



## **City Council**

6:00 p.m., Tuesday, September 22, 2020

Council Chambers

1207 Palm Boulevard, Isle of Palms, South Carolina

### **Virtual Meeting Due to COVID-19 Pandemic:**

The public may join the virtual meeting by clicking here: <https://www.youtube.com/user/cityofisleofpalms>

### **Public Comment:**

Citizens may provide public comment here:

<https://www.iop.net/public-comment-form>

## **Agenda**

1. **Introduction of meeting** and acknowledgement that the press and public were duly notified of the meeting in accordance with the Freedom of Information Act.
  - a. Invocation
  - b. Pledge of Allegiance
  - c. Roll Call
2. **Citizens' Comments** - Citizens may submit written comments here: <https://www.iop.net/public-comment-form> Comments received prior to the meeting will be entered into the record.
3. **Reports from Standing Committees**
  - a. **Consent Agenda**
    - i. Approval of Previous Meetings' Minutes
      1. Public Hearing – August 25, 2020
      2. Regular Meeting – August 25, 2020
      3. Special Meeting – September 15, 2020
    - ii. Consideration of award of a contract to Nicholson Business Systems for the Records Management system in the amount of \$38,990 [FY21 Budget; Capital Projects Fund; Police Department; Capital Outlay \$30,000, pg. 17, ln. 30]
    - iii. Consideration of purchase of beach services 4WD pickup truck, state contract pricing in the amount of \$26,870 [FY21 Budget; Hospitality Tax Fund; Police Department; Capital Outlay \$30,000, pg. 21, ln.21]
  - b. **Ways and Means Committee**
    - i. Discussion and consideration of 2020 reassessment and millage rollback.
    - ii. Consideration of award of a contract to Salmon's Dredging

Corporation in the amount of \$4,304,008 for the marina dock rehabilitation project and bulkhead re-coating [FY21 Budget, Marina Fund, Debt Proceeds, \$3,209,000, pg. 29-30]

c. **Public Safety Committee**

Consideration of eliminating parking on the landside of Palm Boulevard between 22nd and 40th Avenue due to public safety concerns.

d. **Public Works Committee**

e. **Recreation Committee**

f. **Personnel Committee**

g. **Real Property Committee**

4. **Reports from City Officers, Boards and Commissions**

- a. **Accommodations Tax Advisory Committee** – no meeting
- b. **Board of Zoning Appeals** – no meeting
- c. **Planning Commission** – minutes attached

5. **Reports from Special or Joint Committees** – None

6. **Petitions Received, Referred or Disposed of** – None

7. **Bills Already in Possession of Council**

- a. **Amendment of Ordinance 2020-09 to increase the not-exceeding amount of the par amount of the general obligation bonds that may be issued from \$7,000,000 to \$8,000,000**
- b. **Ordinance 2020-09 – (GO Bond for the Construction of Phase 3 Drainage and Marina Dock & Bulkhead Project)** An Ordinance to Provide for the Issuance and Sale of Not Exceeding Seven Million Dollars Aggregate Principal Amount (\$7,000,000) of General Obligation Bonds of the City of Isle of Palms, South Carolina, to Provide for the Issuance and Sale of General Obligation Bond Anticipation Notes in Anticipation of the Issuance of Said Bonds; to Prescribe the Purposes to Which the Proceeds of Such Borrowing Shall be Applied, to Provide for the Payment Thereof; and Other Matters Relating Thereto.
- c. **Emergency Ordinance 2020-12** - Emergency Ordinance Declaring State of Emergency, Requiring the Use of Face Coverings, Limiting Parking on the Island, Live Entertainment After 10:00 P.M. and Occupancy in Bars and Restaurants to Fifty (50%) Percent and Other Measures to Protect the Life and Safety of the Citizens of Isle of Palms.

8. **Introduction of New Bills, Resolutions and Proclamations**

Consideration of Reimbursement Resolution to Express the Intention of the City to Cause the City to be Reimbursed with the Proceeds of Tax-Exempt Obligations and Other Matters Related Thereto.



**9. Miscellaneous Business**

Discussion and consideration regarding future use of the watersports dock at the IOP Marina to be used as a commercial dock with 10 parking spaces or as a public dock with greenspace and residential parking spaces.

