE regularly takes photos of profiles monitored as a way to make visual comparisons to prior years and for QA purposes.

Overwater Survey

As with the land-based survey, prior to data collection from CSE's survey vessel, field crews will complete a QA/QC form (Appendix A) specific to overwater work. Instrument configurations are noted, including positions of the GNSS/IMU and echo sounder configuration, datum, units, dates, weather conditions, and software configuration settings. Fields for bar checks and speed of sound calculations are included in each worksheet.

Calibration of acoustic sounding instruments is critical in assuring the accuracy of depth measurements (Ballard 1998). The speed of sound will be measured and recorded prior, during, and after each survey day using a Castaway CTD instrument. Measurements are continuously recorded as the CTD is cast or lowered and retrieved through the entire water column to produce accurate conductivity, temperature, and depth profiles. From these observations, the CTD calculates a speed of sound vs depth profile which can be viewed immediately. The CTD also has a built-in GPS allowing each cast to be referenced to a specific time and location. Following the speed-of-sound calculation, the ODOM® CV100 sounder is calibrated to the average speed of sound, and a bar check is performed at 5-ft intervals. A bar check is one of the oldest methods for calibrating an echo sounder. A bar is lowered at fixed, known depths below the transducer and the sounder depth is checked at each depth, and any adjustment is made to provide a consistent and accurate measure. Bar checks will be repeated once during surveying, and after surveying each day. Results of the speed of sound calculation and bar checks will be recorded on daily QA/QC forms.

With RTK-GNSS and SCRTN capability, CSE can reduce error and field time during offshore work. RTK-GNSS eliminates the need for tidal corrections, which can introduce error and complicate processing, and SCRTN eliminates the need to set up base stations, meaning the crew can spend more time surveying while achieving centimeter accuracy.

HYPACK® software is used to produce planned line files and offers the ability to automatically eliminate data which does not meet precision thresholds (HDOP, PDOP, RTK, Fix, etc). It also provides alarms to let the boat operator know when the boat has deviated a set distance away from the survey line. CSE will set the limit to 20 ft as prescribed in the RFP. The position and orientation of the boat relative to the survey line are updated in real time, allowing CSE to obtain straight profiles. Data from the land-based survey are entered into HYPACK® before overwater work to ensure the boat overlaps the land-based data.

CSE will establish shore-parallel survey lines which intersect the beach profile lines to provide crossing statistics using HYPACK® software. This offers a description of the average differences in measured elevation at points in the survey area. At each intersection between the shore-parallel line and the profile lines, HYPACK® computes the difference in elevation. Statistics are calculated showing the average elevation difference (total and absolute value) for all crossings. Since the shore-parallel lines and

Beach profile lines are likely to be collected at different tidal stages, a low mean difference and standard deviation ensure that instruments were configured properly. An example output from the HYPACK® crossing statistic is shown in Figure 3 and represents data collected over three days at all stages of the tide.

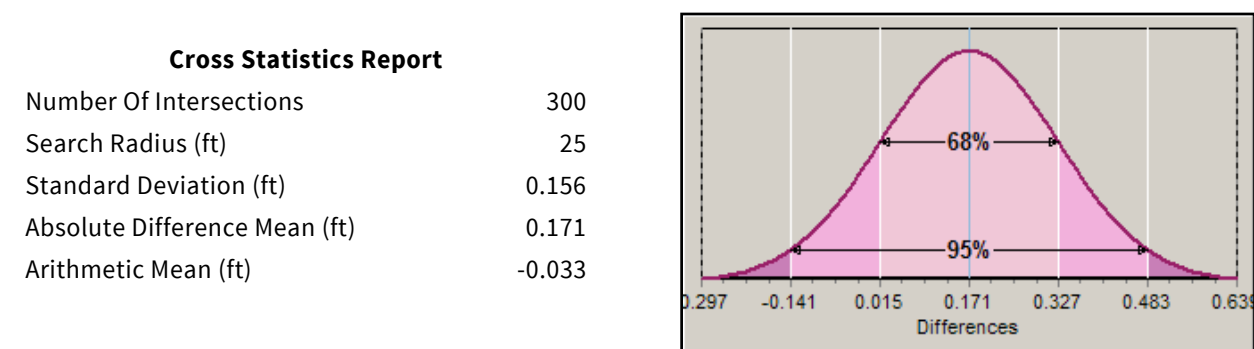


FIGURE 3. Example output from HYPACK® Cross Statistics Report which calculates the elevation difference at an intersection of planned survey lines (profile lines and “cross” lines which are oriented parallel to the beach). This example uses data collected over a three-day period at all stages of the tide. The mean elevation difference from 300 intersections was –0.033 ft, indicating the equipment was configured properly and the data were accurate.

Accuracy

CSE utilizes the latest in surveying technology to obtain accurate beach profiles. The accuracy of beach profiles is limited by the resolution(s) of the instrument(s) being used. With RTK-GNSS coupled with SCRTN virtual reference system (VRS) technology, overland portions of the profile can easily achieve a horizontal and vertical accuracy of <5 cm. CSE typically sets its accuracy limits at 0.04 ft (~1.2 cm) for horizontal and 0.06 ft (~1.8 cm) for vertical when collecting land-based data (meaning a topographic point will not be taken when this threshold is exceeded). CSE uses a Trimble® R-10 GNSS mounted to a survey rod. This accuracy is obtained from the dunes (monument) to low-tide wading depth (typically –6 ft NAVD).

The overwater portion of the survey is necessarily less accurate due to the additional instrumentation and methods associated with data collection. The RTK-GNSS maintains the <2 cm accuracy; however, additional error is associated with the sounder ($0.01 \text{ m} \pm 0.1\%$ depth, with a 0.1-ft resolution), and with the motion/location of the survey vessel. The location of the survey vessel with respect to the survey line may also introduce error in the profile (overlaps with the land-based data may be a horizontal distance of up to 20 ft from the “survey line”).

CSE collects offshore data beginning at the seaward end of the profile and proceeds towards the beach. This offers a “smoother” profile, as the boat motion is in the same direction as waves. It also ensures that the nearshore portion of the profile is collected close to the intended line, as the boat does not have to turn and immediately begin collecting data. This offers better overlaps with the land-based survey. A factor contributing to CSE’s quality data collection is the vessel used. CSE’s shallow draft survey boat provides a fully-enclosed cabin with high visibility and good protection for the electronics that are the heart of the instrumentation. Full-size computer monitors are used to aid navigation along planned lines and provide real-time images of the profile as it is collected. The survey vessel is more stable than jet-skis or semi-inflatable vessels used for similar surveys. This reduces crew fatigue and allows for longer data collection periods.

Figure 4 shows profiles from two locations where CSE collected profiles for the OCRM BERM project from 2014 to 2018. The upper profile is from Myrtle Beach (SC) at beach profile monument 5430E. The lower profile is from Kiawah Island (SC) at beach profile monument 2765E. Note how the seaward portions of the Myrtle Beach profile show good overlap between the CSE surveys. Overlap in the profile beyond the depth of closure indicates the methods used by CSE produce accurate profiles. The Kiawah profile is from the east end of the island and demonstrates an erosional beach due to the increased tropical cyclone activity in recent years.

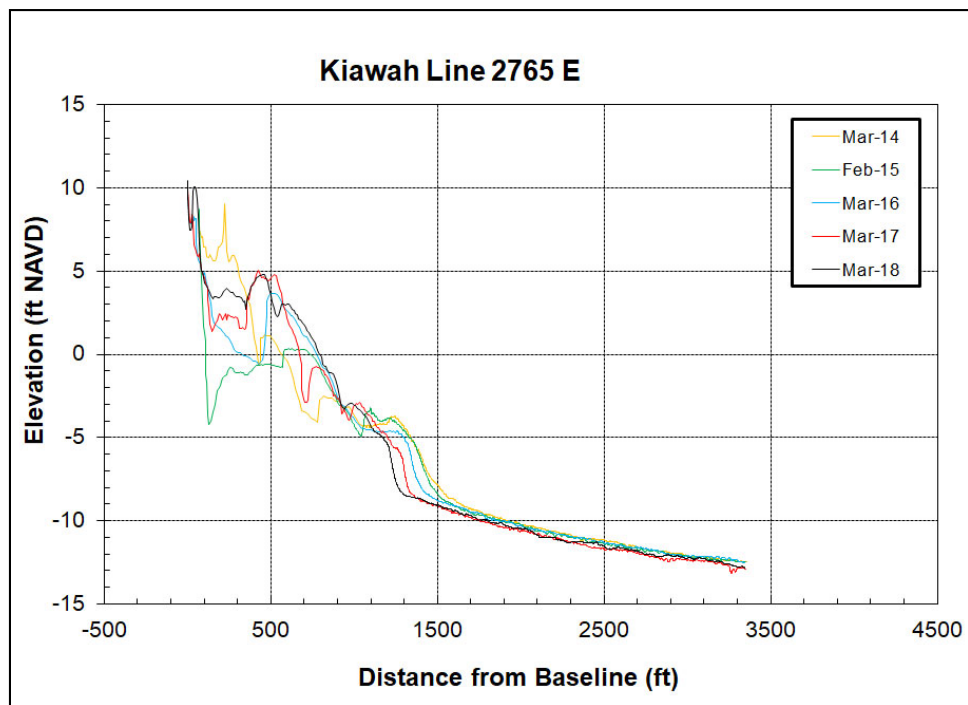
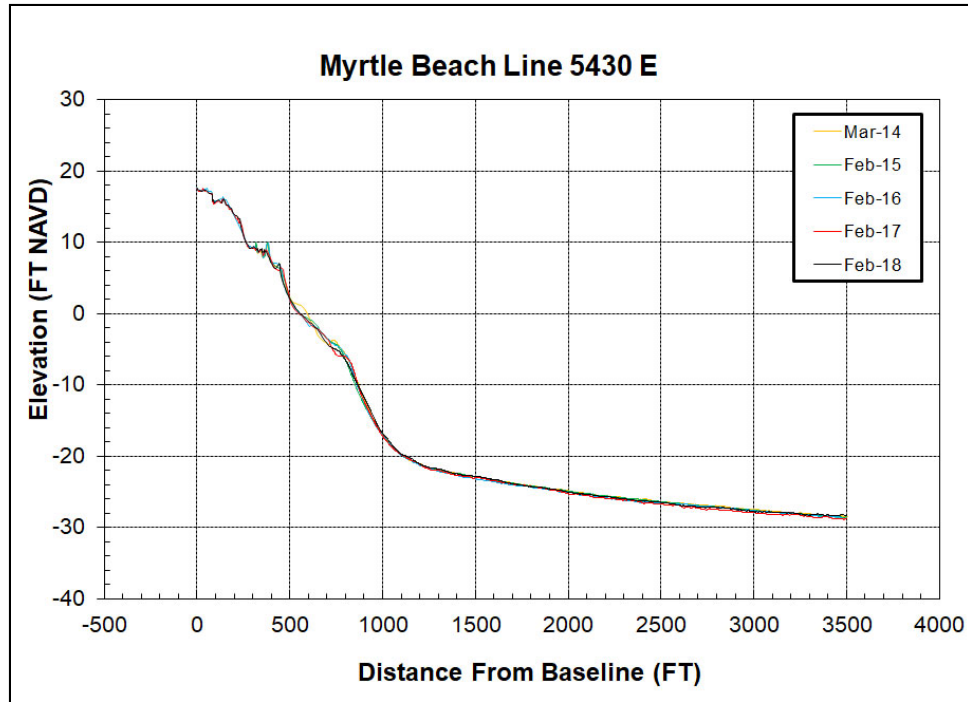


FIGURE 4. Profiles from Myrtle Beach (SC) (upper) and Kiawah Island (SC) (lower) showing data collected by CSE for OCRM BERM. CSE collected the OCRM BERM profiles from 2014 to 2018. Note the overlap at the seaward portion of the profile between CSE and the other surveys in both locations, suggesting the methods used by CSE produce accurate profile data.

Section C — Scope of Services

The scope of services proposed herein represents the basic services and is based on CSE’s work to date for the City, experience on similar projects and project components, the scope of the project as defined by this proposal, and the regulatory requirements of agencies of the state of South Carolina and the federal government with jurisdiction over construction at the site. The following scope of services is proposed.

Task 1.0 Planning, Communication, and Liaison

The planning task of the project will include coordination and meetings with City representatives to:

- Review the final plan
- Develop schedules
- Participate in public forums
- Provide liaison with government agencies following the one-year post-project survey
- Assist the City with communication and liaison

Following authorization to proceed with the proposed scope of services:

- 1.1 CSE will meet or communicate with City representative(s) to clearly define the goals and objectives for the work.
- 1.2 CSE will work with the City to schedule monitoring surveys at a time which will not impact public events, etc. CSE will coordinate with public safety officials regarding beach access and nearshore hydrographic work.
- 1.2 CSE will assist the City in preparing periodic project summaries including display graphics for distribution to officials and the public by way of various mediums, including web sites, newspapers, or City newsletters.

Task 2.0 Annual Beach Condition Survey

This task of the project will include condition surveys of the beach, inshore zone, and offshore zone. These surveys will supplement previous field data by CSE and will be used for volume change analysis using similar reaches and boundaries as recent reports.

- 2.1 CSE will conduct annual condition surveys of the beach between Breach Inlet and Cedar Creek Spit (Deweese Inlet). The Engineer will occupy previously established profile lines (0+00 thru 370+00) and will obtain cross-sections from the foredune to (~)-12-ft depth contour or at least 1,500 ft from the baseline (beyond 3,000 ft in the project area). (This excludes portions of the work required by project permits that are being done under a separate agreement.) This survey will be compared with prior surveys and will document volume changes in the project area and downcoast areas. Nourishment volume remaining within the fill limits of the 2018 project will be computed to assess project performance.
- 2.2 CSE will obtain hydrographic data in the vicinity of Breach Inlet to be used in the creation of a digital terrain model (DTM). The DTM will be used to monitor changes in the location of shoal and channels associated with the Breach Inlet ebb-tidal delta.

Through agreements with the City and others, CSE has collected ~15 complete surveys of the Dewees Inlet ebb-tidal delta. Shoals migrating from the delta to the beach are the source of sand that has contributed to the history of long-term accretion along Isle of Palms. Monitoring efforts between 2007 and 2017 revealed that large-scale channel migrations have a significant impact on the beach at Isle of Palms. To monitor these events and associated shoal bypass events, CSE will complete the following:

- 2.3 Hydrographic data will be collected over and around the Dewees Inlet ebb-tidal delta to monitor changes in the channels and shoals of the delta. Data will be used to create DTMs of the ebb-tidal delta. Shoal positions and estimated volumes will be described using contours generated from the DTMs. Shoal movement will be monitored, and potential impacts to the Isle of Palms beach will be identified.
- 2.4 DTMs will be used to create regular profile sections through the Dewees Inlet channel and to monitor channel width and depth. Data will also be incorporated into color contour models and combined with existing models to provide an animation of shoal movement.

Task 3.0 Aerial Oblique and Ground Photography

- 3.1 Oblique aerial imagery will be collected annually of the beach and shoals at low tide. Imagery will be used to offer visual depictions of the beach condition, dune condition, and shoal locations. Imagery will be placed side-by-side with historical images to offer easy-to-see comparisons of the present beach condition with historical conditions.
- 3.2 Ground photographs will be taken from each station (excluding stations 220+00 thru 320+00) looking northeast and southwest or up/down the beach, facing shore parallel. Photos will be taken from the toe of the dune and will not include any obstructions such as vehicles, etc.

Task 4.0 Annual Monitoring Report and Presentation

- 4.1 CSE will assemble results of each annual monitoring effort into a comprehensive technical report, similar to monitoring reports provided to the City under the previous monitoring agreement. Reports will document beach volume changes, changes in shoal positions and associated impacts, dune condition, and potential concerns. Reports will be submitted to the City in hard copy and digital copy. CSE will make available digital photos obtained in the monitoring effort for the City's use.
- 4.2 At the request of the City, CSE will present the findings of the report to the City Council or other committee. CSE will prepare a brief summary of the findings and prepare a short Powerpoint® presentation to provide a visual summary for Council.

ADDITIONAL SERVICES

The work described in the scope of services (paragraphs C1.1 through C4.2) does not include work in the following categories. Work in these categories or other services requested by the City will be considered additional services.

If the City wishes CSE to perform any of the following additional services, the City shall so instruct CSE in writing and the Engineer will perform or obtain from others such services and will be paid as provided in the Agreement for Professional Services between the City and the Engineer.

- Services resulting from significant changes in the general scope, extent or character of the project, or major changes in the documentation previously accepted by the City where changes are due to causes beyond CSE's control
- Providing renderings or models outside of what is presented in Tasks 1–4
- Detailed consideration of operations, maintenance and overhead expenses; value engineering; and the preparation of rate schedules, earnings and expense statements, cash flow and economic evaluations, feasibility studies, appraisals and valuations
- Furnishing the services of environmental scientists, biologists, fisheries scientists, chemical analysis laboratories or other specialized scientific testing, evaluations or services not specifically included in the scope of services
- Geotechnical engineering studies including sediment sampling, borings, and reports not specifically included in the scope of services
- Preparing to serve or serving as a consultant or witness in any litigation, arbitration, or other legal or administrative proceeding except where required by the scope of services
- Services of the independent cost estimator shall be additional services

ADD-ON SERVICES

In the event the City requires any additional surveys for pre-/post-storm assessments or other reasons, CSE will complete a comprehensive survey of the island using the same scope and methods as outlined in Task. Fees and expenses for additional surveys will be the same as Task 2 costs shown in Table A. A brief letter report will be prepared that will summarize volume changes from the previous survey.

PROJECT SCHEDULE

The preliminary schedule proposed is based on a start date of 1 May 2019 for the services proposed herein. The schedule may be modified at the direction of the City. If the City chooses to conduct additional beach improvement efforts, CSE will alter the schedule as necessary to allow the island-wide monitoring to assist in those efforts. Reports will contain only the analysis required by the City in the event the non-permit required work is completed by a separate company.

TABLE 2. Proposed schedule for Tasks 1–4 based on a start date of 1 May 2019.

Date	Task#	Description
May 2019	1	Initiate work under the present proposal / finalize the plan with the City
Spring 2019	2–3	Condition survey (Year 1)
Fall 2019	4	2019 report (Year 1)
Spring 2020–2021	2–3	Years 2–3 condition survey
Fall 2020–2021	4	Years 2–3 reports

PROPOSED BUDGET

Table 3 provides an itemized budget estimate for CSE’s services for Tasks 1–4 as outlined herein. CSE agrees to perform the services on a time-and-expense basis according to the enclosed fee schedule. CSE prefers to enter into a multi-year agreement; however, should the City need to commit to year-by-year services, the budget described below will be applied on a per-year basis. Should City officials require additional services, CSE will provide a quote prior to performing the work. Reimbursables will be billed at cost. CSE reserves the right to request a modification in the budget in the event the budget estimates significantly underestimate the professional time requirements. CSE will endeavor to provide services as efficiently as possible while meeting the standards of professional practice required for the project.

