

Real Property Committee
4:00 p.m., Monday, August 6, 2018
City Hall Conference Room
1207 Palm Boulevard

AGENDA

1. **Call to Order** and acknowledgement 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**
Regular Meeting of July 3, 2018
3. **Citizens' Comments**
4. **Comments from Marina Tenants**
5. **Old Business**
 - A. Results of RFP 2018-01 – Engineering, Design and Permitting for Isle of Palms Marina Docks Rehabilitation
 - B. Update regarding 1100 Palm and right-of-way on Pavilion Drive
 - C. Update on Marina operations and requests for documentation
6. **New Business**
Unlicensed business operating at IOP Marina; no lease with City or marina
7. **Miscellaneous Business**
Tenant Rents Report

Next Meeting Date: 4:00 p.m., Wednesday, September 5, 2018 in the Conference Room
8. **Executive Session**
Upon returning to open session, the Committee may take action on matters discussed in Executive Session.
9. **Adjournment**

REAL PROPERTY COMMITTEE

4:00 p.m., Monday, August 6, 2018

The regular meeting of the Real Property Committee was held at 4:00 p.m., Monday, August 6, 2018 in the City Hall Conference Room, 1207 Palm Boulevard, Isle of Palms, South Carolina. Attending the meeting were Councilmember Ferencz, Chair Bell, Interim Administrator Fragoso and Clerk Copeland; a quorum was present to conduct business. Councilmember Ward was absent.

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 July 3, 2018 as submitted; Chair Bell seconded and the motion **PASSED UNANIMOUSLY**.

3. Citizens' Comments

Jim Raih, 3904 Cameron Boulevard, stated that he served on the Real Property Advisory Committee for four (4) years and understood how difficult it was to grasp everything that goes on at the marina, what businesses are operating out of it and how they are interconnected. He stated that the marina was a great asset for the City that "needed some attention," and he encouraged the Committee members to seek out past Committee members for historical information.

4. Comments from Marina Tenants

Michael Fiem of Tidal Wave Water Sports took the opportunity to remind the Committee about the Residents Appreciation Day scheduled for Saturday, September 8, 2018 when residents will be invited to participate in any and all of the activities offered by Tidal Wave at no charge, but donations to the MUSC Children's Hospital would be encouraged. Reservations for activities will be taken beginning August 15th.

5. Old Business

A. Results of RFP 2018-01 – Engineering, Design and Permitting for Isle of Palms Marina Docks Rehabilitation

Interim Administrator Fragoso directed attention to the bid summary included in the meeting packet stating that the City received proposals from Jon, Guerry, Taylor and Associates, SHFR Waterfront Solutions and Applied Technology Management (ATM); staff's recommendation was to award the contract to ATM, the lowest price submitted. Noting that ATM was the firm the previous Real Property Committee worked with on the Marina Enhancement Plan, the Interim Administrator stated that they have an in-depth knowledge of the marina that will translate into their ability to "hit the ground running." The City has found ATM to be very responsive and has developed a good working relationship with them. Although some citizens might be concerned about awarding this contract to them because of their work on the Enhancement Plan, she remarked that ATM did the job they were hired to do and followed the directions given to them by

the Committee and City Council; therefore, their previous work for the City should not be a drawback to them on this new contract. ATM is well-qualified and will do a good job for the City.

The other two (2) firms who submitted proposals were equally qualified, but staff had concerns about both. Jon, Guerry, Taylor designed and engineered the bulkhead replacement, and the bulkhead has recently undergone a costly rehabilitation for erosion behind it caused by the incorrect installation of the weep holes. SHFR Waterfront Solutions is undergoing a transition due to the untimely death of the owner about a month ago.

Chair Bell reiterated that the dock rehabilitation was a separate project from the Marina Enhancement Plan, and the reasons the referendum failed did not involve the quality of work done by ATM. In discussing the bids with the Interim Administrator, they concluded that, if the RFP was to go out a second time, the City would likely receive the same three (3) proposals because few companies did this type of work. The Chair agreed that ATM has a stellar reputation in this field of work, and he was comfortable going forward with staff's recommendation.

Councilmember Ferencz asked that ATM use all of the data they have gathered, but to look at the dock rehabilitation with a fresh set of eyes; she also asked that they concentrate on ADA compliance in their scope of work.