Next meeting date: 6:00 p. m., Tuesday, October 27, 2020

**10. Executive Session** – If needed.

**11. Adjournment**



**PUBLIC HEARING**  
**5:45pm, Tuesday, August 25, 2020**  
**Virtual Meeting via Zoom call due to COVID-19 Pandemic**  
**broadcasted live on YouTube: <https://www.youtube.com/user/cityofisleofpalms>**

**MINUTES**

**1. Call to Order**

Present: Council members Popson, Streetman, Moye, Ward, Buckhannon, Bell, Pounds, and Smith, and Mayor Carroll

Staff Present: Administrator Fragoso, Asst. Administrator Hanna, various department heads

**2. ORDINANCE 2020-04** – An ordinance to reduce the maximum occupancy at a short-term rental to twice the maximum overnight occupancy, not to exceed forty (40) people

Director Kerr explained this ordinance came at the suggestion of the Planning Commission. It will limit the occupancy of a unit at any time to twice the overnight occupancy.

**3. ORDINANCE 2020-07** – An ordinance to correct the lot coverage limit reduction from 40% to 35% and to 30% for properties on septic.

Director Kerr explained this change as a housekeeping measure as the intent was always to have the lot coverages be 35% and 30% respectively. He reported he has been enforcing the lower lot coverages since June of 2019.

Council Member Popson asked if the original ordinance was driven by drainage concerns, and Director Kerr said that it was. Council Member Popson said that he believed it to be more restrictive to residents, adding costs into homebuilding. Director Kerr indicated that he has experienced no pushback from the public since he has been enforcing the ordinance.

**4. Adjournment**

There being no public input on either ordinance, Council Member Streetman made a motion to adjourn, and Council Member Buckhannon seconded the motion. The public hearing was adjourned at 6:00pm.

Respectfully submitted,

Nicole DeNeane  
City Clerk





**CITY COUNCIL MEETING**  
**6:00pm, Tuesday, August 25, 2020**  
**Virtual Meeting via Zoom call due to COVID-19 Pandemic**  
**broadcasted live on YouTube: <https://www.youtube.com/user/cityofisleofpalms>**

**MINUTES**

**1. Call to order**

Present: Council members Popson, Streetman, Moye, Ward, Buckhannon, Bell, Pounds, and Smith, and Mayor Carroll

Staff Present: Administrator Fragoso, Asst. Administrator Hanna, Attorney Copeland, various department heads

**2. Readings of the Journals of Previous Meetings**

**MOTION: Council Member Pounds made a motion to approve the minutes of City Council Meeting held on July 28, 2020, and the emergency meeting held on August 13, 2020, Council Member Streetman seconded the motion. The amended minutes passed unanimously.**

**3. Citizens' Comments – attached to these minutes**

City Clerk DeNeane read submitted comments into the record. They appear in full alongside this meeting's agenda on the City's website.

Anna Eskridge of the Charleston County Community Development Department gave a brief presentation about the 5-year Consolidated Plan survey. She encouraged all citizens to provide input into how Charleston County should spend the funding it receives from the Department of Housing and Urban Development. The survey is available on [charlestoncounty.org](http://charlestoncounty.org) for another week. The survey can also be mailed by calling 843-202-6960.

**MOTION: Council Member Ward made a motion to allow for an additional five minutes of time for Citizens' Comments to be read into the record. Council Member Buckhannon seconded the motion. A vote was taken as follows:**

Ayes: Pounds, Streetman, Popson, Moye, Smith, Ward, Buckhannon, Carroll

Nays: Bell

**The motion passed 8-1.**

City Clerk DeNeane continued to read Citizens' Comments into the record.

4. **Consent Agenda**

**MOTION: Council Member Streetman made a motion to approve the items on the Consent Agenda, and Council Member Pounds seconded the motion. The motion passed unanimously.**