TABLE 3. Proposed fees and reimbursable expenses for additional services under Tasks 1–4.

Annual	Task #	Task Description	Monitoring Budget		
			Task Fee	Direct Expenses	Total
	1	Planning, Communication, Liaison	\$3,520	\$875	\$4,395
	2	Annual Beach Condition Survey	\$11,180	\$4,923	\$16,103
	3	Aerial Photography	\$2,640	\$830	\$3,470
	4	Annual Report	\$5,780	\$772	\$6,552
		Project Total	\$23,120	\$7,400	\$30,520

CSE's RECORD OF UNDER BUDGET WORK FOR THE CITY

Since 2007, CSE has provided engineering services to the City of Isle of Palms under several agreements, for beach monitoring, permitting, environmental studies, and post-storm surveys. Over this time, CSE has performed all services within the approved budget, only utilizing change-orders for new tasks (such as emergency surveys). To date, CSE has completed beach management services ~\$146,000 under the contracted budget amounts. CSE takes pride in providing high-value, quality services that recognize and appreciate the importance of utilizing public funds in a responsible manner.

FEE SCHEDULE

[Effective through 31 December 2023]

The fee for CSE's services will be based on the charges listed below. All fee quotations are estimates, and actual fees are based on actual time and expenses incurred by CSE unless otherwise stated in the proposal. All rates are listed in U.S. dollars.

Fees by task are based on estimated numbers of person-days to accomplish the scope of services detailed herein. In-office expenses include communication, copying, insurance (etc), and are charged as a percentage of fees rather than separate itemization. Direct expenses include travel (standard U.S. government mileage rate), lodging and per diem, 4-by-4 beach vehicle rental at \$120/day, survey boat rental at \$500/day, RTK-GPS rental at \$400/day, fuel and dockage at cost, sediment testing at \$60/sample, and field supplies at cost.

PERSONNEL	Staff Category	Hourly Rate
	Principal	160.00
	Coastal Engineer/Project Manager	120.00
	Sr Technical Associate/Coastal Scientist	90.00
	Technical Staff (CAD)	85.00
	Tech-Field Assistants and Admin	65.00

Type of Contract Desired: Time and expense for the above-described services at a total not to exceed 30,520 per year over the next three years according to Table 2.

Billing Schedule: CSE will invoice monthly for services performed the prior month with an itemization of direct expenses. Invoices will be pro-rated according to fees and expenses inside and outside the project limits. CSE reserves the right to transfer funds between tasks to accomplish the work expeditiously, provided the total cost of services does not exceed the indicated budget.

References

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- CSE. 1999. Updated shoreline assessment and condition of the beach, Kiawah Island, South Carolina. Final Report for Town of Kiawah Island; Coastal Science & Engineering, Columbia, South Carolina, 81 pp + appendices.
- CSE. 2008 (DEC). Edisto Beach offshore sand search – Edisto Beach and Edingsville Beach (SC) – Phase 3. Bathymetric survey report for HDR Engineering Inc of the Carolinas, Charlotte, NC. Coastal Science & Engineering (CSE), Columbia, SC, 15 pp.
- CSE. 2018 (May). Monitoring and analyses of the 1997 Myrtle Beach–Reach 2 shore protection project. 2018 Beach Monitoring Report for City of Myrtle Beach. CSE, Columbia, SC, 83 pp + appendices (2452YR3).
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- Kana, TW, ML Williams, and SJ Siah. 1984. Shoreline changes along Kiawah Island, May 1983 — May 1984. Final Report to Kiawah Island Company. RPI, Columbia, SC, 34 pp + app.
- NRC. 1995. *Beach Nourishment and Protection*. Committee on Beach Nourishment and Protection, Marine Board, Commission on Engineering and Technical Systems, National Research Council; National Academy Press, National Academy of Sciences, Washington, DC, 334 pp.

State Accommodations Tax Advisory Committee
Isle of Palms, South Carolina

Application for State Accommodations Tax Funds

Date Received: _____	Total Project Cost: _____
Total Accommodations Tax Funds Requested: _____	
Action Taken By Accom. Tax Advisory Committee: Date Approved _____ Denied _____	
Action Taken By Ways & Means Committee: Date Approved _____ Denied _____	
Action Taken By City Council: Date Approved _____ Denied _____	
Documentation required for payment: _____line item budget, _____invoices, _____Financial Report	

For Official Use Only

A. Project Name: Advertising and Promotion of Tourism through Surfcam, including Link to City of IOP Website for Beach Access, Parking, and Traffic Information

B. Applicant Organization: Carolina Coast Surf Club, Inc.

1. Mailing Address: P.O. Box 161, Sullivan's Island, SC 29482
Telephone: _____ Fax: _____
2. Project Director: Jim Radley
Telephone: 843-886-6297 (h), 703-328-4711 (c) Fax: _____
3. Description of Organization, Its Goals and Objectives:
Preserve and protect the IOP beaches and ocean. This includes participating in the SCDHEC-OCRM Adopt-A-Beach program to clean the beach from the 9th Avenue beach access to the Sea Cabins pier. Promote surfing as a healthy, family-oriented activity on IOP.

C. Description and Location of Project/Event:

Real time camera image of beach and surf conditions on IOP displayed on the surf camera web page (www.carolinacoastsurfclub.org/surfcam.php). City of IOP would continue to have its logo as a sponsor on the surfcam page with a link to the City's home page. Daily surf report on surf camera web page will continue to include an IOP Parking section and IOP traffic section that describe how to navigate to the corresponding City of IOP web page for beach access, parking, and IOP Connector traffic.

☒ Single Event?

☐ Ongoing Event/Annual Need?

1. Date(s): of Event: website or Project Start: _____ Completion: _____

2. Impact on Tourism: What percentage of persons benefitting from this project are tourists (95%) vs. Isle of Palms residents (5%).
 *Source of tourist data: Internet traffic – 641 website page hits per day average from 8 May 2018 to 8 May 2019, with a high of 1,450 hits per day in September and a low of 300 hits per day in January.
 (website hits, surveys, ticket sale information, etc.)
3. If this application is for an ongoing event, what is the percentage increase/decrease in tourist attendance versus the past year's event?
 *Source of tourist data _____
 (website hits, surveys, ticket sale information, etc.)

D. Funding: Sources of Income for This Event or Project

1. Sponsorships or Fundraising: Amount \$5,000 From: private sponsors
2. Entry Fees : Amount \$ _____ From _____
3. Donations: Amount \$ _____ From _____
4. Accommodations Tax Funds Request: Amount \$1,000
 Date(s) Required: 9/1/2019 Lump Sum \$1,000
 Installments _____
5. Other:
6. Total Budget: \$6,000

E. Financial Analysis

Please Provide Line Item Budget for Event or Project

Date for Submission to Isle Of Palms Treasurer of Financial Report for Event or Project _____

If awarded, funds are requested as follows:

- (1) Lump Sum(s): \$1,000 on 9/1/2019 (date),
 \$ _____ on _____ (date),
 \$ _____ on _____ (date).

- (2) Payment of Invoices as submitted to City Staff. Invoices should be submitted two weeks prior to due date.

[Home](#) / [SurfCam](#)



Isle of Palms Report

Waves	At 7:45 AM, waves are thigh high, short period and breaking in sections.
Buoy Information	Edisto Buoy is reporting a wave height of 4.9 ft and a dominant wave period of 11 seconds.
Wind	1 mph from the SSW (onshore), and forecast to increase to 12 mph from the ESE (onshore) later this morning and through the afternoon.
Air temperature	72 deg F, with a forecast high of 78 deg F.
Tides	Low Tide 5:40 AM, Sunrise 6:24 AM, High Tide 11:38 AM, Low Tide 5:42 PM, Sunset 8:06 PM, High Tide 11:57 PM



Waves	At 7:45 AM, waves are thigh high, short period and breaking in sections.
Buoy Information	Edisto Buoy is reporting a wave height of 4.9 ft and a dominant wave period of 11 seconds.
Wind	1 mph from the SSW (onshore), and forecast to increase to 12 mph from the ESE (onshore) later this morning and through the afternoon.
Air temperature	72 deg F, with a forecast high of 78 deg F.
Tides	Low Tide 5:40 AM, Sunrise 6:24 AM, High Tide 11:38 AM, Low Tide 5:42 PM, Sunset 8:06 PM, High Tide 11:57 PM
Water Temperature	72 deg F at the IOP pier
Barometer	30.12 inHg and steady. (Note that standard atmospheric pressure at sea level is 1013 mb = 29.92 inHg.)
Other information	Waves are forecast to remain in the thigh high range today, but with increasing chop with an increasing onshore wind. The forecast through the weekend continues to call for waves in the knee to thigh high range, and thunderstorms Sunday afternoon.
Become a Member	If you enjoy this surfcam please consider becoming a member of or renewing your membership with The Carolina Coast Surf Club. New and renewing members click on either the "JOIN" or "RENEW" tabs above. You may now pay annual dues online!
Current IOP Traffic	To view current traffic conditions at both the IOP and Mount Pleasant ends of the IOP Connector, do the following: (1) click on the City of Isle of Palms seal on the upper left of this web page; (2) select "The Island" at the upper right of the home page, and from the pull down menu click on "Beach"; (3) at the left of the Beach web page, click on "Beach Access & Parking"; (4) click on the "SCDOT 511 system" link in the second paragraph.
IOP Parking	Public parking is specified on the Isle of Palms City web site by first performing steps (1), (2) and (3) above; then, (4) public parking locations not requiring a permit or fee are described in the "Road Right-of-Ways" and "Parking Guide" paragraphs and links. This surf report was updated on Thursday May 9 by Jim Radley.

State Accommodations Tax Advisory Committee
Isle of Palms, South Carolina

Application for State Accommodations Tax Funds

Date Received:_____	Total Project Cost:_____
Total Accommodations Tax Funds Requested: _____	
Action Taken By Accom. Tax Advisory Committee:	Date Approved____ Denied____
Action Taken By Ways & Means Committee:	Date Approved____ Denied____
Action Taken By City Council:	Date Approved____ Denied____
Documentation required for payment: ____line item budget, ____invoices, ____Financial Report	

For Office Use Only

A. Project Name: South Carolina Aquarium – Turtle Trek

B. Applicant Organization: South Carolina Aquarium

1. Mailing Address: 100 Aquarium Wharf, Charleston, SC 29401

Telephone: 843-579-8540 **Fax:** _____

2. Project Director: Stephanie Gabosch

Telephone: 843-579-8540 **Fax** _____

3. Description of Organization, Its Goals and Objectives:

The mission of the South Carolina Aquarium is to inspire conservation of the natural world by exhibiting and caring for animals, by excelling in education and research, and by providing an exceptional visitor experience. Founded by a task force of community volunteers and business leaders, led by Mayor Joseph P. Riley, Jr., the Aquarium was built as the state's foremost informal science education center, providing structured environmental science education for students of all ages across the state.

In 2014, the Aquarium launched the Watershed Campaign, a six-year strategic initiative to scale and optimize our existing programs, while implementing new conservation and education initiatives. Through the campaign, which will conclude in 2020, the Aquarium aims to inspire conservation of the natural world through the following goals and objectives:

1) Becoming a world leader in sea turtle conservation and research

- a. To date, the South Carolina Aquarium has rehabilitated and released 274 turtles back to their natural habitats.
- b. It is our mission to “Protect What You Love” and when it comes to our South Carolina sea turtles, we encourage our audience to reduce single use plastic, share the messaging around beach conservation (lights out, sand castles, and leave with what you came with) and practice safe boating to ensure the sea turtles have a long, healthy future in our oceans.
- c. In May 2017, the Aquarium opened Zucker Family Sea Turtle Recovery, a state-of-the-art sea turtle rehabilitation facility and learning landscape open to all of our 450,000 annual guests. This exhibit allows up to inspire the next generation of environmental stewards, ensuring the future protection of threatened and endangered animals and their habitats.
- d. The establishment of the McNair Center for Sea Turtle Research and Conservation in 2017 will enable the Aquarium to revolutionize rehabilitative care for sea turtles through a slate of projects including: utilization of an exercise pool to improve patients’ post-treatment strength; investigation of sea turtles’ use of sound for navigation and site fidelity; analysis of sea turtle impactation data to chart trends in microplastics consumption; research surrounding cause(s) of recurring cataract condition

2) Establishing a Conservation Department to design and implement a slate of measurable conservation and fieldwork initiatives

- a. MPA artificial reef research in partnership with SCDNR
- b. Robust redhorse population conservation
- c. Horseshoe crab breeding and population research
- d. Exploration of noise pollution impacts on dolphin echolocation in partnership with NOAA
- e. Citizen Science to engage students and communities in hands-on learning experiences
- f. Plastic pollution education initiative to connect communities with solutions to a mounting environmental threat to wildlife and human health
- g. The Resilience Initiative for Coastal Education (RICE) to prepare communities for the threat of sea level rise

3) Providing complementary science education programs for students and teachers across the state of South Carolina, and beyond

- a. Serve more students by increasing our statewide reach by 66% through the Rovers Education Outreach Program, and increasing open access opportunities for those otherwise unable to attend the Aquarium due to financial limitations or health concerns
- b. Serve students of all ages through the establishment of an early learning initiative and an adult learning series

- c. Improve our learning package by establishing a distance learning program and improving our on-site classroom technological components

4) Presenting an exceptional visitor experience

- a. Building of Kids Coast, an on-site dedicated play space and educational learning center for toddlers, and their families
- b. SkyTrail, an interactive climbing structure that promotes exploration, discovery, and movement
- c. Updates to the Piedmont Gallery and the freshwater exhibits within to reflect the importance of freshwater resources in our state for health and wellness, recreation and quality of life, and our state's economy

C. Description and Location of Project/Event:

The 2019 Turtle Trek is our 4th annual 5k sunset beach run and kids fun run that will take place on Saturday, September 21st at the Isle of Palms Country Park. The Turtle Trek promotes sea turtle conservation, trash free beaches, and community wellness to all ages from across the US.

We expect the event to sell out again this year with 550 5K runners and 150 Kids' Fun Run participants. The event begins at 4pm with a beach sweep followed by the Kid's Fun Run and 5K, and ends with an after party and awards presentation at the Windjammer.

Our goal is to raise \$75,000, all proceeds from the Turtle Trek support the South Carolina Aquarium's sea turtle conservation and research initiatives. To date, we have rehabilitated and released 274 sea turtles back to their natural habitats.

Single Event? - Yes

Ongoing Event/Annual Need? - Yes

1. Date(s): of Event: September 21, 2019

2. Impact on Tourism: What percentage of persons benefitting from this project are tourists (98%, 672 runners) vs. Isle of Palms residents (2%, 18 runners).

**Source of tourist data Runsignup.com – registration website used for Turtle Trek runners. Data taken from 2018 runner registration report (website hits, surveys, ticket sale information, etc.)*

3. If this application is for an ongoing event, what is the percentage increase/decrease in tourist attendance versus the past year's event? –
Since 2016, we have been steadily increasing attendees but year over year, we are still seeing only 2% of registrations come from Isle of Palm, and the

remaining 98% of registrations come from cities from 14 different states. We expect the same number of attendees as shown above and very similar numbers for tourist attendance. Last year, we had runners between the ages of 1-77 year's old coming from 14 different states.

**Source of tourist data – Go Race Productions (website hits, surveys, ticket sale information, etc.)*

D. Funding: Sources of Income for This Event or Project

- 1. Sponsorships or Fundraising:** To date, we have secured \$6,500 out of our goal of \$40,000 from TD Bank and Ameriprise Financial. Waiting for final approval from Crews Subaru of Charleston and Publix Super Market Charities. We would be happy to offer Isle of Palms ATAX sponsor logo visibility on all marketing materials such as ads, billboard, t-shirts, posters, etc.
- 2. Entry Fees:** 5K Registration = \$40; Kid's Fun Run = \$20
Total expected entry fees = \$25,000
- 3. Donations:** We expect to raise an additional \$10,000 from raffles, merchandise sales, and third party fundraising outlets.
- 4. Accommodations Tax Funds Request:** \$10,000

Date(s) Required: September 21, 2019
Lump Sum: Flexible
Installments: Flexible
- 5. Other:** N/A
- 6. Total Budget:** \$29,936

E. Financial Analysis

Please Provide Line Item Budget for Event or Project

- Marketing: \$14,936 (billboards, digital ads, print ads, appearances, t-shirts, race bibs, printing, press release, posters, postcards, etc)
- Food & Beverage: \$4,000
- Rentals: \$2,500
- Entertainment: \$1,000
- Race director/timing: \$2,500
- Other (EMS, police, awards, misc supplies): \$5,000

Date for Submission to Isle of Palms Treasurer of Financial Report for Event or Project: TBD

Revised April 7, 2010

If awarded, funds are requested as follows:

(1) Lump Sum(s):

\$10,000 by September 1, 2019

(2) Payment of Invoices as submitted to City Staff. Invoices should be submitted two weeks prior to due date.

PUBLIC SAFETY COMMITTEE

9:00 a.m., Monday, May 6, 2019

The regular meeting of the Public Safety Committee was held at 9:00 a.m., Monday, May 6, 2019 in the City Hall Conference Room, 1207 Palm Boulevard, Isle of Palms, South Carolina. Present for the meeting were Councilmembers Bell and Ward, Chair Buckhannon, Interim City Administrator Fragoso, Captain Swain, Chief Graham, and City Clerk Copeland; a quorum of the Committee was present to conduct business.

1. Chair Buckhannon called the meeting to order and acknowledged that the press and public were duly notified of the meeting in accordance with the Freedom of Information Act.

2. Approval of Previous Meeting's Minutes

MOTION: Councilmember Bell moved to approve the minutes of the regular meeting of April 2, 2019 as submitted; Councilmember Ward seconded and the motion **PASSED UNANIMOUSLY.**

3. Citizens' Comment

Susan Page, 5 Forest Trail Court 1, told the Committee about the deplorable conditions that exist at the house next to hers; she said that it has become a habitat for raccoons, rats, etc. and the pool in the back is green and nasty looking. The owner of the property lives on the island, and appears periodically to mow the "grass", but he has made no attempt to renovate or do any repairs. She asked the Committee if the City could do something to force the owner to take some kind of action.

George Page, 5 Forest Trail Court 1, stated that he has been complaining about the property next to his home for three (3) years with no positive results; the porch is falling off the house and the porch railings have fallen off. He stated that the livability officer has told him that property rights trump livability rights; but he contends that he has rights too. Despite being forced by the City to close up the eaves of the house, the owner has done nothing to the backyard. Mr. Page was very concerned about the impact of this property on the value of his home because the house has no value. He wanted the City to take action on this property, and he wanted a date when he could expect to see a change. According to Mr. Page, the owner has become quite belligerent, and Mr. Page has stopped confronting him. The house is falling down, is a nuisance and a hazard; it is covered with mold.