MOTION: Councilmember Ferencz moved to recommend to the Ways and Means Committee the award of the contract for design, engineering and permitting of the dock rehabilitation to ATM; Chair Bell seconded.

Interim Administrator Fragoso recommended also that Alternate #2 for the construction administration could be excluded at this time since no one expects construction to begin in this fiscal year; without Alternate #2, the contract amount would be sixty-two thousand dollars (\$62,000). In the FY19 Marina Fund budget, two hundred eighty-five thousand dollars (\$285,000) has been allocated to this project, i.e. thirty-five thousand dollars (\$35,000) related to the Boating Infrastructure Grant and two hundred fifty thousand dollars (\$250,000) related to the dock rehabilitation.

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VOTE: The motion PASSED UNANIMOUSLY.

B. Update regarding 1100 Palm and right-of-way on Pavilion Drive

The Interim Administrator stated that the City has been researching the ownership of Pavilion Drive and found that SCDOT has not conveyed the entirety of Pavilion Drive between Carolina Boulevard and J.C. Long Boulevard. As a result, the real estate attorney asked that the City get a current survey; that has been completed and the results have been sent to the attorney. Once finalized, the City will use the new survey to request and obtain title to the entire right-of-way area and will be in a position to address the owners request to convey part of the right-of-way to him to enable him to get clear title to the property.

C. Update on Marina operations and requests for documentation

Chair Bell thanked the tenants who have responded to the City's requests and stated that he has questions about some of the information that has been provided, and that, through the data provided, the Committee was trying to understand how big an operation the marina was. The rainy weather of the past three (3) weeks and the resulting flooding have highlighted some of the urgency around the City's financial decisions when looking at the overall picture of the City's

financial planning related to the drainage issues and the need to make a substantial investment in the marina to make it safer for users. At the marina, the questions that need to be answered are:

- Fit, form and purpose to the residents;
- Who is using it and at what level?
- How much the City needs to invest?

From this point forward, he believes that the Committee will be taking a comprehensive look at the entirety of the marina and coming up with a plan that serves the purposes of the residents. He reiterated that the marina is a City-owned property that, according to the opinion of many residents, has become too commercialized with too many businesses operating there.

Councilmember Ferencz stated that she wanted to compile the information so that the Committee could get a global view and look into the future to learn what the marina represents for the island. The Committee believes that the composite information will provide some guidance in where money should be invested.

Chair Bell thanked Mr. Berrigan for the information received prior to the meeting, and, giving a look at the information briefly, he referred to the March 24, 2015 minutes of the Ways and Means Committee when "Councilmember Ferencz reported that Marina Manager Berrigan had stated that he sold six thousand (6,000) launch vouchers to people from off-island and three hundred (300) to residents." The information received today indicates that through July 2018 forty-six hundred fifty-five (4,655) resident launch passes have been sold and approximately nineteen hundred sixty-seven (1,967) non-resident launch passes have been sold. He questioned the accuracy of the numbers and asked what has happened at the marina to make such a dramatic change in three (3) years. Since the Chair lives on 41st Avenue, he reported a steady stream of non-resident boats and trailers passing by all day every day; he stated that, when he goes to the marina, he sees very few resident decals. Chair Bell added that it was going to be very difficult to explain to residents the City's investment without being able to tell them what that investment would do for them; he noted that the Councilmembers elected in November told the voters that future decisions about the marina would be based on residents. He closed his comments by stating that the Committee was interested in seeing the marina become what it should be.

In reviewing the data, Councilmember Ferencz found it hard to put the pieces together, which was the goal of the Committee; they were interested in getting a global view of the marina.

Chair Bell stated that the only parking for residents at the marina was the thirty minute (30 min.) parking at the marina store; all other parking was assigned to the restaurant, Tidal Wave, etc. He commented that the same cars were parking on 41st every day, and he has concluded that they belong to marina employees. He recalled that City Council passed some changes to the parking plan that will make parking on 41st Avenue "Resident Only" parking; the signage has been order and will be installed very soon. He cautioned the business owners to notify their employees that, if they continue to park on 41st Avenue, they will be ticketed; the Chair also reiterated that the point that the marina manager's contract states that he is to provide spaces for employees to park. He repeated his opinion that the best option for employee parking would be to park in the municipal lots and be shuttled to the marina.