- A. Consideration of distribution of FY20 positive net result as follows: 65% for the Capital Projects Fund, 25% for the General Fund, and 10% for the Disaster Recovery Fund
- B. Consideration of a three (3) year extension of Eadie's contract for island-wide drainage and ditch maintenance [FY21 Budget, Hospitality Tax Fund, Public Works, Drainage, \$198,288, pg. 21, ln. 35]
- C. Consideration of a change order not to exceed \$30,000 for the purchase and installation of a flood-resistant door for the Public Safety Building [FY21 Budget, Public Safety Building Rehabilitation Project, City Contingency, 15% available = \$788,424]
- D. Report of approved change order in the amount of \$20,537 for required seismic bracing on existing sprinkler system at the Public Safety Building [FY21 Budget, Public Safety Building Rehabilitation Project, City Contingency, 15% available = \$788,424]
- E. Consideration of the purchase of a beach patrol vehicle (ATV) with plow attachment in an amount not to exceed \$20,000 [FY21 Budget, Hospitality Tax Fund, Police Department, Capital Outlay, \$20,000, pg. 21, ln. 21]

5. **Reports from Standing Committees**

A. **Ways and Means Committee**

Council Member Pounds briefly reviewed the financial statements for months ending June 30, 2020 and July 31, 2020 as presented to the City Council during last week's Ways & Means Meeting. Revenues and expenditures for FY20 were down significantly due to the pandemic.

- i. **Consideration of recommendation from the Public Safety Committee to implement paid parking on the beach parking areas on Palm Boulevard, 3<sup>rd</sup> through 9<sup>th</sup> avenues, and Breach Inlet parking lot, between March 1<sup>st</sup> through October 31<sup>st</sup> from 9:00am to 6:00pm.**

**MOTION: Council Member Pounds made a motion to implement paid parking on the oceanside of Palm Boulevard between 21<sup>st</sup> and 40<sup>th</sup> avenues, 3<sup>rd</sup> through 9<sup>th</sup> avenues, and the Breach Inlet parking lot between March 1<sup>st</sup> through October 31<sup>st</sup> from 9:00am to 6:00pm. Council Member Bell seconded the motion.**

Council members discussed parking on the landside of Palm Boulevard and its inclusion or exclusion in the paid parking areas. Council Member Pounds withdrew his motion and Council Member Bell withdrew his second of the motion. Council Member Buckhannon agreed the paid parking plans are malleable at this point.

**MOTION: Council Member Pounds made a motion to implement paid parking on the beach parking areas of Palm Boulevard, 3<sup>rd</sup> through 9<sup>th</sup> avenues, and the Breach Inlet**

**parking lot between March 1<sup>st</sup> through October 31<sup>st</sup> from 9:00am to 6:00pm as recommended by the Public Safety Committee. Council Member Bell seconded the motion.**

Council Member Moye encouraged staff and City Council to find better ways to work with Charleston County and the surrounding communities with regards to beach parking. He reiterated his idea from the August 13 meeting of easing into paid parking by only enforcing it on weekends from Memorial Day to Labor Day. He said that would allow the City to “work towards having a discussion with the County and neighbors to say listen, we are intentionally drawing back from the full seven days a week because we want to work with you, but you are going to have to help us cover this revenue gap.” He reminded the Council of the three goals of implementing paid parking which were public safety, quality of life, and revenue. He added, “I believe that implementing this on the weekends, that during the week we are managing quality of life, we are managing public safety, and the revenue is the big gap.”

Council Member Bell pointed out to the Council that dependencies were built into the budget based on implementing paid parking in full beginning in March. He encouraged Council to stick to the plan in the budget. Council Member Smith said that while she supports paid parking, she would encourage everyone to consider how it will affect public behavior. Enforcing paid parking on the weekends may encourage more people to come to the beach during the week.

**VOTE: A vote was taken on the motion as follows:**

Ayes; Pounds, Streetman, Popson, Buckhannon, Bell, Smith, Ward, Carroll

Nays: Moye

**The motion passed 8-1.**

- ii. **Consideration of changes to the 30% of State Accommodations Tax Revenue required for tourism promotion and advertisement currently managed by the Charleston Visitors Bureau [FY21 Budget, State ATAX, Tourism Promotion, \$448,713, pg. 23, ln. 7]**

**MOTION: Council Member Pounds made a motion to direct staff to look at alternatives for the uses and ways to differently structure how the City handles these funds and or how to adjust the relationship with the Charleston Visitors Bureau. Council Member Moye seconded the motion.**

Council Member Moye said the City needs to be more proactive in setting goals with the CVB. Council Member Smith said the CVB would like to make a presentation to the City. She also encouraged a discussion with former Council Member Rice who worked with the CVB in the past. Council members agreed to hear a presentation from the CVB about how they will work with the City moving forward, but if their narrative does not match the needs of the City, it may be time for a change. Council Member Ward noted this concern about the monies going to the CVB has come up many times in the past and said the alternative will cost a lot of time and money. Council Member Pounds noted that Wild Dunes should be included in any conversation about the CVB.