Becky Parris, 3 Forest Trail Court 1, is the neighbor on the other side and stated that she agreed with everything the Pages said. She told the Committee that she bought her house when prices were high, and she knew that the value of her home was going down for every minute that house was allowed to continue to deteriorate. The number of raccoons in her yard has increased, and they have begun to leave feces around the pool in the backyard; in addition, they have begun to sit on the edge of the pool and pull out the caulking. She said that, for the first time, she was having issues with rats. Since the owner does not maintain the yard, Ms. Parris went over one afternoon to pick up the palm fronds and other large leaves; the owner rode by, saw her and stopped to tell her that she was trespassing. She reported that the owner has a radio going 24/7 – he contends that the noise keeps the raccoons away. She told the Committee that they have contacted environmental people, the City, and DHEC in an effort to get something done.

Dick Valvay, 3 Forest Trail Court 1, asked, "What is going to be done?" He has heard a rumor that an ordinance will come before Council that will put more teeth in the existing ordinance regarding neglected, nuisance, dilapidated homes. He noted that he has also spoken with a police officer and the livability officer who have told him that the house does not qualify as a safety hazard so the City cannot do anything.

George Page, 5 Forest Trail Court 1, recalled that, one to two (1 – 2) years ago, the property owner put out some construction materials on the street, and one (2) item was a steel door, which no one would take. He called to complain, and, when he arrived home, a police officer and the livability officer were moving the door to the backyard. He reiterated that something needs to be done.

MOTION: Chair Buckhannon moved to suspend the rules to address Item 5C at this time; Councilmember Bell seconded and the motion PASSED UNANIMOUSLY.

5. New Business

C. Consideration from Wild Dune for City sanctioned night work

The PowerPoint presentation is attached to the historical record of the meeting.

Interim Administrator Fragoso stated that Wild Dunes was requesting City-sanctioned night work for continuous concrete pour events that will take place at the new hotel at various times over the summer months. She noted that the City's work hours were 7:30 a.m. to 6:00 p.m. Monday through Friday, 9:00 a.m. to 4:00 p.m. on Saturdays, and work was not allowed on Sunday.

Mike Manzinger, Vice President of Lowe who is primarily in charge of construction activities, informed the Committee on the progress made to-date on the new hotel; he stated that the work started in late July or early August of 2018. To-date they have rerouted water and sewer lines, driven approximately seven hundred fifty (750) piles that was seventy-five percent (75%) done; started foundation work. Over the next two (2) weeks, a tower crane will be erected to be used in the construction process; some excavation work has begun in preparation for the foundation. The large concrete pours will require numerous and continuous concrete truck deliveries, likely fifty to sixty (50 – 60) trucks with one arriving right after another every six to ten (6 - 10) minutes. This work is what they would like the City to sanction to take place between the hours of 2:00 a.m. and 7:00 a.m. He said that all construction traffic will be limited to Palm Boulevard which will lead to extended traffic backups, an increased safety risk for pedestrians, and hinder access for first responders. They have calculated a need for thirty-five (35) events for the nighttime operation with the concentration in August, September and October of 2019; the events will continue into April of 2020.

Councilmember Bell indicated that he has done the math on the number of trucks involved and it is upward of twenty-six hundred (2,600); in August and September the truck number would be in the neighborhood of eight hundred to one thousand (800 – 1,000).

Mr. Manzinger noted that trucks delivering construction materials and trucks hauling out dirt will also be using Palm Boulevard throughout the day. They are dealing with the logistics of getting the trucks on site and reducing the noise of the backup alarms to a minimum.

Mr. Manzinger announced that they will hold a public meeting in a couple of weeks to inform the community about the happenings over the coming weeks and months. He reported that he meets with Fire Inspector Travis Stafford and Interim Administrator Fragoso weekly.

Councilmember Bell pointed out that the pouring events will happen in the height of hurricane season.

The Interim Administrator stated that the weekly meetings will include the Police Department, the Fire Department, the Building Department and administration. She agreed that these pour events were less than ideal, but Wild Dunes is doing a great deal to keep the noise level to a minimum and to impact the residents as little as possible. She announced that the public meeting was scheduled for 6:00 p.m. on May 16th at the Recreation Center.

MOTION: Councilmember Bell moved to recommend to City Council to approve a not-to-exceed number of 35 City-sanctioned night work events per the schedule provided; Chair Buckhannon seconded.

Chair Buckhannon expressed concern about the tower crane in hurricane season.

Mr. Manzinger agreed that the procedures for the crane in a storm should be shared with the community to alleviate some of their concerns. He explained that the protocol is for the operator to take the brakes off and insure that it does not have any loads attached and the weather vanes; it is designed to turn with the winds. When asked, Mr. Manzinger did not know the wind rating, but would get it and relate it to the Interim Administrator.

VOTE: The motion PASSED UNANIMOUSLY.

3

MOTION: Councilmember Ward moved to suspend the rules to address Item 5.A. at this juncture in the meeting; Councilmember Bell seconded and the motion PASSED UNANIMOUSLY.

A. Discussion of more stringent standards for dilapidated structures

The Committee asked Building and Planning Director Kerr to join the discussion.

Since unkempt houses was discussed in the past couple of years in the Real Property Committee, Councilmember Bell offered to bring the other members of the Committee up-to-date on those discussions. The conclusions he recalled were related to potential storm damage and the destruction that would cause in creating dilapidated structures, but they did not delineate between an egregious situation that needed to be corrected and storm damaged residences. He agreed that the City needed to find a way to help these residents who were living next door to a house that should not be allowed to exist on the Isle of Palms.

Director Kerr stated that, although each is different, four or five (4 – 5) houses on the island would fit into the general category of dilapidated. The City's position has been that the structure cannot be "an attractive nuisance," i.e. a place that would draw kids in to create mischief; entrances to the house were to be boarded up to keep out young people and animals. He told the Committee that the homeowner has the right to have a vacant house on his property, and the Police Department deals with keeping the properties mowed. The City statutes have covered the bare minimum; it has always been an issue of safety. Wild Dunes has adopted codes that deal with the aesthetics of properties. The Code the City currently uses is the International Set of Building

Codes; the International Property Management Code gets into aesthetics, such as prohibiting rot, peeling paint, leaks in the roof, etc. Knowing that the island has historically been made up of vacant houses, Council has not seen the need to regulate that properties must be pristine at all times.

Councilmember Bell said that the island has many homes with some degree of rot or peeling paint, and he thought any action on such matters would be an overreach, but he believes that the property in question needs a big placard out front saying "This Property is Condemned."

Director Kerr quickly commented that condemnation was a very dramatic step that was only taken when the structure was at risk of falling in; he noted that the specifics have been laid out in case law.

Councilmember Bell said that it was inconceivable to him that this home was not a safety concern.

The Director commented that between the Police Department and the Building Department, this house on Forest Trail Court 1 was constantly being monitored, and that the owner was forced to take some kind of corrective action about twice a year. As these corrective actions take place, the house was selectively being demolished now as it becomes unsafe. He remarked that the owner did what he was required to do, nothing more, and the Director agreed that it was awful looking by any standards. He added that to regulate to the point that it was illegal would have a snowballing effect.

Councilmember Bell then asked if standards for public safety could be established that would be independent of peeling paint and rotten boards.

Chair Buckhannon asked if the backyard was totally fenced in as it was required to be with the presence of a pool.

Captain Swain said that, when the owner has been told that something must be done about the pool, he typically was cooperative, and, from the pictures, he thought it was time to visit that issue again.

Interim Administrator Fragoso has found a section of State code that she thinks will help the City in this situation; it is §31-15-20 that states:

Title 31, Chapter 15, §31-15-20. Repairing, Closing or demolishing unfit dwellings.
"Whenever a municipality of this State find that there exist in such municipality dwellings which are unfit for human habitation due to (a) dilapidation, (b) defects increasing the hazards of fire, accidents or other calamities, (c) lack of ventilation, light or sanitary facilities or (d) other conditions rendering such dwellings unsafe or unsanitary, dangerous or detrimental to the health, safety or morals or otherwise inimical to the welfare of the residents of such municipality, such municipality may exercise its police powers to repair, close or demolish any such dwelling in the manner herein provided.

Councilmember Ward asked that staff address this section of the State Code immediately.

Director Kerr asked if the Committee was saying that they would want a house like the one (1) on Forest Trail Court 1 to be demolished. If not, where would they draw the line?

Councilmember Bell responded that the answer depended on how bad a public safety issue the house was. In a digression, the Councilmember repeated his belief that the City's punitive fines were not high enough; he believed that the fines should be commensurate with the violations if the City wanted the actions to change. On the other hand, if the fine was steep enough, the owner would do whatever was needed on his own to avoid paying the fine.

Director Kerr stated that the fines were established by State law.

Councilmember Ward thought that such properties were to be sealed, but, according to the neighbors, that was not the case in this instance because vermin were coming and going at will.

The Director thought that these animals might be around and under the house, but he doubted they were inside the house.

Councilmember Ward then asked if the City needed an engineer to help with this problem

Councilmember Bell repeated the earlier request to the Interim Administrator about applying State law and determining what those factors were. He opined that something had to be in the realm of public safety that would cause some real action to take place with this property beyond asking that the yard be mowed or the next section to be demolished.

The Interim Administrator stated that the State Code cites conditions that would make a house unfit for habitation by humans and would serve as guidance for the City if Council chose to expand the current ordinances. She asked if a house was determined to be unfit, what would be the next step.

Director Kerr said that each step has a time-period that would allow the owner to take remedial action after he was given notice of the situation. Once a property reaches the condition of this one, it is frequently not financially feasible for the owner to do what is required to meet even a minimum standard so it would be demolished.

When Councilmember Ward asked for a timeline, the Interim Administrator replied that she thought an ordinance could be put before City Council at the May meeting. She recalled that Director Kerr said that follow-up on these properties was going to put a strain on City staff, and consideration might be given to adding one (1) employee in the Building Department.

4. Old Business

A. Update on Flowbird mobile app implementation

Captain Swain reported that the Police Department has provided them with all of the information they requested; he understood that Treasurer Suggs was working with them on the transfer of money. The rollout is still planned for Memorial Day weekend, and they will have their "ambassadors" on the island to help people to sign up for the app and to demonstrate its use to drivers.

B. Update on installation of test area for shoulder stabilizing product

According to the Interim Administrator, this was a work in progress.

C. Update on public transit initiative

The Interim Administrator said that she continues to work with the COG and SCDOT; it is definitely on the DOT May agenda when they expect to get approval for the purchase of the vans. The primary users will be employees from Wild Dunes and the marina, and the rollout has been delayed until the end of June.

D. Discussion of Coyote Management

The last meeting on coyote management was with members of the Wild Dunes Community Association board, and the City staff was going to reach out to Lowe, SCDNR and to James Westerholt of the Horry Georgetown Technical College with the intention of setting up a meeting to discuss the options the City has relative to the coyote population. Captain Swain reported that he spoke with the coyote expert with the SCDNR Jay Butfiloski, who is a font of information, but he does not appear to want to be involved beyond that. Mr. Westerholt, the professor from the technical college, was willing to bring his students here for a count, but he, too, was not interested in assisting the City in any other way. Captain Swain stated that someone had sprung all of the City's traps in one (1) location, and he confirmed that at least one (1) trap was on the golf course that was marked with a sign.

E. Consideration of film permit

Interim Administrator Fragoso referred the Committee members to a draft of the permit description in the meeting packet and indicated that she wanted to review it with the Committee. She reminded them that the purpose of the permit would be to streamline the approval process for small, unobtrusive film, video or still photography shoots on the beach. The permit application should be submitted with a minimum of a fourteen (14) day notice; the project would need to carry the City's established limit for liability insurance with the City named "additional insured." The permit's processing fee would start at ten dollars (\$10), but the fee could increase based on the project's need for City services. The City Administrator would make the final decision and report it to City Council.

The only comment on the permit came from Councilmember Bell who thought that, rather than "unobtrusive," she should be specific with "not requiring any City services."

If adopted, changes to the City Code would be required.

MOTION: Councilmember Bell moved to present the film permit to City Council; Councilmember Ward seconded and the motion PASSED UNANIMOUSLY.

F. Discussion of FY20 budget

The Interim Administrator stated that the only change from the first edition of the budget is the impact of the implementation of the salary and wages changes made to the Police Department recently. This budget does not include any of the proposed staffing changes, but the new Chief of Police will be instructed to look at some of the vacancies as opportunities for restructuring.

Chair Buckhannon noted that a code enforcement officer did not need to be a certified police officer.

The Interim Administrator said that she and Councilmember Ward discussed the need to schedule a fourth budget meeting since the report on the Public Safety Building is expected this week. She

has reviewed the components of the report with Trident, and the cost for the remediation of the building is higher than was originally estimated. She and Treasurer Suggs will be working on funding scenarios to present to Council.

5. New Business

B. Discussion of enforcement of parking related violations after the end of Beach Services Officers' shifts

Councilmember Bell initiated his comments by saying, "Mimi does a phenomenal job!" He said that he asked for this to be on the Agenda because, based on his observations and comments from residents on the interior of the island, parking enforcement just stops once the BSOs day is over. He stated that he would like to know that police officers have a duty/responsibility to make sure that parking enforcement continues after the BSOs leave. He said that he was amazed by the people who are parking parallel to the left of the line and opening their doors into the lane of traffic, but people continue to do it because they have seen that enforcement is not at the same level it is when the BSOs are working.

Interim Administrator Fragoso informed the Committee that the Police Department has only hired three (3) BSOs; other applicants have been brought in, but they cannot pass the drug test, background check or the polygraph.

Captain Swain said that he has not seen any quality candidates, but he has received a new batch of resumes from HR to review.

On the subject of the BSOs' working hours, Captain Swain said that he typically staggers their hours and Mimi is the late person leaving usually around 7:00 p.m.

Councilmember Bell stated that the number of compliments he gets on Mimi from residents on her is "off the charts." It is "her demeanor, her courteousness, her attention to detail on the job", he wanted to say it publicly.

Captain Swain said that he does look at who is writing tickets, and officers do write a lot of parking tickets. He commented that no one would write more than Mimi.

D. Consideration of policy for golf carts on the beach

Chair Buckhannon has been asked what would happen to the golf cart if the handicapped driver or passenger had an emergency and had to be transported. He said he wanted to notify the Police Department on the need for a policy; he thought the City Attorney could provide the assistance needed.

Interim Administrator Fragoso reported that this subject had come up in a staff meeting, and the Police and Fire Departments were working together to decide the most practical action to take.

6. Highlights of Departmental Reports

Fire Department – Chief Graham See the City's website: www.iop.net

Chief Graham reported that the roof at Fire Station #2 was inspected based on its age; as a result, they will be doing some roof maintenance to prevent leaks and to prolong the life. She said that she will prepare a schedule of roof maintenance to be done every five (5) years.

Police Department – Captain Swain See the City's website: www.iop.net

Captain Swain stated that the overall numbers were down because of the low number of officers on the road; currently, five (5) officers are attending the South Carolina Justice Academy.

Councilmember Bell asked if the officers have said anything about the parallel parking on Palm Boulevard; he thought it was much more orderly. He thought that the change to parallel has gone smoother than anticipated.

7. Miscellaneous Business

Proclamation in Support of National Safe Boating Week, May 18-24, 2019

MOTION: Councilmember Bell moved to adopt the proclamation; Chair Buckhannon seconded and the motion PASSED UNANIMOUSLY.

Next Meeting Date: 9:00 a.m., Monday, June 3, 2019 in the Conference Room

8. Executive Session – not needed

9. Adjournment

MOTION: Councilmember Bell moved to adjourn the meeting at 10:24 a.m.; Chair Buckhannon seconded and the motion PASSED UNANIMOUSLY.

Respectfully submitted:

Marie Copeland
City Clerk

The Lowie logo is rendered in a dark gray, stylized, sans-serif font. The letters are composed of thick vertical and horizontal strokes, giving it a modern, geometric appearance. The 'O' is a circle with a vertical line through its center. The 'W' is formed by two 'V' shapes joined at the base. The 'I' and 'E' are simple vertical and horizontal lines.