6. New Business

Unlicensed businesses operating at IOP Marina, no lease with City or marina manager

Chair Bell stated that “x” number of leased, tenant charter boat operated at the marina; when the Committee reviews the insurance documentation provided by the marina tenants, the Committee will be looking at the amount of insurance each carries and whether or not the policies name the City as “an also insured.” He noted that he was not wanting to tell non-lease charter boat captains that they could not operate out of the IOP Marina; he assumed that they pick up from several marinas in the area. The question the Committee was asking was if the City had any less liability because they are not renting a slip; City Attorney Copeland has been asked to research this matter and to advise the Committee what it should do. He opined that the boat captain should have an agreement with the marina operator that allows him to operate out of the IOP Marina, and the same insurance requirements would be required on them as other leased charter boat operations.

From discussions with City Attorney Copeland, Interim Administrator Fragoso informed the Chair that the Committee has two (2) options, i.e. the City could enter into leases with these businesses or the marina manager could enter into a lease agreement with them. In both scenarios, the boat captains would be required to meet the City’s insurance requirements because the charter boats that pickup at the IOP Marina do represent a potential liability to the City.

At this point the Chair asked who would be responsible for enforcement and what would happen if someone was in violation.

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7. Miscellaneous Business

Marina rents report – All tenants were current,

Next Meeting Date: 4:00 p.m., Wednesday, September 5, 2018 in the Conference Room

8. Executive Session – not needed

9. Adjournment

MOTION: Chair Bell moved to adjourn the meeting at 4:35 p.m.; Councilmember Ferencz seconded and the motion PASSED UNANIMOUSLY.

Respectfully submitted:

Marie Copeland
City Clerk

City of Isle Palms

Summary of Bids Received - Marina Dock Rehabilitation RFP

Scope of Work	Jon, Guerry, Taylor & Associates	SHFR Waterfront Solutions	Applied Technology Management
Prioritization and recommendations for repair or replacement	Assess existing docks, utilities and other marina components. Evaluate existing information and develop prioritization repair/replacement plan	Provide opinion on accuracy of Limited Conditions Assessment and remaining useful life of docks. Make recommendations on priorities for repair and/or replacement	Develop a preliminary prioritization and phased plan and cost estimates
	\$ 3,000	\$ 3,750	\$ 3,000
Planning and Design	Develop a phased master-plan for the repair/replacement of docks, gangways, piles, electrical, plumbing, etc.	Develop phased plan for docks and utility systems rehabilitation. SHFR will prepare up to two alternative rehab plans and provide estimated costs for each phase. During planning and design process, SHFR will meet with regulatory agencies to identify any potential permitting challenges.	Develop detailed repair/replacement plan and cost estimates
	11,100	9,750	7,100
Permitting	Preparation and submittal of complete joint USACE and OCRM permit application. Permit application fees included.	Preparation and submittal of complete joint USACE and SCDHEC-OCRM permit application package. Permit application fees included.	Hold pre-application meetings to determine if individual permit is required or if work can be approved via a repair/maintenance authorization. Preparation and submittal of joint USACE and OCRM permit application. Permit application fees not included.
	13,000	7,500	12,500
Total Cost w/o Alternates	\$ 27,100	\$ 21,000	\$ 22,600

City of Isle Palms

Summary of Bids Received - Marina Dock Rehabilitation RFP

Scope of Work	Jon, Guerry, Taylor & Associates	SHFR Waterfront Solutions	Applied Technology Management
Alternate #1 - Plans, Specifications and Bid documents	Develop complete set of engineering drawings for the improvements and bid package. Oversee bidding process and facilitate selection of contractor.	*assumes design and construction of the entire facility and one bidding process. Develop construction plans and technical specifications for bidding process. Oversee bidding and contract negotiation services, and assist City in contractor selection. SHFR requests re-evaluating fees after completion of Planning and Design phase.	*alternate quote includes detailed designs specifications for the gangway, floating docks and marine utility systems on the fuel dock only. Preparation of bid package, including drawings, technical specifications and front end documents, bidding administration, evaluation and negotiation, and contractor selection.
Total Alternate #1	\$ 60,000	\$ 82,000	\$ 39,400