**VOTE: The motion passed unanimously.**

**iii. Consideration of proposals for the engagement of a bond attorney for the City's Series 2020 GO Bond**

Council Member Pounds briefly reviewed a timeline of events leading to the issuance of the City's Series 2020 GO Bond. He said work on this issue needs to begin in earnest after Labor Day to stay with the timeline.

**MOTION: Council Member Pounds made a motion to recommend Pope Flynn as bond attorney for the City's Series 2020 General Obligation Bonds. Council Member Streetman seconded the motion. The motion passed unanimously.**

Council Member Pounds briefly mentioned the Tree Fund and marina lease discussions as noted in the Ways & Means Committee meeting minutes.

**B. Public Safety Committee**

Council Member Buckhannon reviewed the minutes of the August 10, 2020 meeting. Council members discussed the need to make crosswalks safer and more visible. Chief Cornett shared that the Police Department has made a social media video about crosswalks and will be working on raising traffic awareness and enforcement at crosswalks. He said there will be two officers focused on traffic-related issues.

Administrator Fragoso stated, "SCDOT has indicated that crosswalks have to be connected to an existing sidewalk and as we all know, we do not have one on the landside between 41<sup>st</sup> and 57<sup>th</sup>. However, when you look at the crosswalks that are on the section between 21<sup>st</sup> and 40<sup>th</sup>, they are not connected to the sidewalk either. So we are pushing back a little bit on SCDOT on that." They will be asking SCDOT to reevaluate their position on sidewalks and crosswalks.

**C. Public Works Committee**

Council Member Pounds reviewed the minutes of the August 6, 2020 meeting. In addition, he reported that he and Administrator Fragoso will be meeting with a representative from Dominion Energy later in the week to start "conversations around being strategic, whether we want to underground or the next cutting or a cutting agreement."

**D. Recreation Committee**

Council Member Smith reviewed the minutes of the August 10, 2020 meeting.

**E. Personnel Committee**

Council Member Moye reviewed the minutes of the August 11, 2020 meeting.

**F. Real Property Committee**

Council Member Buckhannon reviewed the minutes of the August 12, 2020 meeting. Council Member Smith added that perhaps some of the revenue generated by paid parking could be used to create footbridges and walkovers that will help people get to the beach more easily. She

suggested that the blocks between 30<sup>th</sup> and 39<sup>th</sup> avenues would be good places for such projects. Council Member Buckhannon agreed that a revenue source would be needed to help stabilize parking in those areas.

**6. Reports from City Officers, Boards, and Commissions**

- A. **Accommodations Tax Advisory Committee** – no meeting
- B. **Board of Zoning Appeals** – no meeting
- 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. **Ordinance 2020-04** – An ordinance to reduce the maximum occupancy at a short-term rental to twice the maximum overnight occupancy, not to exceed forty people

**MOTION: Council Member Moye made a motion to approve, and Council Member Buckhannon seconded the motion. The motion passed unanimously.**

- B. **Ordinance 2020-07** – an ordinance to correct the lot coverage limit reduction from 40% to 35% and to 30% for property on septic

**MOTION: Council Member Bell made a motion to approve, and Council Member Pounds seconded the motion. A vote was taken as follows:**

Ayes: Pounds, Streetman, Bell, Moye, Smith, Ward, Buckhannon, Carroll  
Nays: Popson

**The motion passed 8-1.**

- C. **Ordinance 2020-08** – An ordinance authorizing the issuance of a \$16M Water & Sewer System revenue bond for the decommissioning and relocation of the Wild Dunes Wastewater Treatment Plant

**MOTION: Council Member Pounds made a motion to approve, and Council Member Bell seconded the motion. The motion passed unanimously.**

**10. Introduction of New Bills, Resolutions, and Proclamations**

**11. Miscellaneous Business**

**A. Update on Strategic Planning Process**

Administrator Fragoso presented a draft schedule of work in the development of the Strategic Plan. The plan currently calls for the final product to be delivered to City Council in January 2021.