LOWIE

Wild Dunes Resort Expansion















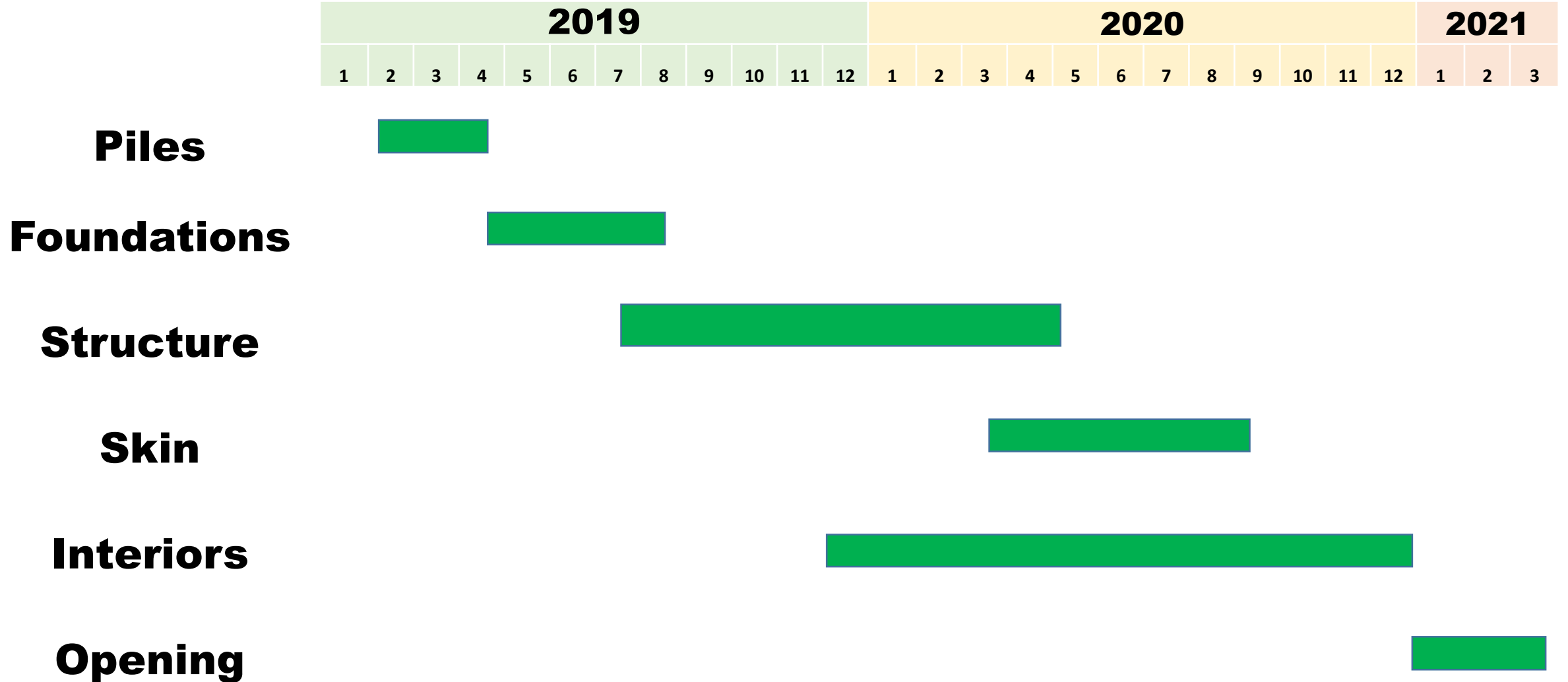
Project Stats

- Largest construction project on IOP in over a decade
- 777 Piles
- 1,125 Tons of Rebar
- 565 Tons of Structural Steel
- Over 20,260cy of Concrete

Project Update

- Work completed to date
- Pile Driving
- Concrete Start, Tower Crane, Excavation
- Overall Schedule Summary

Schedule



Progress Photo



Current Issues

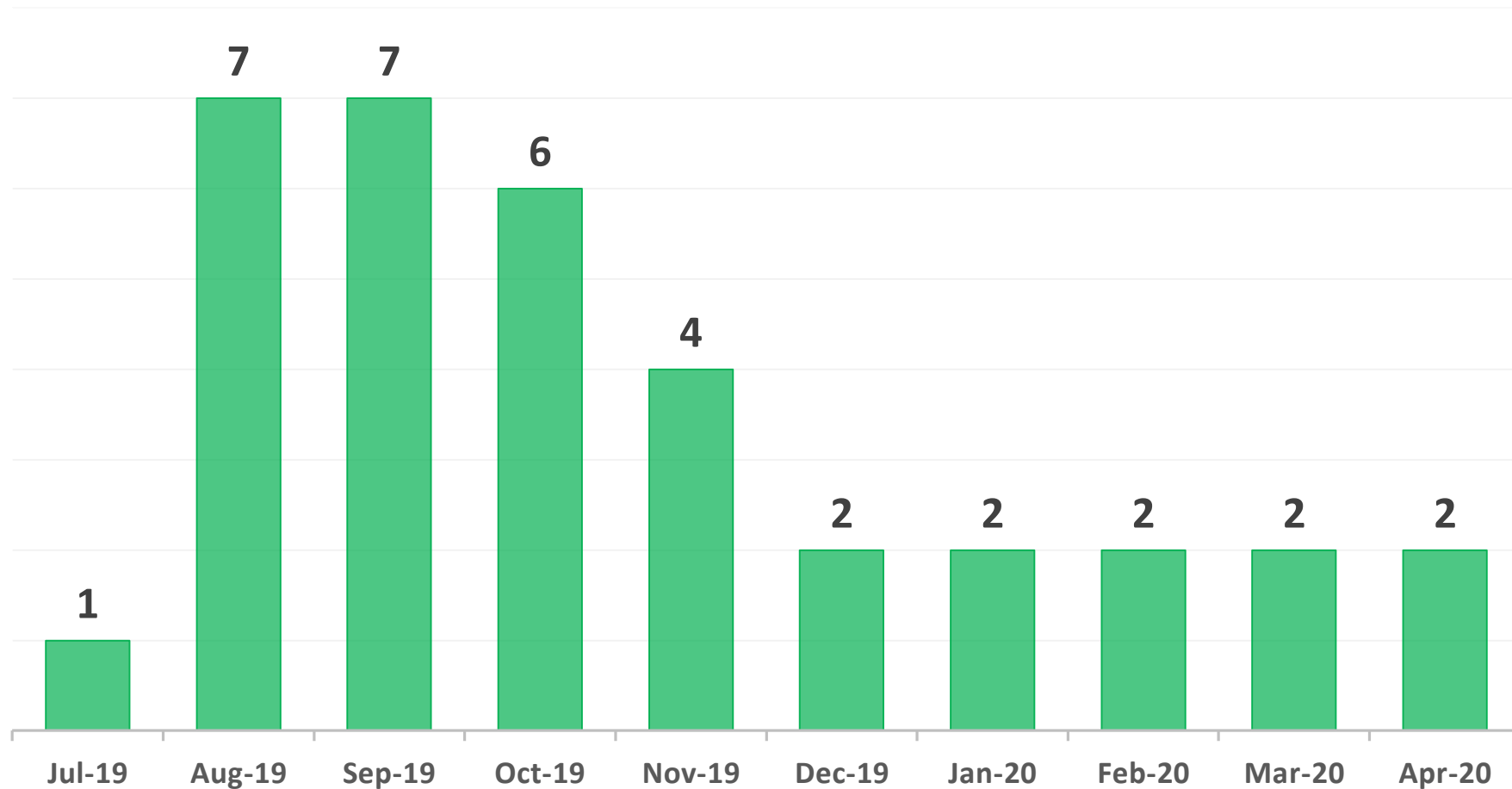
- Large concrete pours require numerous and continuous concrete truck deliveries
- Scheduling large pours during the day would mix a high volume of concrete truck traffic together with congested Palm Blvd beach traffic
- Potential for extended traffic backups
- Potential increased safety risk to pedestrians
- Potential to hinder access for first responders
- Potential to increase morning back ups at Palm Gate

Mitigate Traffic Impact with Night Pours

- Move major Concrete pours to night-time
- 35 Estimated Night Pour Events
 - July 2019 - April 2020
 - Targeting night pours on Tuesday, Wednesday, Thursday nights
 - No weekends

Night Pour Timeline

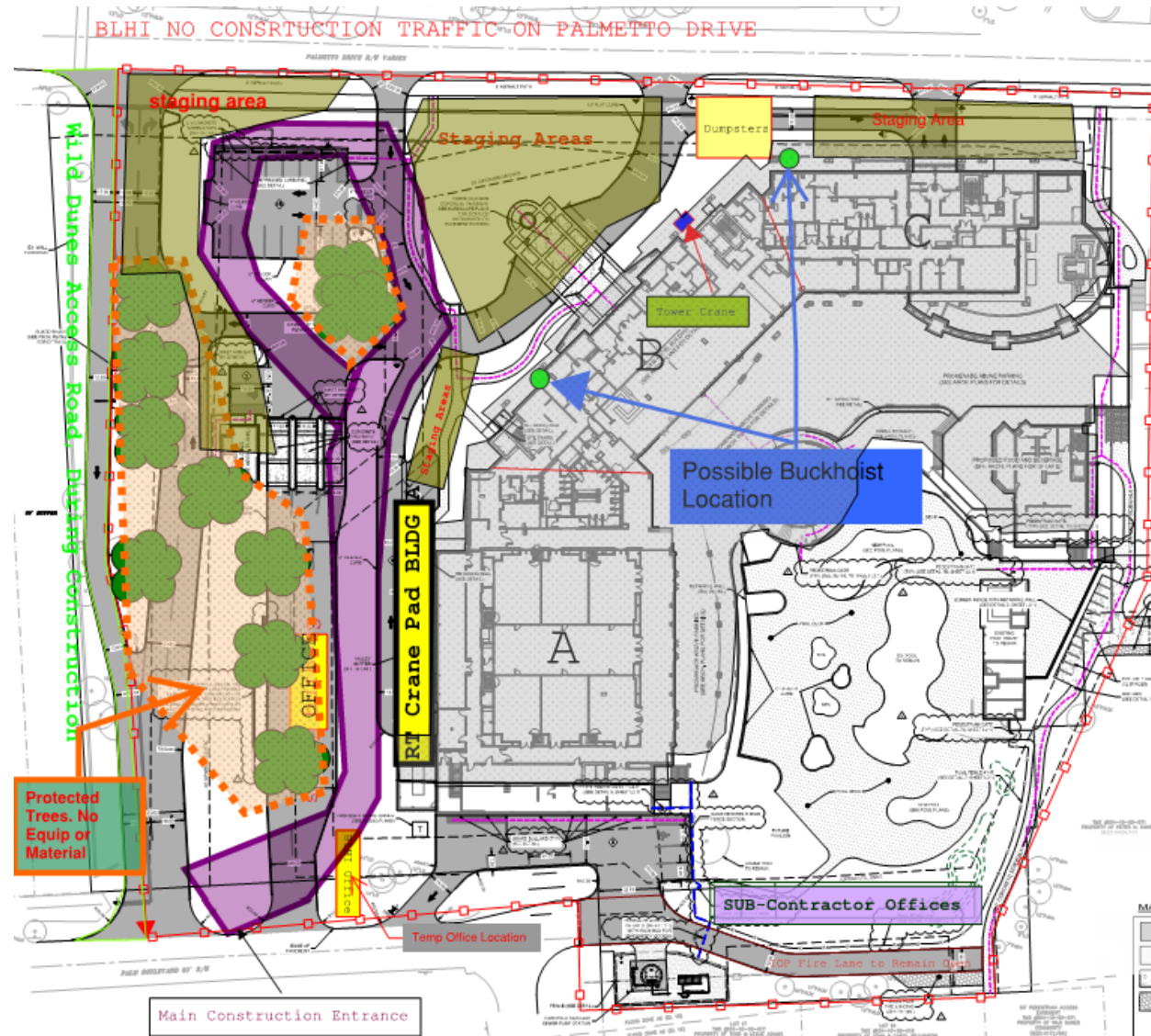
Number of Night Pours per Month



Other Mitigations

- Coordinate worker parking to minimize impact on neighbors - shuttles
- Coordinate site logistics to minimize backups on Palm Blvd
- Coordinate concrete operation to minimize use of back up alarms
- Regular communications with IOP and utilization of social media

Site Logistics Plan



Benefits

- Eliminate high volume of concrete truck traffic on Palm Boulevard during the day
 - Reduced Traffic
 - Reduced potential pedestrian hazards
 - Allows for quicker emergency vehicle access
- Limits major concrete operation to only one summer season
- Limit additional congestion at Palm Gate

Public Works Committee
4:00 p.m., Tuesday, May 7, 2019

The regular meeting of the Public Works Committee was called to order at 4:00 p.m., Tuesday, May 7, 2019 in the City Hall Conference Room, 1207 Palm Boulevard, Isle of Palms, South Carolina. Attending the meeting were Councilmembers Kinghorn and Smith, Chair Rice, Interim Administrator Fragoso, Public Works Director Pitts and Clerk Copeland; a quorum of the Committee was present to conduct business.

1. Chair Rice called the meeting to order and acknowledged that the press and public were duly notified of the meeting in accordance with the Freedom of Information Act.

2. Approval of Previous Meeting's Minutes

Councilmember Smith had a couple of corrections she wanted made to Page 5 and brought a copy with the changes to show Clerk Copeland.

MOTION: Councilmember Smith moved to approve the amended minutes for the regular meeting of April 4, 2019 as changed; Chair Rice seconded and the motion PASSED UNANIMOUSLY.

3. Citizens' Comments

Don Thompson, 2319 Captain John Hunt Road on Goat Island, said that he has lived on Goat Island for nearly thirty-five (35) years, and he has spent an inordinate amount of time trying to make arrangements for a garbage receptacle for residents of Goat Island. Since Harris Teeter took over the site of the Red & White, they no place to deposit their garbage; currently they use a small dumpster at the library on Sullivan's Island. He was attending the meeting today to ask for a piece of ground on the Isle of Palms about the size of a sheet of plywood to place a 6 x 5.5 lidded container that Charleston County would provide and service; the container would be for the exclusive use of Goat Island residents. He thought that space was available in the back corner of the municipal parking lot where the private contractor puts the trash he takes off the beach.

Chair Rice stated that the City pressure washes its dumpster every week in an effort not to attract vermin and to keep the odor down. She asked Mr. Thompson if he thought they could do that, and Mr. Thompson answered that the Goat Island residents would do whatever was necessary.

MOTION: Councilmember Smith moved to reorder the Agenda to discuss Item A under New Business; Chair Rice seconded and the motion PASSED UNANIMOUSLY.

6. New Business

A. Discussion of a request from Goat Island to place a dumpster for household trash on the Isle of Palms

Director Pitts stated that pressure washing was one (1) issue, but Carolina Waste was the sole provider on the island, and he was concerned that bringing in another contractor would create an issue. In addition, of major concern to Director Pitts was the debris left on the sides of the contain

after it was emptied; if Council approves the request, he thought that someone from Goat Island would be required to clean up around the dumpster after it was dumped. He was also concerned about residents and visitors taking advantage of another dumpster. The Director said that two (2) parking spaces would be lost if their container was in the corner. He also reported that, if another container was put there, the surrounding residents would be very unhappy; they believe the dumpsters create a rental income loss although the dumpsters were in place before residents moved into that area.

Councilmember Kinghorn noted that the County was willing to provide the container and to service it, and he was surprised since he considered Goat Island a private entity.

Mr. Thompson said that the County would provide twice a week pickup, and the residents would gladly pay for an extra one (1) if necessary.

Chair Rice stated that she has been shocked at how much oversight a dumpster could demand.

Director Pitts commented that the City contractor might go in on a Monday morning to find a dumpster filled with construction materials that must be removed before he could begin beach trash removal.

Interim Administrator Fragoso said that she would work with Director Pitts, Mr. Thompson and the City contractor to see if something could be worked out to accommodate Mr. Thompson and the residents of Goat Island.

Bob Brown, 3710 Buckety Road, Goat Island, stated that, when he moved to Goat Island, the garbage disposal site was behind the Red & White, but the residents lost the use of that space when Harris Teeter took it over. He stated that he has other ways of disposing of his trash because he rents a slip in Wild Dunes and at the IOP Marina. He indicated that he has been amazed to learn the complications of having a dumpster on the island; he thought they simply needed a small piece of land, but, like Mr. Thompson, he was certain that they could meet the City's requirements. He thanked the Committee for any assistance the City could provide to the Goat Island residents.

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4. Public Works Report for April 2019 – Director Pitts

Based on the volume of miscellaneous garbage, fifty-one tons (51 T.), the Director thought that residents must have been in spring cleaning mode in April. He noted that the yard debris appeared low in comparison, but he reminded the Committee that a storm hit the island the year before last that skewed the numbers for that year. While the crews are still on once a week garbage collection, they try to mow and maintain the rights-of-way; they were mowed twice in April. The parking lot was mowed three (3) times and the 41st Avenue ditch once. He noted that the Mobi-mat put at the Front Beach boardwalk is problematic, and since the area has not had any rain, the soft sand is quickly covering the mobi-mat and making a big hump. He said that he and his crew would continue to do what they can to keep the mat level. The Hazardous Material Collection and Shred Day was held on April 27th, and, as usual, the response was very good; the list of items collected is attached. The cost of vehicle maintenance in April was nominal at approximately seven hundred thirty dollars (\$730), but the Director believes that the year will end right at or slightly over budget.

5. Old Business

A. Status of Phase II Drainage

Interim Administrator Fragoso reported that the engineer is waiting on the revisions to the as-builts while workers complete the driveway repairs and replacements. Once the revisions to the as builts have been completed, they will be taken to Charleston County. Overall, the work has been completed and the system is working well. The project was completed under budget and the balance is being transferred to the Capital Projects fund for use on Phase III drainage – the outfalls improvements.

B. Update on Phase III Drainage project

The Interim Administrator reported that she and Director Kerr would be meeting with Thomas & Hutton tomorrow to hear about their work on several ways the City could conduct outfall improvements along with the cost of each.

C. Update on renovations to the Public Works workshop

HR Officer DeGroot put together a short presentation of before and after photographs; the changes provide more space for the personnel, more organization, and a real office space for the Director, Assistant Director Washington and the new Assistant Director. The new overhead doors will go in today, and the electronics are yet to be installed. The renovation was described as “the overdue re-do.”

D. Update on general ditches and drainage issues – Forest Trail areas

Director Pitts reported that the pipe under Marginal Road has been replaced and the road is no longer in danger of caving in; the contractor is waiting for the gate valves that are due in the next two (2) weeks. Once they are in, the contractor will complete the asphalt work.

Chair Rice told the Committee that she was served with a petition from residents of Forest Trail and Sparrow Drive requesting that “City Council authorize a flood abatement solution” for them. The Chair turned the petition with forty-five signatures over to the Interim Administrator to be presented to City Council at their meeting of May 28. The Chair noted that this area has no drainage infrastructure and experiences frequent flooding.

E. Discussion of comprehensive sewer implementation

The Chair opined that this topic was discussed at length at the last meeting and she had nothing to add until such time as City Council can meet with the board members for the IOP Water and Sewer Commission.

Interim Administrator Fragoso told the Committee that she has not been able to confirm a date with the Water and Sewer Commission for a joint meeting. Based on the discussions related to the urgency to move forward with an island-wide sewer program, the Interim Administrator stated that the ordinances that were deferred earlier in the year need to come back to Council in preparation for the project. The three (3) ordinances presented circumstances when houses must be connected to public sewer. She asked the Committee if they wanted to review them before they went back to City Council.

MOTION: Councilmember Kinghorn moved to bring the deferred ordinances related to public sewer back to City Council; Chair Rice seconded.

When Councilmember Smith asked if these ordinances were sent back to the Planning Commission for review, the Interim Administrator noted that they spent weeks in research and discussion before recommending these ordinances to City Council for approval. She understood that Council was waiting on the completion of the Water and Sewer Master Plan, and that took nearly a full year.

Interim Administrator Fragoso reported that she and Director Kerr met with the Water and Sewer Commission's rate consultant/financial adviser, and he submitted a proposal to the City to work jointly with the Water and Sewer Commission to develop a financial plan showing that it is feasible for this project to be done.

VOTE: The motion PASSED UNANIMOUSLY.

On the subject of the rate consultant/financial advisor, the Interim Administrator noted that the FY19 budget had fifty thousand dollars (\$50,000) for the City's share of the development of the MOU; only twenty thousand dollars (\$20,000) of that amount was spent; therefore, funds are available to pay the financial adviser in FY19.

As Committee Vice Chair, Councilmember Smith attends the Water and Sewer Commission meetings and she offered to advocate for a joint meeting. She commented that she supported doing the sewer project sooner rather than later since the City could see a cost savings in doing the drainage and sewer projects simultaneously.

MOTION: Councilmember Kinghorn moved for City Council to direct staff to complete a full implementation of wastewater connectivity by 2030.

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The motion FAILED for lack of a second.

Councilmember Kinghorn opined that the Water and Sewer Commission need to see that the City is serious about island-wide sewer, and they would see that commitment with the proposed franchise fee and the reconsideration of the sewer ordinances.