Alternate #2 - Construction Administration	Construction administration and oversight services	SHFR requests re-evaluating fees after completion of Planning and Design phase.	*alternate quote assumes 1 month construction duration. Additional construction administration services at a rate of \$4,000/month
Total Alternate #2	\$ 20,000	\$ 50,000	\$ 17,300

City of Isle Palms

Summary of Bids Received - Marina Dock Rehabilitation RFP

Scope of Work	Jon, Guerry, Taylor & Associates	SHFR Waterfront Solutions	Applied Technology Management
Other Items for Consideration	Designed IOP Marina bulkhead City has experienced multiple issues with the bulkhead	Project Lead passed away SHFR Waterfront Solutions will be dissolved Principal Engineer will create own engineering firm: Bolchoz Marine Solutions Principal Engineer Bolchoz mostly works out of Florida	Worked with the City in the development of the Marina Redevelopment Master Plan Prepared and submitted BIG grant application on behalf of the City Secured BIG grant funds for the replacement of the fuel dock, fuel hut, fuel dispensers, hose reels and distribution lines Currently working on the Dewees Marina project
			Team is professional, responsive

WET SLIP

Long Term Wet Slip Wait List 8/1/2018

<u>NAME</u>	<u>PHONE</u>	<u>MAKE</u>	<u>LENGTH</u>	<u>START DATE</u>	<u>TERM</u>	<u>IOP RES</u>
		SAIL	38	ASAP	LONG TERM	NO
		GRADY WHITE	20	ASAP	LONG TERM	No
		REGAL	21	ASAP	LONG TERM	GOAT
		CC	22	ASAP	LONG TERM	NO
		SPORT FISHER	32	ASAP	LONG TERM	NO
		CATALINA SAIL	27	ASAP	LONG TERM	NO
		SAIL	44	ASAP	LONG TERM	NO
		TIDEWATER	25	ASAP	LONG TERM	NO
		SEA HUNT	21	ASAP	LONG TERM	NO
		SKIFF	19	ASAP	LONG TERM	GOAT
		SEA PRO	21	ASAP	LONG TERM	SULLIVANS
		GRADY WHITE	21	ASAP	LONG TERM	No
		KEY WEST	17	ASAP	LONG TERM	YES
		SKIFF	20	SEPT '18	LONG TERM	GOAT
		LURES	35	SEPT '18	LONG TERM	NO
		SEA RAY	19	ASAP	LONG TERM	NO
		SEA RAY	33	ASAP	LONG TERM	NO
		CRUISER YACHT	38	MARCH '18	LONG TERM	NO
		KEY WEST	22	ASAP	LONG TERM	NO
		KEYWEST	17	ASAP	LONG TERM	YES
		PONTOON	27	ASAP	LONG TERM	YES
		KEY WEST	23	ASAP	LONG TERM	GOAT
		PURSUIT	35	ASAP	LONG TERM	MT P
		PURSUIT	32	ASAP	LONG TERM	YES
		MARIAH	23	ASAP	LONG TERM	NO
		CATALINA SAIL	40		LONG TERM	NO
		C/C	32		SEASONAL	YES
		C/C	19	ASAP	LONG TERM	YES
		SEA RAY	27	ASAP	LONG TERM	NO
		ANGLER	20	ASAP	LONG TERM	NO
		MAINSHIP	34	ASAP	LONG TERM	NO