**B. Discussion and consideration regarding future use of the watersports dock at the IOP Marina to be used as a commercial dock and 10 parking spaces or as a public dock with greenspace and residential parking spaces.**

**MOTION: Mayor Carroll made a motion to hold a special non-binding referendum during the General Election “that states do we the registered voters of the Isle of Palms want either a commercial dock with 10 parking places, which if selected, would be put out for an RFP, or a public dock with green space.” Council Member Ward seconded the motion.**

Council members expressed mixed thoughts about the motion. Council members Pounds and Bell did not like the idea of offering a non-binding referendum. Council Member Popson said he would support a referendum as the information gleaned from the Marina forum in January was not clear. He also said he would support a dock for residents, but he does not believe that the current Tidal Wave dock is the best place for it as it is difficult to swim, fish, or launch a paddleboard or kayak in the same area where there is a lot of boat traffic. He addressed some of the concerns brought up during Citizens’ Comments and offered suggestions for the marina area.

Council Member Streetman said he favors green space and a public dock but has no issues with Tidal Wave Watersports. He said he does not think all those activities can happen in the same area. Council Member Smith said she had concerns about the referendum being an either-or proposition and does not support the idea of a referendum in November. She would like to see space for a shared kayak storage facility.

Council Member Moye also agreed that a referendum was not necessary, and a decision needed to be made tonight. Council Member Buckhannon wondered how to meet the needs of all concerned but agreed the marina dock is not a good place to fish.

Council members continued to discuss the parking issue at the marina. Administrator Fragoso noted the opportunity to get a referendum question on the ballot has passed and pointed out numerous logistical issues with educating voters on the issue, allowing them to vote, verifying voter validity, and then calculating the results.

Mayor Carroll withdrew his motion, and Council Member Ward withdrew his second.

**MOTION: Council Member Buckhannon made a motion to allow both commercial and public space at the marina dock with ten (10) parking spaces. Council Member Smith seconded the motion.**

Council Member Smith offered a friendly amendment to allow for an RFP process to look at potential commercial options for the marina dock. Council Member Buckhannon agreed to the friendly amendment.

Mayor Carroll pointed out that if the motion fails, the marina dock property returns to the City on September 30, 2020 when the current lease expires.

Council Member Pounds expressed concern that the motion on the floor does not represent the views of the majority of residents who are looking for public dock and greenspace at the marina.

He added, “Now we are going to try to put everything down there. This conversation is just beyond me. I mean, the decision was made last April to not renew that lease. I am not sure why this has continued to fester in this community, and where we are headed just makes no sense to me. We have a very clear direction, in my opinion, from what the residents have asked us to do, and now we are going to multiply it by creating more parking issues, more entities, more development down there. Makes no sense to me.”

Council members and Administrator Fragoso briefly discussed the RFP process and the unlikelihood of speeding up the process to have it completed by September 30, 2020.

**MOTION: Council Member Popson made a motion to amend allowing Tidal Wave Watersports to remain at the marina site until the RFP process has been completed. Council Member Buckhannon seconded the motion.**

Council Member Bell indicated this lease has already been voted on, and the offered amendment contradicts that earlier vote.

**MOTION: Council Member Bell made a motion to move into Executive Session to receive legal advice on an existing lease. Mayor Carroll seconded the motion. The motion passed unanimously.**

City Council moved into Executive Session at 8:48pm.

City Council returned from Executive Session at 9:15pm.

Council Member Popson withdrew his amendment, and Council Member Buckhannon withdrew his second.

Council Member Moye said, “I feel like we are setting ourselves up for another marina forum. The issue that we ran into was that we asked our residents what do you want, and when you ask somebody what you want without any restrictions or limitation, the answer is typically I want it all and I want everything. And the challenge we face is the size of the space. It is not big enough for us to be able to have commercial and residential. And as much as that would be great, if we were to move it towards a green space, which a large portion of our residents have said that they wanted, we would have a mixed-use commercial and residential. But the only way that we could do that, if it was the will of Council, would be to use that parcel of land for that purpose. If it is going to be a mixed use, you are not sharing 10 spaces between commercial activity and residential activity.” He added, “I think it is up to this body tonight to say listen, we have spoken to the residents. We have heard from them. We have seen several referendums already over the last couple of decades, and it is time to make a decision.” Council Member Pounds said he agreed with Council Member Moye’s statements.