F. Discussion of prohibiting the use of single-use plastic bags, plastic straws and Styrofoam products on the beach

Before the Committee is the amendment for prohibiting plastic and Styrofoam products from the beach.

Councilmember Smith asked if balloons could be added to the amendment.

MOTION: Councilmember Smith moved to take the ordinance with the addition of balloons to City Council at the end of the month for approval; Chair Rice seconded and the motion PASSED UNANIMOUSLY.

G. Discussion of implementing a smoking ban on the beach

From conversations with the City Attorney, the Interim Administrator learned that this action could be adopted by Council but that it must have civil penalties attached to it, for instance, Surfside Beach has such an ordinance and has a twenty-five dollar (\$25) fine. With the civil fine attached, the ordinance would have enough "teeth" in it to enforce.

Councilmember Kinghorn thought that an unintended consequence would be that without smoking, vaping would increase.

The Interim Administrator added that several locations that have banned smoking on the beach have done so based on the health and well-being of the community.

Councilmember Kinghorn asked if the City would consider designated smoking areas.

At the Chair's request, staff will do additional research on this issue.

H. Discussion of FY20 Budget, Version 3

According to the Interim Administrator, the only change in this version of the budget is the addition of two hundred seventy-five thousand dollars (\$275,000) for improvements to the Waterway Boulevard multi-use path that staff is proposing to be paid from Hospitality Taxes.

When the Interim Administrator confirmed to the Chair that the salary for the new Public Works position was included in the budget, she asked for an update on that hiring process. The Interim Administrator stated that she and Director Pitts have reviewed the resumes received and selected a handful to receive the employee assessments. Once they are returned, the phone interviews will begin and fact-to-face interviews will be held the week of May 17th. The goal is to announce the new Assistant Director of Public Works at the May Council meeting.

6. New Business

B. Consideration of FY20 Charleston County Transportation Committee project requests

Interim Administrator Frago commented that the City has successfully received funding for other pedestrian projects, such as the 28th Avenue sidewalk and the bike path coming off the Connector through Leola Hanbury Park.

MOTION: Councilmember Smith moved to list as the City's #1 priority for CTC funding for the construction of improvements to the Waterway Boulevard multi-use path; Chair Rice seconded and the motion PASSED UNANIMOUSLY.

7. Miscellaneous Business

Director Pitts told the Committee that SCDOT was working on the sidewalk extension at 41st Avenue.

Chair Rice asked the Director if he has been informed by Charleston County whether the island will have weekly recycling again this year, and Director Pitts said that he has not heard anything.

Twice a week garbage collections will begin the week of June 2nd.

Next Meeting Date: 9:00 a.m., Thursday, June 6th, 2019 in the Conference Room.

8. Adjournment

**MOTION: Councilmember Smith moved to adjourn the meeting at 10:15 a.m.;
Councilmember Kinghorn seconded and the motion PASSED UNANIMOUSLY.**

Respectfully submitted:

Marie Copeland
City Clerk

DRAFT

RECREATION COMMITTEE

5:00 p.m., Monday, May 6, 2019

The regular meeting of the Recreation Committee was called to order at 5:30 p.m., Monday, May 6, 2019 in the City Hall Conference Room, 1207 Palm Boulevard, Isle of Palms, South Carolina. Present for the meeting were Councilmember Buckhannon and Moye, Chair Smith, Interim Administrator Fragoso, Recreation Director Page and City Clerk Copeland; a quorum of the Committee was present to conduct business.

1. Chair Smith called the meeting to order and acknowledged that the press and public were duly notified of the meeting in accordance with the Freedom of Information Act.

2. Approval of Previous Meeting's Minutes

MOTION: Councilmember Buckhannon moved to approve the minutes of the regular meeting of April 1, 2019 as submitted; Councilmember Moye seconded.

Councilmember Moye asked that the words "Wild Dunes" be removed from the first full paragraph on page 3 because the comment was not directed at only the Wild Dunes residents.

VOTE: The corrected minutes were **UNANIMOUSLY APPROVED.**

3. **Citizens' Comments** – none

4. Departmental Report

Director Page stated that, like last month, she has included more information in the report to acquaint the Committee members with other things that the Recreation staff does for the City and for other departments. With the school year drawing to a close, many activities for young people will also end to be replaced with the summer camps. The exercise classes will continue through the summer months. Pickleball has become quite popular in Charleston County, and the Director has succeeded in finding an instructor. Beginner and intermediate levels of play will be taught beginning June 4th with both morning and evening classes. New programs being planned for the fall are "Handling Social Media with Confidence and Grace" that will be geared for eleven and twelve (11 – 12) year old girls and "Kids Planet Earth" that will be a hands-on learning program for children age six (6) and up. Although it is filling up quickly, openings are still available in the Rising Stars Basketball Camp, the Girls Volleyball Camp and the Get Your Spike on Volleyball Camp. As usual, Wee Camp filled up quickly, but spaces are still available for Weeks 11, 3 and 7 for Camp Summershine.

When Councilmember Moye asked how the Saturday camp registration had gone, Director Page acknowledged that some were happy and some were not; she did not think as many people showed up to register their kids. Councilmember Moye agreed that he heard positive and negative comments about the change; he heard one person say, "Now I am wasting an entire day here." An out-of-the-box idea he had for registration was a lottery system; he asked the Director to think about it and to consider how it could work.

The Director informed the Committee that a public meeting will be held at the Rec Center at 6:00 p.m., Thursday, May 16, 2019 to update residents on the progress made on the construction in

Wild Dunes and to foreshadow thirty-five (35) concrete pouring events that will take place in the wee hours of the morning beginning in July.

Director Page stated that she has a meeting with the RecTrac representative on May 20th to talk about what options were open for the Department. Councilmember Moyer asked that she tell the salesperson that the City was shopping other software that would meet the Rec Department's needs and would be more economical.

Councilmember Buckhannon recommended that parents signing their children up for camp should pay the full amount at registration rather than a deposit. He was confident that parents would be more conscious of vacations when selecting weeks, and they would not just register the child(ren) for the whole summer. By paying in full, they were making a commitment and less likely to simply not show up for a week.

Chair Smith reminded the Committee that this would be the first summer with increased fees.

The Easter Egg Hunt was a huge success; the Keenagers made up fifteen hundred (1,500) bags of candy and none were left.

Councilmember Buckhannon said that the only problem he observed was parking; the City invites people to come to enjoy the program then have no place for them to park because the surrounding street are marked "Resident Only Parking". He plans to discuss this issue with the Public Safety Committee.

Director Page thought that attendance was low for the "Music in the Park" event; the Keenagers who normally attend told her that they stayed home because of the forecast of storms and rain.

The sand sculpting contest will be on Saturday, June 1.

Councilmember Moyer recalled that last year the Committee discussed having one (1) judge from the island.

The judges are members of the American Institute of Architects (AIA) usually, but Director Page was happy to include the Mayor or other member(s) of Council.

On Wednesday, June 5th, the United States Air Force Heritage of America Band Heritage Winds will perform outside at the Rec Center.

The IOP Beach Run in July 27th and the Half Rubber Tournament is August 17th.

The multitude of tasks the other Rec employees do were highlighted in this month's report, including some of the jobs they do for other departments.

Director Page informed the Committee that Weston Smith, a Recreation Supervisor, has tendered his resignation; he has found a job in his hometown in North Carolina. With Baby #2 on the way, he and his wife decided that they need to be closer to family. In his position, he was responsible for events so the Director hopes she can fill the position quickly.

The Director noted that she is often approached by family members who want to do something at the Rec Center to honor or memorialize a loved one, and she has to tell them that she does not have a way to help them. She has been thinking about this and realized that a path from the

picnic area to the front door was needed to keep people from walking on the grass; she proposed having a brick walkway, like at Front Beach. People can purchase bricks to be engraved with the family name or the name of a loved one, etc. She asked that the Committee think about it and to discuss at the next meeting.

5. Old Business

A. Discussion of surfing instructions on the Isle of Palms beach for the summer of 2020

Interim Administrator Fragoso recounted how the process evolved from a young man having made an agreement with Wild Dunes to hold surfing lessons on the beach in Wild Dunes last year; since the City has a long-standing prohibition of commercial activity on the beach, the young man had to get permission from the City. After considerable discussion by the whole of City Council, the decision was made that the best way for the City to approach this would be through an exclusive franchise agreement giving the City the control it wanted over the operation. In the meantime, the City was informed by Wild Dunes that they were no longer interested in the program. Since island residents have shown support for offering surfing lessons at the Isle of Palms, consideration now will focus on generating an RFP for an exclusive franchise agreement. Options for offering the surf lessons next year have included classes tied to the Rec Department, hiring the instructor on a contract labor type of agreement; hiring the instructor as a part-time employee. Discussions will continue to refine the process and to make decisions like the location on the beach, the hours to be on the beach, etc.

B. Update on 2019 Isle of Palms Farmers Market

Director Page met with the managers last week, and they decided to hold the market in September and October on Wednesdays, from 3:00 p.m. to 7:00 p.m.

The City has been working with www.sc.gov to take payments on-line; this year, the vendors can pay on-line and do not have to come to the island. An earlier decision was to downsize the market, the question of music is yet undecided because the managers will have less money with which to work.

C. Discussion of FY20 budget version 3

Interim Administrator Fragoso stated that the budget has not changed since it was last reviewed; as requested, the final page shows the source of funds for the Recreation budget.

6. New Business – none

7. Miscellaneous Business – none

Next Meeting Date – The Committee decided not to meet in June.

Councilmember Moyer asked that the Interim Administrator email the draft surfing RFP to members of the Committee when it has been completed.

8. Adjournment

MOTION: Councilmember Buckhannon moved to adjourn the meeting at 6:35 p.m.; Councilmember Moye seconded and the motion PASSED UNANIMOUSLY.

Respectfully submitted:

Marie Copeland
City Clerk

DRAFT

PERSONNEL COMMITTEE
8:30 a.m., Tuesday, May 7, 2019

The regular meeting of the Personnel Committee was held at 8:30 a.m., Tuesday, May 7, 2019 in the City Hall Conference Room, 1207 Palm Boulevard, Isle of Palms, South Carolina. Present for the meeting were Councilmembers Rice and Ferencz, Chair Moyer, Interim Administrator Fragoso and Clerk Copeland; a quorum of the Committee was present to conduct business.

1. Chair Moyer called the meeting to order and acknowledged that the press and public were duly notified of the meeting in accordance with the Freedom of Information Act.

2. Approval of Previous Meeting's Minutes

MOTION: Councilmember Rice moved to approve the minutes of the regular meeting of April 2, 2019 as submitted; Councilmember Ferencz seconded.

Councilmember Rice pointed to Page 2 and Page 3 where a statement from her was duplicated.

Vote to approve corrected minutes: The motion PASSED UNANIMOUSLY.

3. Citizens' Comments – none

4. Old Business

A. Status of the hiring process for the City Administrator and Assistant Public Works Director

Chair Moyer reported that the Personnel Committee will interview the four (4) candidates for City Administrator on Thursday and Friday of this week; two (2) people will appear in person and two (2) will be interviewed via Skype. They will be interviewed by the Personnel Committee and the HR Officer in Executive Session, and the second round of interviews will be the week of May 24th. The Committee's goal is to make a recommendation for the position of City Administrator to City Council at the May meeting.

HR Officer DeGroot reported that preliminary phone calls have been made to possible candidates for the Assistant Public Works Director. May 17th has been set as a tentative date for interviews with the three or four (3 – 4) finalists; the City employees involved will be Director Pitts, Director Kerr, the Interim Administrator and the HR Officer. Based on the results of these interviews, an announcement could be made at the May Council meeting.

B. Update on *ad hoc* committees of standing committees

The Interim Administrator recalled that forming an *ad hoc* committee to review the Request for Information (RFI) the City receives for the municipal parking lot was briefly discussed. Once the RFI has been completed and advertised, staff will prepare criteria for serving on this committee for the Committee to review, and then they can decide if they want to go forward with this *ad hoc* committee.

C. Status of boards and commissions criteria and selection process

Interim Administrator Fragoso distributed a handout of the PowerPoint presentation that she was going to review.

The Committee's practice for the past couple of years has been to re-appointment members to boards and commissions who expressed a desire to continue serving the City in this capacity. The Interim Administrator defined the goal as follows:

To encourage diverse participation of qualified citizens and develop a consistent and streamlined appointment process.

The City's boards and commissions are the ATAX Advisory Committee with seven (7) members, Board of Zoning Appeals with five (5) members, Code Board of Appeals with seven (7) members and the Planning Commission with seven (7) members. Director Kerr compiled a list of occupations that would comprise the ideal makeup for the Planning Commission; Councilmember Rice thought that a person with an engineering background would be beneficial.

Chair Moye asked that each board or commission be given the opportunity to weigh in on what background would add to the knowledge base for the committee or board.

The ATAX Advisory Committee, the Planning Commission and the Board of Zoning Appeals are established by State law that also includes the number of members for each and, in the case of the ATAX Committee, its memberships' composition. Interim Administrator Fragoso noted that, at times, the City staff has been very creative in its interpretation of that Committee's makeup.

The Personnel Committee could impose term limits for each committee making more opportunities for citizens; the Interim Administrator said that language could be inserted that would give the Personnel Committee and City Council the ability to make exceptions when necessary. In addition, the Personnel Committee could establish an administrative policy to guide the selection process rather than go through a change to the City Code.

Chair Moye thought term limits should be customized for each Committee; he suggested that, at their next meeting, the Planning Commission consider and provide feedback on the concept of term limits

Councilmember Ferencz noted that the current Planning Commission has a good mix of people who work together well despite not always agreeing.

Referring to the makeup of the ATAX Committee, Councilmember Rice did not support term limits; she asserted that the seats were too difficult to fill.

As an alternative to term limits, the Interim Administrator suggested that members who want to be re-appointed could reapply and be interviewed like the new candidates.

Chair Moye was most complimentary of the Planning Commission and the work they do; he said the City would be in a difficult situation if all members of the Planning Commission were to resign at the same time. He said that the Personnel Committee needed to find the way to create enough turnover to maintain continuity while getting new ideas. He thought that the long-term projects the City was embarking on spoke to the importance of turnover so people could get in and learn what is going on. He said that he wanted to toss this idea to the various committees for their feedback in time for the August meeting.

Interim Administrator Fragoso stated that she wanted the HR Officer to review the current application to make recommendations provide a structured interview process taking into consideration the selection criteria stated.

Councilmember Rice thought that a candidate should attend a meeting of the committee he/she was interested in.

D. Discussion of launching a comprehensive Strategic Planning process

Interim Administrator Fragoso reported that she met with the Director of the Center for Livable Communities, and he appeared happy to work with the City. He is working up a proposal for consideration, and he offered to come to a meeting to talk about other communities they have helped and the process they will follow. She commented that the Committee would be working with interns from the environmental school. Since her meeting, five thousand dollars (\$5,000) was added to the budget for this project, making a total of fifteen thousand dollars (\$15,000). The plan would start in the fall.

E. Discussion of establishing a Director of Human Resources position and potential budgetary impact

The Interim Administrator confirmed to the Chair that funds have been added to the FY20 budget for this position.

F. Discussion of FY20 Version 3 budgets for General Government and the Building Department

The increases to the Mayor and Council budget stem primarily from the health insurance increase and three thousand dollars (\$3,000) added for security at Ways and Means and City Council meetings. Overall, the Mayor and Council budget will increase by seven percent (7%) over FY19.

For General Government, the budget for personnel and wage driven expenses has been budgeted to increase by one percent (1%) over FY19; the increase was the result of the FY19 COLA and wage-based expenses.

Councilmember Ferencz asked what the City's debt limit was, and the interim Administrator stated that she and the Treasurer were working to present new debt schedules for the budget workshop.

Councilmember Ferencz questioned the Salaries and Wages line for FY19; with a major employee no longer on payroll, she thought that actual wages would be less than it shows and not over-budget.

The Interim Administrator agreed to work though the numbers with Treasurer Suggs.

The increase to the Debt Service Principal is the addition of the GO bond for drainage Phase III. For FY20 Professional Services includes thirty thousand dollars (\$30,000) for the bond attorney and fifteen thousand dollars (\$15,000) for the Strategic Plan assistance.

Chair Moye opined that the City should work to disassociate from the Charleston Visitors Bureau (CVB) and to use the funds to directly impact the Isle of Palms and not the City of Charleston.

Councilmember Ferencz cautioned that doing that was much more complicated than it appeared from the outside; the City would have to generate a non-profit organization and staff it. She stated that she has been advocating detaching from the CVB for years; she added that, at this point, the City has enough tourism and does not need to advertise for more.

The Building Department budget will increase by seven percent (7%); the increase is driven by the software that will enable the City to locate Airbnb rental or other locations that were renting but do not have the proper licenses or pay the appropriate taxes.

5. **New Business – none**
6. **Miscellaneous Business – none**
7. **Executive Session – not necessary**
8. **Adjournment**

MOTION: Councilmember Ferencz moved to adjourn the meeting at 9:18 a.m.; Councilmember Rice seconded and the motion PASSED UNANIMOUSLY.

Respectfully submitted:

Marie Copeland
City Clerk

REAL PROPERTY COMMITTEE

9:00 a.m., Wednesday, May 1, 2019

The regular meeting of the Real Property Committee was held at 9:00 a.m., Wednesday, May 1, 2019 in the City Hall Conference Room, 1207 Palm Boulevard, Isle of Palms, South Carolina. Attending the meeting were Councilmembers Ferencz and Ward, Chair Bell, Interim City Administrator Fragoso, City Attorney Copeland and Clerk Copeland; a quorum of the Committee was present to conduct business.

1. Chair Bell called the meeting to order and acknowledged that the press and public were duly notified of the meeting in accordance with the Freedom of Information Act.

2. Approval of Previous Meeting's Minutes

MOTION: Councilmember Ferencz moved to approve the minutes of the regular meeting of April 3, 2019 as submitted; Councilmember Ward seconded and the motion PASSED UNANIMOUSLY.

3. Citizens' Comments – None

4. Comments from Marina Tenants

Jay Clarke of Morgan Creek Grill stated that, although the one (1) year lease on the docks expires on May 31, 2019, he would like to renew it and to retain use of them by the restaurant; he also asked that the finger piers on the restaurant docks be lengthened as part of the dock rehabilitation project. He asked that "the Real Property Committee assist the marina tenants in cooperating with the specified customer and employee parking within the marina site to include the marina operator placing proper signage in the designated areas . . ." When the underground storage removal and replacement project is completed, he asked that the paved area damaged by the construction projects be repaired. In conclusion, he referred to an article in *The Post and Courier* earlier in the week that has been detrimental to the restaurant; he requested that Councilmembers remember the goodwill between Morgan Creek Grill and the City and that Councilmembers refrain from speaking negatively about it to the press. He has found that people are not booking small parties or wedding receptions in the fall because they are under the impression that the restaurant will no longer be operating. He asked that the City send a letter to the newspaper requesting that a correction be published.