<u>NAME</u>	<u>PHONE</u>	<u>MAKE</u>	<u>LENGTH</u>	<u>START DATE</u>	<u>TERM</u>	<u>IOP RES</u>
		ALBIN	27	ASAP	ANNUAL	NO
		MORGAN S/V	40	ASAP	LONG TERM	YES
		REGULATOR	29	ASAP	ANNUAL	NOT YET
		SEA RAY	29	ASAP	LONG TERM	NO
		B WHALER	15	ASAP	LONG TERM	NO
		TIDEWATER	25	ASAP	LONG TERM	NO
		MERIDIAN	42	ASAP	LONG TERM	NO
		SEA FOX	34	ASAP	LONG TERM	NO
		B WHALER	30	ASAP	LONG TERM	YES
		SEA PRO	21		LONG TERM	NO
		HINKLEY	38	ASAP	LONG TERM	YES
		SAIL	50	ASAP	LONG TERM	NO
		SEA RAY	33	ASAP	LONG TERM	NO
		C/C	23	ASAP	LONG TERM	NO
		YELLOWFIN	42	ASAP	LONG TERM	NO
		POWER	23	ASAP	ANNUAL	YES
		BENETEAU	46	ASAP	ANNUAL	YES
		SCOUT	21	ASAP	ANNUAL	NO
		HURRICANE	23	ASAP	ANNUAL	YES
		SKIMMER	20	ASAP	ANNUAL	YES
		NO BOAT YET	25	ASAP	ANNUAL	YES
		VALIENT	40	ASAP	LONG TERM	NO
		SCOUT	24	ASAP	LONG TERM	YES
		SEA RAY	38	ASAP	ANNUAL	NO
		TIDEWATER	20	ASAP	LONG TERM	YES
		REGAL	42	ASAP	LONG TERM	NO
		SAILBOAT	47	ASAP	LONG TERM	NO
		POWERBOAT	26	ASAP	LONG TERM	NO
		NO BOAT YET		ASAP	LONG TERM	YES
		POWERBOAT	20	ASAP	LONG TERM	NO
		SEA RAY	31	ASAP	LONG TERM	NO
		B WHALER	18	ASAP	LONG TERM	NO
		SEA HUNT	21	ASAP	LONG TERM	NO
		C/C	25	ASAP	LONG TERM	NO

DRY STORAGE

Long-Term Tenant Wait List

<u>NAME</u>	<u>PHONE</u>	<u>MAKE</u>	<u>LENGTH</u>	<u>START DATE</u>	<u>TERM</u>	<u>IOP RES</u>
		SEA FOX	25	ASAP	LONG TERM	YES
		B WHALER	17	ASAP	LONG TERM	NO
		SEA FOX	24	ASAP	LONG TERM	YES
		B WHALER	17	ASAP	LONG TERM	NO
		MAKO	19	ASAP	LONG TERM	no
		C/C	24	ASAP	LONG TERM	YES
		C/C	21	ASAP	LONG TERM	YES
		SPORTSMAN	20	ASAP	LONG TERM	YES
		SEA FOX	22	ASAP	LONG TERM	NO
		?	22	ASAP	LONG TERM	NO
		KEY WEST	23	ASAP	LONG TERM	NO
		B WHALER	17	ASAP	LONG TERM	NO
		KEY WEST	21	ASAP	LONG TERM	NO
		WORLD CAT	25	ASAP	LONG TERM	YES
		JET BOAT	15	ASAP	LONG TERM	NO
		KEY WEST	22	ASAP	LONG TERM	NO
		MAKO	20	ASAP	SEASONAL	YES
		SCOUT	17	ASAP	ANNUAL	NO
		DECK BOAT	25	ASAP	LONG TERM	YES
		SCOUT	21	ASAP	LONG TERM	NO
		KEY WEST	18	ASAP	LONG TERM	MT P
		GRADY	21/22	within the year	LONG TERM	YES
		SEA HUNT	18	ASAP	LONG TERM	YES
		C/C	19	ASAP	LONG TERM	YES
		KEY WEST	21	ASAP	LONG TERM	NO
		SCOUT	24	ASAP	LONG TERM	NO
		SEA PRO	21		LONG TERM	NO
		B WHALER	17	ASAP	LONG TERM	NO
		MARIAH	25	ASAP	WINTER	NO
		C/C	22	ASAP	LONG TERM	YES
		B WHALER	21	ASAP	LONG TERM	NO
		SCOUT	23'	ASAP	LONG TERM	YES
		GRADY WHITE	21	ASAP	LONG TERM	YES
		SEA HUNT	21	ASAP	LONG TERM	NO
		INFLATABLE	15	ASAP	LONG TERM	NO
		ROBALO	24	ASAP	LONG TERM	NO
		NAUTIC STAR	19	ASAP	LONG TERM	NO
		SCOUT	21	ASAP	LONG TERM	NO
				ASAP	QUARTERLY	NO
		CHAPPAREL	23	ASAP	LONG TERM	YES
		TIDEWATER	20	ASAP	LONG TERM	YES
		hasn't bought	25		ANNUAL	YES
		POWER BOAT	20'	ASAP	LONG TERM	NO
		B WHALER	18	ASAP	ANNUAL	NO
		SCOUT	24	ASAP	ANNUAL	YES