**VOTE: A vote was taken as follows:**

Ayes: Popson, Smith, Buckhannon, Ward

Nays: Pounds, Bell, Moye, Streetman, Carroll

**The motion failed 4-5.**

Council Member Smith said she would like for staff to look into “all the possibilities for promoting kayaking and paddle sports, including the possibility of a storage facility for those residents.”

C. The next meeting of the City Council will be Tuesday, September 22, 2020 at 6:00pm.

**11. Adjournment**

Council Member Buckhannon made a motion to adjourn, and Council Member Streetman seconded the motion. The meeting was adjourned at 9:19pm.

Respectfully submitted,

Nicole DeNeane  
City Clerk





**SPECIAL CITY COUNCIL MEETING**  
**5:45pm, Tuesday, September 15, 2020**  
**Virtual Meeting via Zoom call due to COVID-19 Pandemic**  
**broadcasted live on YouTube: <https://www.youtube.com/user/cityofisleofpalms>**

**MINUTES**

**1. Call to order**

Present: Council members Buckhannon, Bell, Smith, Popson, Streetman, Moye, Ward, Pounds, and Mayor Carroll

Staff Present: Administrator Fragoso, Asst. Administrator Hanna, various department heads

Also present: Margaret Pope, Charles Rhodes

**2. Ordinance 2020-09 – AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF NOT EXCEEDING SEVEN MILLION DOLLARS AGGREGATE PRINCIPAL AMOUNT (\$7,000,000) OF GENERAL OBLIGATION BONDS OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA; TO PROVIDE FOR THE ISSUANCE AND SALE OF GENERAL OBLIGATION BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SAID BONDS; TO PRESCRIBE THE PURPOSES TO WHICH THE PROCEEDS OF SUCH BORROWING SHALL BE APPLIED, TO PROVIDE FOR THE PAYMENT THEREOF; AND OTHER MATTERS RELATING THERETO.**

Margaret Pope and Charles Rhodes of Pope Flynn explained the issuance of the General Obligation Bonds: "These bonds will be secured by a tax without limit on all of the taxable property within the City of the Isle of Palms. Now, what that means is that you will levy whatever millage is necessary in each year in order to make whatever the agreed-upon debt service payments are." The bond to fund Phase III of the drainage project is tax-exempt and the bond for the Marina Rehabilitation project is taxable. Mr. Rhodes noted that while the limit in the ordinance is currently set at \$7M, that amount can be changed between First and Second readings. They also reviewed the authorizations delegated to Administrator Fragoso in the ordinance. Ms. Pope added that there are parameters established within those delegations such as a not-to-exceed amount for bond interest rates.

Council Member Pounds said that the City has surrounded itself with a good team with First Tryon and Pope Flynn. Mayor Carroll said City staff has done a good job of being fiscally responsible with the City's money, noting that the Public Safety Building rehabilitation is being paid for with cash.

Council Member Bell said, “I think it is really, really worth pointing out that the only debt service we are looking at on the Marina is slightly more than \$3M and that is it at this point. And the balance of this is going to solving the long-standing drainage issues, which I think is very commendable across the board for this Council.”

**3. Adjournment**

Council Member Buckhannon made a motion to adjourn and Council Member Streetman seconded the motion. The meeting was adjourned at 6:05pm.

Respectfully submitted,

Nicole DeNeane  
City Clerk



**Ways & Means Committee Meeting  
6:00pm, Tuesday, September 15, 2020  
Virtual Meeting via Zoom call due to COVID-19 Pandemic  
broadcasted live on YouTube: <https://www.youtube.com/user/cityofisleofpalms>**

**MINUTES**

**1. Call to Order**

Present: Council members Pounds, Streetman, Popson, Bell, Buckhannon, Smith, Moye, Ward, and Mayor Carroll

Staff Present: Administrator Fragoso, Asst. Administrator Hanna, Treasurer Suggs, various City Department heads

Also present: Kirby Marshall, ATM

**2. Approval of previous meeting's minutes – August 18, 2020**

Council Member Streetman made a motion to approve the minutes and Mayor Carroll seconded the motion. The motion passed unanimously by consent.

**3. Citizen's Comments**

City Clerk DeNeane read one comment from Jesse Malan, 25 41<sup>st</sup> Avenue, regarding a downed stop sign on Marginal Road.