Marina Manager Brian Berrigan reported that social media has been commenting on the resident launch rates and slip availability, and he would like to clarify that the resident launch rate is five dollars (\$5.00) and has remained the same since January 1999. He also confirmed that residents were charged another five dollars (\$5.00) for parking. On the subject of slips, he recently rented seven (7) slips to residents; he said that residents are always the first people contacted when a slip becomes available. He noticed that one (1) item under New Business was about business interruption for the marina tenants due primarily to the underground storage tanks project, and he stated very clearly that he had not budgeted for the project to take so long and its extended impact on his business and all other marina businesses. At the pre-construction meeting, the tenants were told by the contractor that the project would take six (6) weeks, and they were currently in week fifteen (15). He said that any consideration by the City would be appreciated.

Michael Fiem, Tidalwave Watersports, reported that since the April meeting he has not received any correspondence from OCRM or the City. He stated that his permit application would be

complete once he gets the survey, but he asked that they be kept abreast of the City's progress on its permit applications. He reported that he spoke with the person performing the audit with McCay Kiddy at length on Friday and expected to have all of the information they wanted very soon. Having seen the Hill report, he said that the one hundred two (102) parking spaces that the restaurant needed was not indicative of any restaurant on Sullivan's Island or downtown. He was concerned that the report did not offer any alternative and did not take into consideration the needs of the other businesses at the marina.

5. Old Business

A. Presentation of building assessment report on Morgan Creek Grill

Interim Administrator Fragoso commented that the Committee members and the marina tenants were given copies of the final report, and it is posted on the City's website. Chip Crane of Hill Construction was attending the meeting to review the report and to answer questions Committee members might have. He noted that the structure was thirty-five (35) years old, has been used as a restaurant, has a unique site and shared parking, and was owned by a municipality. In doing the assessment, they ran into situations that were "outside the box" from the usual building assessment they do. Whatever the City decides to do with the building, he asked that the City keep three (3) things in mind, and they are

1. The building is 35 years old and was built with a lot of wood products that show the wear and tear;
2. The first floor is 1 foot below flood level and limitations exist about how much work can be done and what is allowed to be done; and
3. The parking must be addressed due to zoning regulations.

In general, they looked at the building's condition, the wear and tear, and compliance with ADA regulations; he stated that the building was constructed before several of the regulations were put in place. They based what needed to be done on three (3) factors, life safety and code issues with several needing immediate attention, renovation of the building taking into account the fifty percent (50%) rule that limits the amount that can be done and the practicality of those renovations based on wear and tear and the site, the option to tear the existing building down and build new. Their final assessment was that the sensible thing to do was to tear it down because it solves many of the issues that come into play, but they were not "sold" on the idea. Mr. Crane stated that they were focused on the building and the way it was put together.

Chair Bell indicated that the challenge was in "how to take a marina that needs a significant amount of work and do it in a publicly conscious way with respect . . . the citizens and visitors and the residents."

The Interim Administrator confirmed that the FY20 budget does not have a placeholder for renovations or replacement of the marina restaurant.

For the public record, Chair Bell asked Mr. Crane to review the cost estimates included in the report.

Mr. Crane stated that they looked at the current condition and what it would take, with unlimited money and non-existence of the fifty percent (50%) rule, to determine the cost to remove, repair, replace or modify the building. The biggest item that would affect the operations of the restaurant would be the repair of the floor underneath the walk-in cooler and the two (2) tent-like structures on the roof. They were a temporary use and did not appear to have been designed and installed

to meet any code at any time, when they were added and certainly not to today's standards. They are not required to meet today's codes, but they were to meet the code that was in place when they were installed. He stated that they were in possession of estimates totaling about three million dollars (\$3,000,000) of individual pieces that address items like the walk-in cooler, the slope of the dining room on the main floor that he believes to be a code violation, restrooms that are not ADA compliant, bathroom upgrades, an elevator shaft with no elevator; at the end of the list is a discount if the City could pull together the funds to do all of the work at one time reducing the cost to two million six hundred thousand dollars (\$2,600,000). Based on the value of the structure itself, Hill was not confident that the City could do two point six million dollars (\$2,600,000) of work due to the fifty percent (50%) rule. If the City were to exceed the dollar amount based on the fifty percent (50%) rule, the entire structure must be brought up to code. He thought there were ways to work around the rule, but he thought it would be too cumbersome to try to do it.

According to Chair Bell, an advantage to working within the current structure was that the setbacks would remain same, which a perspective lessee might find attractive.

Mr. Crane stated that the best way to get the job done for the least amount of money was to shut down the restaurant completely and do all of the work at once.

The next scenario Hill looked at was to demolish and rebuild under two (2) sets of criteria, i.e. to replace square foot to square foot and the second was to rebuild smaller. Through their conversations with the Hill team, professionals in the real estate market and the hospitality market, they reached a point where the restaurant size would be fairly close to a hard parking count that would work with the space available, and that size was four thousand to five thousand square feet (4,000 – 5,000 sq. ft.). The cost for the square foot to square foot replacement was four point four million dollars (\$4,400,000) and the smaller restaurant was two point five million dollars (\$2,500,000).

Interim Administrator Fragoso thought the next step was to work with Lee & Associates and to have an appraisal of the building done to know the amount available under the fifty percent (50%) rule; Council has a lot of information to evaluate and digest.

B. Update on removal/replacement of the underground storage tanks at the IOP Marina

The Interim Administrator stated that staff has run into timing delays and very poor communications with the contractor that include accurate time lines and status reports. She stated that the contract allowed eighty (80) days for the project to be completed, and, as Mr. Berrigan stated, the contractor is not into his fifteenth week. City Attorney Copeland is reviewing the contract to initiate the liquidated damages clause. She told the Committee that the contractor is very close to completion with a few punch list items to be addressed. The contractor apparently was confused because he thought that DHEC was going to come last week to do the final inspection, but he has received a letter stating that he must submit all of his reports to them before they will schedule the final inspection.

Chair Bell remembers that the contract calls for one thousand dollars (\$1,000) a day in liquidated damages, and the contractor will be required to pay for damages to the pavement in a couple of areas in the marina.

C. Update on the marina docks rehabilitation project and consideration of expanding the scope of work for ATM associated with the marina docks rehabilitation project

Interim Administrator Fragoso recalled that the current scope of work with ATM was for the engineering and design for the fuel dock, or the area identified as Area A in the approved drawings. The other marina docks have reached such a state of disrepair that they are failing; approximately forty feet (40 ft.) of the dock adjacent to the restaurant collapsed. Based on these occurrences and the overall poor condition of the docks, ATM has advised the Interim Administrator that the planned phasing of the dock replacements is no longer feasible because of the safety concerns surrounding the docks; they are strongly advising the City to replace all of the docks at once.

Kirby Marshall of ATM recalled that the reason the project was starting with the fuel dock was not because it was in poorer condition than the other docks on Morgan Creek, but because it had the critical utilities on it. He added that, when ATM did their initial assessment in 2015, they reported all of the docks on Morgan Creek were at or beyond their useful life; the recent failures have reinforced that. With boats getting bigger and broader, their needs have changed; therefore, the new pilings would be concrete, not treated wood.

If the City was inclined to repair or replace all of the docks as ATM was advising, their existing contract would need to be revised to include the engineering and design for Areas B and C on Morgan Creek. Their proposal was included in the meeting packet and totals sixty eight thousand dollars (\$68,000).

Chair Bell thought that it was important for the residents to understand that the City's annual revenue from the current leases at the marina is approximately four hundred thirty-five thousand dollars (\$435,000) and that the City spends an equal or greater amount in offsetting contributions from ATAX and other funds to keep the marina viable. The costs Council saw for Area A were roughly one million dollars (\$1,000,000) and Areas B and C added approximately two point six million dollars (\$2,600,000) of unbudgeted funds. Chair Bell noted that the terms of the marina lease obligate the City provide safe and operable docks.

Interim Administrator Fragoso referred to the financial worksheet included in the meeting packet that laid out the differences in completing the docks rehabilitation in phases or all at once. Scenario 1 shows the work being done in phases over six (6) years with no debt; Scenario 2 would involve the City's issuing a two point eight million dollar (\$2,800,000) revenue bond for a period of ten (10) years at an interest rate of approximately four percent (4%) pledging State ATAX funds for repayment. The debt service on the bond would be paid with fifty percent (50%) from the marina rents and fifty percent (50%) from State ATAX funds. The financial impact between the two (2) options was the interest expense of approximately six hundred fifty thousand five hundred dollars (\$650,500). She added that this analysis did not include the rising costs of construction or repeated mobilization and demobilization costs for Scenario 1 because the work would be spread over multiple years; another expenditure that was not included in the calculations was the cost for construction management. With Scenario 2, Interim Administrator Fragoso planned for the construction to take place over the winter of 2020 and 2021; she commented that the revenue bond would not count against the City's debt limit.

Kirby Marshall of ATM confirmed that the City might receive the necessary permits in January or February of 2020.

According to the interim Administrator, Scenario 2 did not anticipate an increase in property taxes; the debt service is coming from State ATAX funds.

Interim Administrator Fragoso stated that staff was recommending that the City pursue Scenario 2 for the marina dock rehabilitation.

MOTION: Chair Bell moved to expand ATM's contract as detailed in their proposal in the amount of \$68,000 to include design, engineering and permitting for all of the docks on Morgan Creek at the IOP Marina; Councilmember Ward seconded.

Councilmember Ferencz asked how many major projects the City has that need funding and how many projects could the City look to State ATAX funds to support. She noted that Council has worked hard to reduce the amount of ATAX funds it was using because it is not a number that can be counted on year after year.

Councilmember Bell said that this was the point in the conversation when the statement that the IOP has the lowest taxes in the county actually hurts was a negative and not a positive. He referenced Councilmember Ferencz' comments and agreed that one (1) major storm would end the ATAX revenue stream for an unknown period of time. He recalled that, when he was campaigning, he repeatedly stated that he was not comfortable pledging the future based on things that were out of the City's control.

Councilmember Ward noted that the City has done nothing to refurbish or maintain the marina, and the results have landed on this Council to correct. He agreed with Councilmember Ferencz that the City has several high priority projects that cost millions of dollars and cannot be ignored. He noted that the City faces huge liability issues at the marina with docks collapsing and falling into the water.

Councilmember Ferencz added that there was also a restaurant at the marina that was out of compliance with building codes; another example of neglect on the City's part was Councilmember Ward's response.

The Interim Administrator said that the City has reduced the City's dependence on ATAX funds to pay operating costs; the tourism funds remain available to support special projects, such as this. She stated that if the City were to face circumstances that greatly reduced or stopped ATAX dollars for an extended period of time, Council would have to go back to the drawing board to find the funds for servicing the debt.

Councilmember Ward called for the vote; Chair Bell seconded and the vote was unanimous.

Vote: The motion PASSED UNANIMOUSLY.

Interim Administrator Fragoso stated that the dock rehabilitation would not impact the FY20 budget but would require changes to the forecasts.

D. Update on permitting process for the existing Tidalwave Watersports dock

In the way of background, Chair Bell said that the City became aware of OCRM violations with the Tidalwave dock earlier in the year, and in researching certain information, it was learned that

the permit was in the tenant's name and not the City's. The problem came when the permitting process takes ninety to one hundred twenty (90 – 120) days taking it well into the summer season, and the question was would OCRM allow Tidalwave to operate as is for the balance of the lease. Another issue arose when it was found that part of their operation encroaches into the restricted space from the centerline; in light of the encroachment, the City issued a letter telling the City's tenant that they would not be allowed to use that jet dock until the City received a response from the Army Corps of Engineers.

Kirby Marshall stated that he had a meeting with OCRM the following morning to discuss the permitting of the watersports dock as well as the City's permit application for the dock rehabilitation. The latest information from the Army Corps of Engineers was that the City and Tidalwave would receive a letter in the next week explaining their stance on the jet dock and the few feet of the City's dock that encroaches as well. Mr. Marshall said that he has asked the Corps of Engineers to copy the City on any correspondence to Tidalwave.

E. Update on Public Safety Building Repairs project

The Interim Administrator announced that the work was on schedule and that Trident was working on the report; she hopes the reports can be distributed next week. She reminded Council that they were contracted to do the forensics on the building, to establish a list of priorities and to establish an estimate of what the remediation was going to cost. They performed an additional air quality test and the results were inconclusive; they will look to improve the flood prevention system, to address the multiple instances of air infiltration from the outside and to re-side the entire building. Discussions are ongoing about the relocation of personnel. She repeated that she meets with the superintendent every week for a progress update; in general, the Interim Administrator said that the lines of communication were excellent.

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F. Status of Agreed-upon Procedures for all marina tenants

Chair Bell explained that the purpose of this work by McCay Kiddy was to learn if the City was getting all of the money it was due, i.e. that the tenant's systems were reporting all of their revenue and cost of sales accurately. The leases with the four (4) marina tenants all contain language that the City is entitled to all records and receipts related to their financials upon demand of the City. He stated that all marina tenants needed to understand that this was not an option, but a requirement under their leases, and if the requirements were not met, defaults could be triggered which would terminate their leases.

Interim Administrator Fragoso stated that the report was not yet ready because McCay Kiddy has not received all of the requested information.

G. Update on marina restaurant RFP process and discussion of role of Lee & Associates

John Chalfie joined the Committee at the table and reported that he has emailed Interim Administrator Fragoso an agreement for Lee & Associates working with the City to produce the RFP and to assist with evaluating the proposals the City receives. He acknowledged that the Interim Administrator wanted to get a feel for what the process was going to be in this meeting, but, upon a quick review, he thought he needed to spend time reading and digesting the Hill report on the condition of the restaurant. He assured the Committee that the building would not appraise for the five million dollars (\$5,000,000) needed to do the renovations reviewed earlier. He wanted to figure out if a minimum of work could be done for it to operate as a restaurant leaving no

structural or safety concerns. After he has studied the Hill report, he will come back to the Committee with some ideas on the best way to move forward. He spoke with Mr. Crane before the meeting and was told that, if the City chose to rebuild, permitting would take nine to twelve (9 – 12) months with another ten to fourteen (10 – 14) months for construction; if the City wanted to do the bare bones renovations, the restaurant would be shut down for about nine (9) months.

Chair Bell said the he wanted to have the future for the restaurant wrapped up by the end of the year.

H. Discussion of marina parking

Chair Bell still believed that ample parking exists at the marina to accommodate the businesses with cooperation from the tenants; he thought that the issue was the signage in place and what its uses were. He wanted to see the tenants work together to devise a workable parking plan based on which areas of the marina were busy at what times. He did not see that Council or the members of the Real Property Committee should become caught up in the parking issues at the marina, but he was certain that the City could force the tenants to adhere to the terms of their leases.

Councilmember Ferencz asked where residents were to park; the only resident parking she was aware of was at the marina store where the time was limited. The Chair stated that there was a spot of land near the dry storage that was City owned and would be signed for “Resident Only” parking; another piece of City-owned property was where Mr. Berrigan has been parking the very large trailers. The Chair has been working with Mr. Berrigan to have an area of dedicated resident only parking, but it will not be possible until the construction has been completed and cleaned away.

Interim Administrator Fragoso commented that the Morgan Creek Grill lease states that it would have parking for its customers and employees only to the extent that they do not interfere with marina operations, and it would be up to the marina manager to make such a determination.

I. Review of FY20 Budget – Version 3

According to the Interim Administrator, the only change to the budgets under the purview of this Committee was the addition of thirty-five thousand dollars (\$35,000) from the Beach Preservations fee fund for the feasibility study of the Breach Inlet area of the beach in case a renourishment project must be done there.

6. New Business

A. Discussion of use of Breach Inlet boat landing

According to the Interim Administrator, the City sells ten to twelve (10 – 12) keys per year at a cost of one hundred dollars (\$100) a piece for residents and two hundred dollars (\$200) for nonresidents. The choices are to enhance the area and encourage more residents to use it or to continue with the *status quo*.

Councilmember Ward said that the ramp was too steep and was unsafe, and the lack of parking weakened its appeal.

Chair Bell asked if there was value to be gained for the City in selling it, and Councilmember Ward stated that the spot was worth nothing.

Councilmember Ward suggested that Chair Bell discuss it with the Mayor because problems have been associated with it for many years.

Interim Administrator Fragoso opined that it came up in Public Works as a way of reducing traffic at the marina by allowing residents with boats on this end of the island to launch them there.

B. Recommendation for an award of a contract to Coastal Science and Engineering for RFP 2019-02 – Island-wide Beach Monitoring in the amount of \$30,520 per year for 5 years

MOTION: Councilmember Ward moved to award a contract to CSE in the amount of \$30,520 per year for 3 years for monitoring the entire shoreline; Councilmember Ferencz seconded and the motion PASSED UNANIMOUSLY.

C. Discussion of business interruption for marina tenants

MOTION: Councilmember Ward moved to suspend the rules of order and to invite Marina Manager Berrigan to join the discussion; Chair Bell seconded and the motion PASSED UNANIMOUSLY.

Chair Bell stated that everyone agrees that the work delay with the removal/replacement of the underground storage tanks at the marina has caused a loss of revenue for the marina businesses, and the question is what would be the right way to compensate them for these losses that were totally out of their control. The marina manager suffered the loss of one whole dock and the rent it would have garnered, but his major loss comes when the contractor said six (6) weeks of down time that has now turned into fifteen (15) weeks of downtime; how does one go about calculating the amount of rent abatement he would be due?

According to Councilmember Ward, a meaningful way to compensate the marina manager would be to look at year-to-year comparables and determine the lost revenue. He said that he goes to the marina three or four (3 – 4) days a week for breakfast, and he has seen how the marina store and the deli were hurting.

The Chair thought a good way to start would be to get the marina back in shape with the asphalt repairs, etc. He asked the Interim Administrator to be creative in her thinking and to come back to the Committee with a proposal that was legally compliant and would allow the Committee to look at the big picture and figure out how to apply it.

As comments were made that the reimbursements should apply to all tenants, Chair Bell questioned how they would determine that all downturns in business at the marina were tied to marina disruption.

Councilmember Ward suggested having all of the tenants provide the Committee with comparables between FY18 and FY19 and the data to support them.