**4. Financial Statements – Treasurer Suggs**

Treasurer Suggs reviewed the financial reports with Committee members. She noted there was not a lot of change on the revenue side, and expenditures from the General Fund are exactly the same as they were last year at this time. Cash balances come to just under \$20M.

She then reviewed the tourism schedules. Municipal ATAX collections are ahead of projections but less than last year. Hospitality Tax beat budget projections in July but were down in August.

One payment was made on the Public Safety Building Rehabilitation project in August, and two were made on the Phase III Drainage project. Administrator Fragoso reported that both change orders to the Public Safety Building project approved by City Council last month were paid for from the contractor's 10% contingency. She also shared that the City has applied for \$500,000 to the Rural Infrastructure Grant Authority for drainage funding. The City did receive this money for Phase II, and she anticipates receiving it again. There were no changes to the Marina Dock Rehabilitation worksheet in August.

**5. Old Business**

**Discussion and consideration of marina restaurant lease proposal from the IOP Families Investment Group**

Council Member Pounds said this matter will be discussed in more detail during Executive Session.

**6. New Business**

**A. Consideration of award of a contract to Nicholson Business Systems for the Records Management system in the amount of \$38,990 [FY21 Budget; Capital Projects Fund; Police Department; Capital Outlay, \$30,000, pg. 17, ln. 20]**

**MOTION: Mayor Carroll made a motion to approve, and Council Member Buckhannon seconded the motion.**

Chief Cornett said the City currently spends \$19,000/year for their RMS, and this contract will reduce that to \$4,000/year. He noted that the \$38,990 is higher than what was budgeted (\$30,000), but they are working on lowering that number by eliminating the conversion of data from the old RMS to the new RMS. Administrator Fragoso added, "We do want Council to consider approving to \$38,000 not to exceed even though it is over the budgeted amount of \$30,000 knowing that there may be some opportunities to reduce the cost."

Council Member Bell cautioned against maintaining two databases. Chief Cornett said the intent is to convert the data, if possible. Council Member Ward asked where the money will come from should the expense be over the budgeted amount. Administrator Fragoso said, "It may just come out at the end of the year as over budget on that line item. Oftentimes we do well in other things, and we can kind of come up with a difference. We are still early on in the budget process for FY21, so I couldn't necessarily say exactly where it would come from, but I am sure that we can find some savings like we usually do during the year." Council Member Ward said he would like any additional expense to come out of the police department's budget. Administrator Fragoso said she will identify a line item in the budget where the difference can be accommodated.

**VOTE: The motion passed unanimously.**

**B. Consideration of purchase of beach services 4WD pickup truck, State contract pricing in the amount of \$26,870 [FY21 Budget; Hospitality Tax Fund; Police Department; Capital Outlay, \$30,000, pg. 21, ln. 21]**

**MOTION: Council Member Streetman made a motion to approve, and Council Member Moyer seconded the motion.**

Administrator Fragoso said, "This is a truck that is budgeted to be replaced for the Beach Service officers. This is the truck that is going to have the license plate reader that is also budgeted in our FY21 [budget] that is going to be used for enforcement of paid parking next year."

Chief Cornett added that the remaining budgeted funds not used to purchase the vehicle will be spent to upfit the vehicle, but staff will attempt to use the light bar from the truck that is being replaced.

**VOTE:        The motion passed unanimously.**

**C.        Consideration of award of a contract to Salmon's Dredging Corporation for the marina dock rehabilitation project [FY21 Budget; Marina Fund; Debt Proceeds, \$3,209,000, pg. 29-30]**

**MOTION: Council Member Moye made a motion to approve, and Council Member Streetman seconded the motion.**

Council Member Pounds reviewed the timeline of the marina project that has brought City to approving this contract. Three proposals were received, the lowest of which was from Salmon's Dredging. Mr. Kirby Marshall of ATM said that Salmon's bid has been vetted, and all information included is "good." He then reviewed the bid and the construction adds that also bid as a potential part of the larger project. ATM recommends the Committee consider adding the IPE Decking (\$86,000), the Builder's Risk insurance (\$15,000), the fuel hut (\$100,000), and a 15% contingency (\$440,732) to the project cost.