Mr. Berrigan recalled the pre-construction meeting in December when the contractor said the businesses would be impacted for a period of six (6) weeks and, ideally, four (4) weeks; he, therefore, budgeted for a period of six (6) weeks to be on the safe-side. The contractor has just

submitted the permit to DHEC, which is new to the contractors in 2019, when, in fact, the entire process was overhauled; they must send the paperwork to DHEC before they will come for the final inspection. When the tanks were removed and some contaminated material was found, the contractor simply dumped the pile of dirt on the ground; whenever Mr. Berrigan asked about its removal, he was told that they have not received the report from DHEC about it. Mr. Berrigan is worried that it will be there all summer taking up two (2) trailer spots. The loss of the forty (40) feet of dock space is actually eighty (80) feet considering docking on both sides of it and that can be added to the forty (40) feet lost last week. He said that he was having to turn away boaters who have had reservations for months, and the docks will not be repaired/replaced until the winter of 2020-2021. Mr. Berrigan said that he could not go two (2) years without that dock space without some kind of remediation. He thought the seventy thousand dollars (\$70,000) quoted by Mr. Marshal was high; the work would be done under a repairs and maintenance order with no permit. He has already gotten a quote from the man who has repaired the docks previously, and he quoted the repair for closer to forty thousand dollar (\$40,000).

Councilmember Ferencz asked if reparations were included in the marina leases and was told that such a provision was included in the leases.

D. Discussion of residential neighborhoods between 21st and 41st Avenues

Councilmember Ferencz asked that this issue be sent to the Planning Commission for study; she stated that she has been hearing complaints from all over the island that the City is losing its residential neighborhoods to short-term rentals popping up in areas that have never had them before. She heard that an ordinance existed or was rumored to exist stating that the neighborhoods between 21st and 41st were to remain residential. When she reached out to Director Kerr, he informed her that areas zoned SR-1 were to maintain residential areas to be quiet, etc.

Chair Bell understood from Public Safety Committee meetings that some number of livability violations could lead to revocation of a short-term rental license. He believed that this was another situation where the fines have not kept up with the violations. He added that he wanted the Planning Commission to look at the whole short-term rental issue – fines, violations, tracking, etc.

7. Miscellaneous Business

All tenants were current with their rent.

The next meeting date will be 9:00 a.m., Wednesday, June 5, 2019 in the Conference Room.

8. Executive Session – not needed

9. Adjournment

MOTION: Councilmember Ward moved to adjourn the meeting at 11:05 a.m.; Councilmember Ferencz seconded and the motion PASSED UNANIMOUSLY.

Respectfully submitted:

Marie Copeland, City Clerk

Board of Zoning Appeals
Minutes
May 7, 2019

I. Call to order

The regular meeting of the Board of Zoning Appeals was called to order on May 7, 2019 at 5:30 p.m. in the City Hall Conference Room, 1207 Palm Boulevard. Members present were Elizabeth Campsen, Carolyn Holscher, Arnold Karig and Glenn Thornburg; also, City Attorney Julia Copeland and Secretary Douglas Kerr were present. Pete Doherty was absent.

Mr. Kerr acknowledged that the meeting had been advertised in compliance with State law and the properties had been posted.

II. Approval of minutes

Before the approval of the minutes of the April 2, 2019 meeting, Ms. Campsen noted that page two of the minutes showed that Mr. Doherty made a motion but he was not present; she believed she was the one who made the motion. Mr. Karig made a motion to approve the minutes as corrected and Ms. Campsen seconded the motion. The motion passed unanimously.

III. Annual Legal Briefing

The next item on the agenda was the annual legal briefing. Mr. Kerr introduced Julia Copeland as the City Attorney, and she went through the attached description of the Board's authority, the Rules of Order and the Freedom of Information Act.

The Board discussed how legal representation would be handled if the Council was at odds with the Board. It was discussed that to avoid hiring additional legal representation, the Council has held the position that the City Attorney would represent the Board, and, if the Council ever chose to challenge the Board, they would have to get other representation.

Ms. Copeland discouraged any email exchange regarding cases. She explained that a judge had also ruled that cases discussed in a chat room also were subject to the Freedom of Information Act.

Ms. Copeland stated that she is aware of meetings in other jurisdictions when Board members have stated that they felt like the applicant was lying; she advised that this could be considered defamation of character and Board members can be held personally liable.

Ms. Copeland indicated that many of the problems she sees involve Board members not agreeing with the statute they are being asked to enforce and they then vote against a case because they are personally opposed to the code being administered. She explained that this is not the function of the Board of Zoning Appeals.

Ms. Copeland stated that Board members should recuse themselves when they have a direct financial interest at issue in a case. She indicated that members should identify conflicts for themselves and be aware that the appearance of a conflict can be just as troubling as an actual conflict.

The Board discussed enforcing conditions attached to a Special Exception that an applicant is not adhering to and how to handle such cases. Ms. Copeland explained that the Board could enforce the conditions, but that notice should be provided to the applicant explaining which conditions were not being adhered to and give a timeframe to remedy.

IV. Adjournment

With no other business, the meeting was adjourned at 6:25 PM.

MINUTES OF THE ISLE OF PALMS
PLANNING COMMISSION MEETING
May 8, 2019

The Isle of Palms Planning Commission met in the City Hall Conference Room, 1207 Palm Boulevard on May 8, 2019 at 4:30 p.m. Members attending included Richard Ferencz, Phillip Pounds, Ron Denton, Bill Mills and Lisa Safford; the Director of Planning Douglas Kerr was present as well. Vince DiGangi and Lewis Gregory were absent. Mr. Ferencz acknowledged that the press had been notified of the meeting, and the agenda for the meeting was posted in City Hall and the Building Department to comply with the Freedom of Information Act.

PUBLIC COMMENTS

No public comments.

APPROVAL OF MINUTES

Prior to the approval of the minutes, Mr. Pounds reported that there was a typo on page five where the word "heir" should have been "their." Mr. Denton made a motion to approve the minutes of the regular March 13, 2019 meeting as corrected, and Ms. Safford seconded the motion. The motion passed unanimously.

CONSIDERATION OF A RECOMMENDATION ON ORDINANCE 2019-07, AN ORDINANCE AMENDING MINIMUM LOT SIZES IN SR1 AND SR2

Mr. Kerr reported that this ordinance was given First Reading by City Council, and or second reading and ratification, but he requested that Council refer the ordinance back to the Planning Commission for a review. The ordinance as written would make many lots nonconforming and the reduction in setback would be automatically granted to these properties. The draft in the packet amended the ordinance by keeping the setbacks unchanged from what they have historically been, while changing the minimum lot size for future subdivision requests.

When Mr. Mills asked if the Council expressed any concern about the changes being proposed, Mr. Kerr answered that he did not sense that there were any objections to the changes.

Mr. Ferencz asked if the ordinance could be modified to remove the label "non-conforming lots." Mr. Kerr answered that he did not know of an easy way to accomplish this. Ms. Safford explained that the Commission discussed the label at the prior meeting and noted there was really no disadvantage to being a nonconforming lot and only benefit in a reduction in setbacks.

Ms. Safford made a motion to recommend approval of the amendments as presented. Mr. Mills seconded the motion and the motion passed unanimously.

DISCUSSION OF WAYS TO REDUCE IMPERVIOUS SURFACING

At the last meeting, the group agreed with the idea of requiring all future hardscaping to be pervious and to reduce the allowable coverage from 40% to 35%, while keeping the minimum floor of the requirement to allow at least 3,200 square feet of coverage and maintain the maximum ceiling to the requirement to limit the coverage to no more than 7,000 square feet. He explained that he had included a draft ordinance in the packet to achieve this change.

Mr. Mills asked what the cost difference would be to an owner of this change. Mr. Denton replied that, in his experience, it would be about twice the cost.

Mr. Mills stated that, in his research, he saw that, typically, these surfaces lose their permeability over time unless they are maintained to be permeable. He questioned the financial burden the City would be putting on an owner, if over time, the benefit was negligible.

The group generally discussed whether the provisions should be written in a way that it only applies to newly developed properties, or all properties and all new surfacing.

From looking at the data compiled for last year's construction, Mr. Pounds found this provision would have only reduced the impervious surfacing on the island by 0.56 acres, a very slow rate of reduction. Mr. Ferencz stated that, over time, the improvement would be accumulative and be meaningful.

Mr. Kerr expressed his personally believed that new construction projects can plan for this provision without a huge financial impact as a percentage of their entire project. He felt that for the requirement to apply to all properties would be most challenging to the older, existing homes that do not cover much.

Mr. Pounds stated that he thought to only make the provision apply to new construction would be less impactful with all of the runoff issues the island has.

Mr. Ferencz suggested that the provision be written so that owners of existing hardscaping can maintain and replace hardscaping in the exact location, but any additional areas covered in hardscaping must be done in pervious materials.

Mr. Denton explained that most projects that he is involved with choose pervious surfacing, because they look better than concrete and allow for other improvements in the future.

The group generally agreed to revise the language to clarify that owners could replace existing impervious surfacing with new impervious surfacing within the same footprint of the existing surface.

Mr. Kerr explained that he would work with the City Attorney to develop new language to reflect this change. He asked if the Commission wanted to review the revisions before they went to City Council or did they prefer to send it directly to Council. The Commission agreed to review the revisions by email.

Mr. Denton made a motion to recommend approval to the lot coverage regulations as revised and Mr. Mills seconded the motion. The motion passed unanimously.

DISCUSSION OF TASK FROM THE REAL PROPERTY COMMITTEE TO REVIEW SHORT TERM RENTAL ISSUES

At the last Real Property Committee meeting, the Planning Commission was tasked with reviewing the issues related to short-term rentals. He explained that he had forwarded the audio to the Commission members noting that his understanding of what has been requested. He stated that there have been several times over the years when the Planning Commission gathered and analyzed data regarding the numbers, size, location, complaints, and other issues associated with rentals, and he would suggest the same review this time. He stated that he could provide the history of changes, the numbers of complaints, examples of what other communities are doing and the number of rentals and the Commission could analyze to see if there are any alarming trends emerging. He added that, after July, the City would have the additional tool of a short-term rental tracking software that should provide additional data on locations and mapping.

Ms. Safford said that it was not clear from the audio what the Committee wanted. She stated that it sounded as though the Council is advocating redrawing the residential zoning districts. Mr. Kerr answered that he did not believe the Committee has done the analysis to see if trends are emerging that need to be kept in-check, but he believes this to be the work that they are requesting that the Commission work towards. He added that one of the proposals contemplated by the Planning Commission in the past was to consider a new, low density, smaller development, less rental-based district in the areas away from the oceanfront properties, maybe fourth or fifth row and back.

Mr. Ferencz stated that, in the audio, the issue of enforceability was discussed, and he wondered if it was true that the regulations were hard to enforce. Mr. Kerr answered that the original recommendation included “a three strikes and you’re out” policy, but that Council heard a lot of pushback on this provision. They ultimately took it out and replaced the provision with language generally saying that if a rental owner has shown an inability to control the nuisances associated with their rental, they would lose their ability to rent.

Mr. Mills asked if there was an indication that the number of problems was increasing. Mr. Kerr answered that he did not know, but he felt that the data could be compiled to analyze the question.

In his design and building profession, Mr. Denton has one client that is focused on finding rental properties to modify, but that all his other clients are building homes not intended to be rented, including owners that have bought a rental and are converting it to a family home.

Mr. Mills asked if Sullivan’s Island grandfathered short-term rentals and prohibited any future rentals. Mr. Kerr answered that they have a policy that prohibits any new rentals, but they never had many. Ms. Safford added that they have always been a very different community and that the Isle of Palms has always been much more tourist-oriented than Sullivan’s Island, and the tax rates and levels of services show this point.

Mr. Kerr explained that he would work to pull together data. He explained that he knew there would be problems with the continuity of data, because the City had changed licensing software since the last time similar work was done.

MISCELLANEOUS BUSINESS – DISCUSSION OF TASK FROM PERSONNEL COMMITTEE TO ESTABLISH SELECTION CRITERIA FOR FUTURE PLANNING COMMISSION MEMBERS

Mr. Ferencz explained that he was bothered by the way that this task had landed with the Planning Commission, but he had discussed the task with Councilmember Moye. He suggested that the Commission members needed to have a longer term to get up to speed on the issues being discussed, and he thought term limits for the Planning Commission was a bad idea. He asked that the Commission give the issue some thought and be prepared to discuss it at the June Commission meeting.

The Commission agreed to discuss the issue at the next meeting.

Planning Commission minutes
May 8, 2019
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ADJOURNMENT

With there being no further business, the meeting was adjourned at 6:00 p.m.

Respectfully submitted,
Richard Ferencz, Chairman

FOREST TRAIL AND SPARROW DRIVE
DRAINAGE DITCH PROPOSAL
ISLE OF PALMS, SOUTH CAROLINA 29451

4/26/2019

TO: Carol Rice, Chair
Public Works Committee
City Council of Isle of Palms
Isle of Palms, SC 29451

We, the undersigned, are Isle of Palms residents living on Forest Trail and Sparrow Drive and whose properties' lot lines are shared in the back of the properties. These properties have no drainage ditch on their abutting properties and consequently these properties endure excessive flooding during a sustained rain phenomenon. We, the undersigned are seeking relief by asking that City Council authorize a flood abatement solution for the properties represented by the signatures on the enclosed petition.

Out of the 55 residences visited, 30 people signed the enclosed petition and no one objected to the petition. Twenty-five (25) residences did not answer the door so no response was obtained.

In the course of my inquiries it became clearer that the flooding not only occurs in the rear of the properties, some of which have drainage ditches that are not maintained and thus overflow when there is increased rain, but there is flooding on the street side of Sparrow Drive which becomes especially bad at the intersection of Duck Lane and Sparrow Drive during heightened weather phenomenon and inadequate street drainage.

The citizens with whom I spoke have been aware of the drainage problems endured on the island and are aware that it will cost money to adequately 'fix' the drainage problems. We want City Council to consider these needs for adequate drainage during flood conditions as a priority during fiscal planning for the island.

Respectfully submitted,

Diane Hamrick Ph.D.

Diane Hamrick, Ph.D.
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FOREST TRAIL AND SPARROW DRIVE
DRAINAGE DITCH PROPOSAL
ISLE OF PALMS, SOUTH CAROLINA 29451

To: Carol Rice, Chair
Public Works Committee
City Council of Isle of Palms
Isle of Palms, SC 29451

We the undersigned are Isle of Palms residents living on Forest Trail and Sparrow Drive and whose properties' lot lines are shared in the back of the properties. These properties have no drainage ditch on their abutting properties and consequently these properties endure excessive flooding during a sustained rain phenomenon. We the undersigned are seeking relief by asking that City Council authorize the digging of a drainage ditch behind the properties listed below:

PROPERTY OWNER	ADDRESS	EMAIL ADDRESS	TELEPHONE
Tami Enright	129 Sparrow Dr	tami.enright@gmail.com	703 400 4473
Kathy Stehmeyer	120 Sparrow Dr	kathy.stehmeyer@gmail.com	843-860-6484
David Blaszczak	130 Sparrow Dr	dave.blaszczak@yahoo.com	703 812 1637
ANDREW VEGA	104 Sparrow Dr	av528sc@hotmail.com	843-364-4002
Julie Deibel	135 Sparrow Dr	jldiebel@comcast.net	843-886-5880
PAT CAMPBELL	126 SPARROW DR.	WOODCARVERPAT@gmail.com	843-614 9357
PATRICIA CAMPBELL	126 SPARROW DR	CAMPBELL.PATRICIAF@aol.com	843-886-9900
Sharon Duke	257 Forest Trail	cherduke@aol.net	843-693-2143
Jerry Duke	257 Forest Trl	jerryduke@aol.net	843-693-2142
Ryan Sancho	1 Forest Trail Ct	RyanSancho@gmail.com	843-882 9292
BRANDON JAMES	259 Forest Trail	BRANDONJAMES@gmail.com	214-564-2184
Rick Myatt	265 Forest Trail	RickMyatt@aol.com	843-884 2534
Josh Trowman	267 Forest Trl, 10P		843-964-4471
Lee Holman	275 Forest Trail		704-477-4846

FOREST TRAIL AND SPARROW DRIVE
DRAINAGE DITCH PROPOSAL
ISLE OF PALMS, SOUTH CAROLINA 29451

To: Carol Rice, Chair
Public Works Committee
City Council of Isle of Palms
Isle of Palms, SC 29451

We the undersigned are Isle of Palms residents living on Forest Trail and Sparrow Drive and whose properties' lot lines are shared in the back of the properties. These properties have no drainage ditch on their abutting properties and consequently these properties endure excessive flooding during a sustained rain phenomenon. We the undersigned are seeking relief by asking that City Council authorize the digging of a drainage ditch behind the properties listed below:

PROPERTY OWNER	ADDRESS	EMAIL ADDRESS	TELEPHONE
Rita Schlichter	141 Sparrow Dr.	Rita.Schlichter@phco.com	843-697-3215
Debrae Sistr	137 Sparrow	rastagirl007@gmail.com	843 708 2758
Andrea Patrick	133 Sparrow Dr.	aspatrik65@gmail.com	843 694 5271
Diane Hamrick	131 Sparrow Dr.	dr.dhamrick@att.net	(843) 209-8347
Wm. CROFT	1A3 SPARROW DR IOP		843-8792
Morgan E. Hewitt Jr.	115 Sparrow Dr.		843-886-8916
Kevin Anderson	111 Sparrow Dr.		843-886-8982
Johnny Niles	105 Sparrow Dr		330.550-8194
Tom W. Idlowski	107 Forest Tr. IOP		843-214-8881
John Quinn	118 Sparrow IOP		843 886 8355
Emi Dames	112 Sparrow IOP		843 (670) 9582
Kathleen Badell	110 Sparrow IOP		843 991 4425
William Smith	106 Sparrow IOP		843-886-4315
Baby J	102 Sparrow IOP		843-886-5463

To: Carol Rice, Chair
Public Works Committee
City Council of Isle of Palms
Isle of Palms, SC 29451

[illegible]

Nancy Cunningham 289 Forest St — 843 886-6559

ORDINANCE 2019-07

AN ORDINANCE AMENDING TITLE 5, PLANNING AND DEVELOPMENT, CHAPTER 4, ZONING, ARTICLE 2, DISTRICT REGULATIONS.

WHEREAS, the Isle of Palms Council is empowered with the authority to make substantive amendments to the Isle of Palms Code, including amending Chapters, and now wishes to do so;

WHEREAS, the City of Isle of Palms, like most municipalities in the Lowcountry, have experienced significant increases in flooding associated with tidal and stormwater influences;

WHEREAS, the City of Isle of Palms has endeavored to study and repair its current infrastructure in an attempt to address these issues, and anticipate its drainage project to take approximately ten (10) years to successfully complete;

WHEREAS, the City of Isle of Palms believes it is necessary to slow any future subdivisions of property for development while this drainage project is underway in an effort to protect flood-prone and vulnerable areas of the island;

WHEREAS, the Isle of Palms Council now desires to amend Chapter 4, Zoning of the Isle of Palms Code of Ordinances, specifically Section 5-4-32 (5) and (6) (SR-1 single-family residential district).

WHEREAS, the Isle of Palms Council now desires to amend Chapter 4, Zoning of the Isle of Palms Code of Ordinances, specifically Section 5-4-33 (5) and (6) (SR-2 single-family residential district).

BE IT ORDAINED AND ENACTED BY THE MAYOR AND COUNCIL MEMBERS OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, IN CITY COUNCIL ASSEMBLED

THAT TITLE 5, PLANNING AND DEVELOPMENT, CHAPTER 4, ZONING, ARTICLE 2, DISTRICT REGULATIONS SHALL BE AMENDED TO READ AS FOLLOWS:

Section 5-4-32 (5) (SR-1 single-family residential district)

a. Lot area: thirty-five thousand (35,000) square feet of contiguous highland.

Section 5-4-32 (6) *Minimum yard requirements.* Minimum yard requirements in the SR-1 single-family residential district are as follows:

a. Front yard: thirty feet (30')

b. Side yard: ten feet (10')

c. Rear yard: thirty feet (30')

Exception: minimum yard requirements for lots with an area less than 17,500 square feet.

Section 5-4-33 (5) (SR-2 single-family residential district) (5) *Minimum lot requirements:*

a. Lot area: Sixteen thousand (16,000) square feet of contiguous highland.

Section 5-4-33 (6) *Minimum yard requirements.* Minimum yard requirements in the SR-2 single-family residential district shall be as follows:

a. Front yard: Twenty-five feet (25').

b. Side yard: Ten feet (10').

c. Rear yard: Twenty-five feet (25').

Exception: minimum yard requirements for lots with an area less than 8,000 square feet.

SECTION 2. Should any part of these Ordinance be held invalid by a Court of competent jurisdiction, the remaining parts shall be severable therefrom and shall continue to be in full force and effect.

SECTION 3. That all ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as the same affect this Ordinance.

SECTION 4. That this Ordinance take effect immediately upon approval by Council.

PASSED AND APPROVED BY THE CITY COUNCIL FOR THE CITY OF ISLE OF

PALMS, ON THE _____ DAY OF _____, 2019.

Jimmy Carroll, Mayor

(Seal)

Attest:

Marie B. Copeland, City Clerk

First Reading: March 26, 2019

Public Hearing: April 23, 2019

Second Reading: _____

Ratification: _____

ORDINANCE 2019-07

AN ORDINANCE AMENDING TITLE 5, PLANNING AND DEVELOPMENT, CHAPTER 4, ZONING, ARTICLE 2, DISTRICT REGULATIONS.

WHEREAS, the Isle of Palms Council is empowered with the authority to make substantive amendments to the Isle of Palms Code, including amending Chapters, and now wishes to do so;

WHEREAS, the City of Isle of Palms, like most municipalities in the Lowcountry, have experienced significant increases in flooding associated with tidal and stormwater influences;

WHEREAS, the City of Isle of Palms has endeavored to study and repair its current infrastructure in an attempt to address these issues, and anticipate its drainage project to take approximately ten (10) years to successfully complete;

WHEREAS, the City of Isle of Palms believes it is necessary to slow any future subdivisions of property for development while this drainage project is underway in an effort to protect flood-prone and vulnerable areas of the island;

WHEREAS, the Isle of Palms Council now desires to amend Chapter 4, Zoning of the Isle of Palms Code of Ordinances, specifically Section 5-4-32 (5) and (6) (SR-1 single-family residential district).

WHEREAS, the Isle of Palms Council now desires to amend Chapter 4, Zoning of the Isle of Palms Code of Ordinances, specifically Section 5-4-33 (5) and (6) (SR-2 single-family residential district).

BE IT ORDAINED AND ENACTED BY THE MAYOR AND COUNCIL MEMBERS OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, IN CITY COUNCIL ASSEMBLED

THAT TITLE 5, PLANNING AND DEVELOPMENT, CHAPTER 4, ZONING, ARTICLE 2, DISTRICT REGULATIONS SHALL BE AMENDED TO READ AS FOLLOWS:

Section 5-4-32 (5) (SR-1 single-family residential district)

a. Lot area: ~~seventeen thousand five hundred (17,500)~~ thirty-five thousand (35,000) square feet of contiguous highland.

...

Section 5-4-32 (6) *Minimum yard requirements.* Minimum yard requirements in the SR-1 single-family residential district are as follows:

- a. Front yard: thirty feet (30')
- b. Side yard: ten feet (10')
- c. Rear yard: thirty feet (30')

Exception: ~~legal nonconforming lot~~ minimum yard requirements for lots with an area less than 17,500 square feet.

Section 5-4-33 (5) (SR-2 single-family residential district) (5) *Minimum lot requirements:*

a. Lot area: ~~Eight Sixteen~~ thousand (~~816~~,000) square feet of contiguous highland.

...

Section 5-4-33 (6) *Minimum yard requirements.* Minimum yard requirements in the SR-2 single-family residential district shall be as follows:

- a. Front yard: Twenty-five feet (25').
- b. Side yard: Ten feet (10').
- c. Rear yard: Twenty-five feet (25').

Exception: ~~legal nonconforming lot minimum yard requirements~~ minimum yard requirements for lots with an area less than 8,000 square feet.-

SECTION 2. Should any part of these Ordinance be held invalid by a Court of competent jurisdiction, the remaining parts shall be severable therefrom and shall continue to be in full force and effect.

SECTION 3. That all ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as the same affect this Ordinance.

SECTION 4. That this Ordinance take effect immediately upon approval by Council.

PASSED AND APPROVED BY THE CITY COUNCIL FOR THE CITY OF ISLE OF PALMS, ON THE _____ DAY OF _____, 2019.

Jimmy Carroll, Mayor

(Seal)
Attest:

Marie B. Copeland, City Clerk

First Reading:_____

Public Hearing:_____

Second Reading:_____

Ratification:_____

ORDINANCE 2019-09

AN ORDINANCE AMENDING TITLE 8, MOTOR VEHICLES AND TRAFFIC, CHAPTER 2, STOPPING, STANDING AND PARKING OF VEHICLES, ARTICLE A, STANDARD PROVISIONS.

WHEREAS, the Isle of Palms Council is empowered with the authority to make substantive amendments to the Isle of Palms Code, including amending Chapters, and now wishes to do so;

WHEREAS, the Isle of Palms Council now desires to amend Chapter 2, Article A regarding the use of golf carts on the beaches of the Isle of Palms.

BE IT ORDAINED AND ENACTED BY THE MAYOR AND COUNCIL MEMBERS OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, IN CITY COUNCIL ASSEMBLED THAT TITLE 8, MOTOR VEHICLES AND TRAFFIC, CHAPTER 2, STOPPING, STANDING AND PARKING OF VEHICLES, ARTICLE A, STANDARD PROVISIONS SHALL BE AMENDED TO READ AS FOLLOWS:

Sec. 8-2-19. – Golf carts.

Notwithstanding any other provision contained in this article to the contrary, golf carts are allowed to park along public beach accesses within areas designated by the City for such parking. In accordance with S.C. Code Section 43-33-25, persons in possession of a state permit for operation of that golf cart and a handicap placard for its use on the beach are allowed access to the beach. Both permit and placard must be displayed on the golf cart at all times during this particular use.

SECTION 2. Should any part of this Ordinance be held invalid by a Court of competent jurisdiction, the remaining parts shall be severable therefrom and shall continue to be in full force and effect.

SECTION 3. That all ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as the same affect this Ordinance.

SECTION 4. That this Ordinance take effect immediately upon approval by Council.

PASSED AND APPROVED BY THE CITY COUNCIL FOR THE CITY OF ISLE OF
PALMS, ON THE _____ DAY OF _____, 2019.

Jimmy Carroll, Mayor

(Seal)

Attest:

Marie B. Copeland, City Clerk

First Reading: April 23, 2019

Second Reading: _____

Ratification: _____

ORDINANCE 2019-11

AN ORDINANCE AMENDING TITLE 5, PLANNING AND DEVELOPMENT, CHAPTER 4, ZONING, ARTICLE 2, DISTRICT REGULATIONS.

WHEREAS, the Isle of Palms Council is empowered with the authority to make substantive amendments to the Isle of Palms Code, including amending Chapters, and now wishes to do so;

WHEREAS, the City of Isle of Palms, like most municipalities in the Lowcountry, have experienced significant increases in flooding associated with tidal and stormwater influences;

WHEREAS, the City of Isle of Palms believes that additional impervious surfacing will contribute to more stormwater runoff and less stormwater absorption and it is necessary reduce the amount of impervious surfacing added to the island;

WHEREAS, the Isle of Palms Council now desires to amend Chapter 4, Zoning of the Isle of Palms Code of Ordinances, specifically Section 5-4-13 (Maximum lot coverage; floor area ratio requirements; additional setback requirements).

BE IT ORDAINED AND ENACTED BY THE MAYOR AND COUNCIL MEMBERS OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, IN CITY COUNCIL ASSEMBLED THAT TITLE 5, PLANNING AND DEVELOPMENT, CHAPTER 4, ZONING, ARTICLE 2, DISTRICT REGULATIONS SHALL BE AMENDED TO READ AS FOLLOWS:

Sec. 5-4-13. - Maximum lot coverage; floor area ratio requirements; additional setback requirements.

1. The following regulations shall apply to the SR-1, SR-2 and SR-3 zoning districts:
 - (a) Not more than thirty-five percent (35%) of the area of a lot shall be covered by impervious surface, provided that this requirement shall not limit lot coverage to less than three thousand two hundred (3,200) square feet nor allow lot coverage to exceed seven thousand (7,000) square feet.
 - (b) All newly installed hard landscaping, including, but not limited to walkways, driveways, pool surrounds, and ground level patios, shall be constructed using pervious materials.
 - (c) A homeowner or his/her designee may make substantial repairs or replace an existing impervious surface within its original footprint, as long as all work is commenced and substantially completed within six (6) months from the date of removal. If the work is not substantially completed within the six-month time frame, the surface will be subject to the current regulations.

SECTION 2. Should any part of this Ordinance be held invalid by a Court of competent jurisdiction, the remaining parts shall be severable therefrom and shall continue to be in full force and effect.

SECTION 3. That all ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as the same affect this Ordinance.

SECTION 4. That this Ordinance take effect immediately upon approval by Council.

PASSED AND APPROVED BY THE CITY COUNCIL FOR THE CITY OF ISLE OF PALMS, ON THE _____ DAY OF _____, 2019.

Jimmy Carroll, Mayor

(Seal)

Attest:

Marie B. Copeland, City Clerk

First Reading: _____
Public Hearing: _____
Second Reading: _____
Ratification: _____

Sec. 5-4-13. - Maximum lot coverage; floor area ratio requirements; additional setback requirements.

1. The following regulations shall apply to the SR-1, SR-2 and SR-3 zoning districts:

- (a) Not more than ~~forty~~thirty-five percent (~~35~~40%) of the area of a lot shall be covered by impervious surface, provided that this requirement shall not limit lot coverage to less than three thousand two hundred (3,200) square feet nor allow lot coverage to exceed seven thousand (7,000) square feet.
- (b) All newly installed hard landscaping, including, but not limited to walkways, driveways, pool surrounds, and ground level patios, shall be constructed using pervious materials.
- (c) If a homeowner or his or her designee is repairing or replacing an already existing impervious surface within its original footprint, this work must be commenced within six (6) months from the date of removal or the work shall be subject to the prior requirements.
- (d) The floor area ratio of a lot shall not be greater than forty percent (40%) of the area of a lot, provided that this requirement shall not limit the enclosed living space of a principal structure to less than three thousand two hundred (3,200) square feet nor allow such enclosed space to exceed seven thousand (7,000) square feet.
- (e) For lots larger than eight thousand (8,000) square feet, with a lot width at the front building line of seventy (70) feet or greater, the combined minimum side yard setback requirement for any portion of the enclosed building at or above twenty-five (25) feet in height as measured pursuant to section 5-4-2(18) shall be thirty (30) feet, with no side yard less than ten (10) feet.
- (f) For lots larger than eight thousand (8,000) square feet, with a lot width at the front building line of at least sixty (60) feet but less than seventy (70) feet, the combined minimum side yard setback requirement for any portion of the enclosed building at or above twenty-five (25) feet in height as measured pursuant to section 5-4-2(18) shall be twenty-five (25) feet, with no one side yard less than ten (10) feet.

2. This section does not prohibit a structure on any City-owned lot which is used for municipal purposes from exceeding seven thousand (7,000) square feet so long as the other requirements of this section which are not inconsistent with this subsection are met.

(Code 1994, § 5-4-13; Ord. No. 2002-17, § 2, 11-26-2002; Ord. No. 2003-6, § 1, 6-24-2003; Ord. No. 2015-15, § 2, 2-23-2016; Ord. No. 2018-13, § 4, 8-28-2018)

ORDINANCE 2019-12

AN ORDINANCE AMENDING TITLE 7, LICENSING AND REGULATIONS, OF THE CITY OF ISLE OF PALMS CODE OF ORDINANCES, CHAPTER 3, BEACH AND MARINE RECREATION REGULATIONS.

WHEREAS, City Council of the City of Isle of Palms, South Carolina has a duty to protect its natural environment, its economy, and the health of its citizens;

WHEREAS, in an effort to further this goal, the City desires to regulate the use of its beaches for the purposes of commercial film and photograph;

WHEREAS, City Council of the City of Isle of Palms finds that it is in the best interests of the residents and visitors of the City to reduce the use of plastic straws, plastic stirrers and polystyrene products distributed by business establishments;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE MAYOR AND COUNCIL MEMBERS OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, IN CITY COUNCIL ASSEMBLED:

SECTION 1. That Title 7, Licensing Regulations, Chapter 3, Beach and Marine Recreation, is hereby amended to state as follows:

“CHAPTER 3. – BEACH AND MARINE RECREATION

Sec. 7-3-20. - Commercial activities restricted.

No person shall sell or rent, or offer to sell or rent, any goods, merchandise, or services, or solicit any trade or business, on the beach, beach accesses, public parking lots, or the Breach Inlet Bridge, except pursuant to a franchise granted by City Council, or pursuant to a City-sponsored activity or event.

Any commercial photographer or videographer who seeks to take photographs and/or shoot film or video in a professional capacity, must submit an application for a permit no later than 14-days prior to the shoot and satisfy the requirements to obtain such permit. The City may limit production of these activities at any time it believes it may create disruption on the beach or pose a health/safety risk to the public.

However, a~~However, nothing~~Nothing in this section shall be deemed to prohibit a commercial photographer ~~or videographer,~~ who is not soliciting on the beach, beach accesses, public parking lots, or the Breach Inlet Bridge, will not be required to obtain a permit to from implementing a prior contract to take still photographs ~~and/or shoot film or video in a professional capacity on~~ on the beach ~~for a fee. for a fee~~ The use of the beach to take still photographs for a fee shall be limited to no more than one (1) hour on the beach per day for this activity.

SECTION 2. That should any part of this Ordinance be held invalid by a Court of competent jurisdiction; the remaining parts shall be severable therefrom and shall continue to be in full force and effect.

SECTION 3. That all ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as the same affect this Ordinance.

SECTION 4. That this Ordinance take effect and be in full force immediately.

PASSED AND APPROVED BY THE CITY COUNCIL FOR THE CITY OF ISLE OF PALMS, ON THE _____ DAY OF _____, 2019.

Jimmy Carroll, Mayor

(Seal)

Attest:

Marie B. Copeland, City Clerk

First Reading: _____

Second Reading: _____

Ratification: _____

ORDINANCE 2019-13

AN ORDINANCE AMENDING TITLE 3, PUBLIC WORKS, OF THE CITY OF ISLE OF PALMS CODE OF ORDINANCES, CHAPTER 4, SINGLE-USE PLASTIC BAGS.

WHEREAS, City Council of the City of Isle of Palms, South Carolina has a duty to protect its natural environment, its economy, and the health of its citizens;

WHEREAS, in an effort to further this goal, the City desires to eliminate the use of plastic straws, plastic stirrers and polystyrene products;

WHEREAS, City Council of the City of Isle of Palms finds that it is in the best interests of the environment, marine life, and residents of the City to reduce the use of plastic straws, plastic stirrers and polystyrene products distributed by business establishments;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE MAYOR AND COUNCIL MEMBERS OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, IN CITY COUNCIL ASSEMBLED:

SECTION 1. That Title 3, Public Works, Chapter 4 is hereby amended to state as follows:

“CHAPTER 4. – ENVIRONMENTALLY ACCEPTABLE PACKAGING AND PRODUCTS

Sec. 3-4-6. Prohibited Sales and Uses.

a) No Business Establishment or event promoter in the City of Isle of Palms may sell, rent, or otherwise provide any single-use plastic bag, Disposable Food Service Ware, or polystyrene/plastic foam product which is not wholly encapsulated or encased within a more durable material, except as exempted in this Ordinance. This specifically includes, but is not limited to cups, plates, bowls, clamshells, and other products intended primarily for food service use.

b) To improve and maintain the pristine beach and ocean environment of the City of Isle of Palms, single-use plastic bags, plastic straws, polystyrene coolers and polystyrene food containers, and cups, and balloons, will be prohibited on the beach.

Sec. 3-4-5. – Enforcement and penalties.

(1) The Police Department has primary responsibility for enforcement of this chapter. The designated Livability Officer is authorized to promulgate regulations and to take any and all other actions reasonable and necessary to enforce this chapter, including, but not limited to, investigating

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violations, issuing fines and entering the premises of any business establishment during business hours.

(2) If the Livability Officer determines that a violation of this chapter has occurred, he/she will issue a written warning notice to the owner or operator of the business establishment that a violation has occurred and the potential penalties that will apply for future violations.

(3) Any business establishment that violates or fails to comply with any of the provisions of this chapter after a written warning notice has been issued for that violation shall be deemed guilty of a misdemeanor and shall for each violation, upon conviction thereof, be punished as provided in section 1-3-66. The penalty shall not exceed One Hundred (\$100.00) Dollars for a first violation; Two Hundred (\$200.00) Dollars for a second violation within any twelve (12) month period; and Five Hundred (\$500.00) Dollars for each additional violation within any twelve (12) month period. Each day that a violation continues will constitute a separate offense.

(4) For offenses of section 3-4-6 (b) a verbal warning may be issued; however, violators are subject to a penalty of one hundred (\$100) dollars per offense.

SECTION 2. That should any part of this Ordinance be held invalid by a Court of competent jurisdiction; the remaining parts shall be severable therefrom and shall continue to be in full force and effect.

SECTION 3. That all ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as the same affect this Ordinance.

SECTION 4. That this Ordinance take effect and be in full force immediately.

PASSED AND APPROVED BY THE CITY COUNCIL FOR THE CITY OF ISLE OF PALMS, ON THE _____ DAY OF _____, 2019.

Jimmy Carroll, Mayor

(Seal)

Attest:

Marie B. Copeland, City Clerk

First Reading: _____

Second Reading: _____

Ratification: _____