Options for recoating the bulkhead was also discussed at length. Administrator Fragoso noted that work on the bulkhead had been bid out previously, and the bids came in much higher than anticipated. As the City was not intending to borrow money at that time, the bids were put to the side. Completing the bulkhead recoating during the dock rehabilitation process will be much easier and less intrusive and damaging to a new dock. Council Member Moye said the proposal appears to be preserving the City's asset and reducing future expenses and maintenance. Mr. Marshall said sustainable materials are being used where they can be throughout the project.

Should this contract be approved with the suggested adds, Council Member Pounds noted that the amount of the bond will need to be increased by \$1M. Administrator Fragoso said that the larger bond amount would add approximately \$59,000 to the annual debt service payment assuming a 2.5% bond interest rate for 15 years. Options for 10, 12, and 15-year bonds will be considered.

Mayor Carroll said he would like to see a boat lift at the Marina for the Police Department. Mr. Marshall agreed it is a good idea, but it will need a dedicated space and would also need to be permitted. He suggested putting a fireboat on the jet dock. Council Member Ward expressed concern about the increase in project cost due to the adds. Council Member Popson said that doing this now is necessary since the maintenance has been deferred for so long.

**MOTION: Council Member Bell made a motion to amend by recommending to City Council the approval of the \$4,304,008 cost of Marina Dock Rehabilitation project to include IPE Decking, the builder's risk insurance, the fuel hut, a 15% contingency, and bulkhead recoating (\$804,000 option). Mayor Carroll seconded the motion. A vote was taken as follows:**

Ayes: Smith, Moye, Bell, Streetman, Popson, Buckhannon, Carroll, Pounds  
Nays: Ward

**The motion passed 8-1.**

**VOTE:** A vote was taken on the amended motion and the amended motion passed unanimously.

**D. Discussion of 2020 reassessment and millage rollback**

Committee members discussed options and the impact of increasing the millage rate. Council Member Moye emphasized the importance of communicating the impact of any tax increase to the citizens and what portion of their tax bill is related to City taxes. He said he would be in favor of any of the three options presented “so long as we as a Council and a government are directing those funds towards capital infrastructure improvements.”

Administrator Fragoso said, “The FY21 budget includes a debt service millage increase just to generate enough funds to cover the debt service on the Phase III Drainage Project, so not the Marina Dock Rehabilitation project that is contemplated to be serviced by rent revenue and tourism funds.”

Council Member Streetman said he would like to see the Council take a conservative approach to any tax increase. Mayor Carroll agreed that a smaller increase is a good idea and to let the residents know that Council is trying to keep their taxes low.

A final decision on the matter will come at the September 22 City Council meeting.

**E. Discussion of updated City of Isle of Palms General Obligation Bond Financing Schedule**

Council Member Pounds shared the bond financing schedule, noting that they are on track to have it closed by November 24 with a 60-day challenge period to take advantage of lower interest rates.

**7. Miscellaneous Business**

The next meeting of the Ways & Means Committee will be Tuesday, October 20, 2020 at 6:00pm.

**8. Executive Session**

**MOTION: Mayor Carroll made a motion to go into Executive Session in accordance with §30-4-70 of the Freedom of Information Act for discussion of contractual negotiations related to the marina restaurant lease proposal and to receive legal advice. Council Member Bell seconded the motion. The motion passed unanimously.**

The Ways & Means Committee moved into Executive Session at 7:46pm.

The Ways & Means Committee returned from Executive Session at 8:20. Council Member Pounds said no decisions were made.

**9. Adjournment**

Council Member Streetman made a motion to adjourn and Council Member Moye seconded the motion. The meeting was adjourned at 8:20pm.

Respectfully submitted,

Nicole DeNeane  
City Clerk

**City of Isle of Palms**  
**Financial Summary as of August 31, 2020**  
**(Dollars in Thousands)**

	<b>REVENUES</b>			
	YTD Actual	Annual Budget	Remaining to Collect	YTD Actual as a % of Budget
General	\$ 1,232	\$ 10,663	\$ 9,431	12%
Capital Projects	4	3,280	3,276	0%
Muni Accom Tax	1	829	828	0%
Hospitality Tax	60	640	580	9%
State Accom Tax	1	1,460	1,459	0%
Beach Prserv Fee	2	832	830	0%
Marina	69	297	228	23%
Disaster Recovery	2	52	50	4%
All Other	158	165	7	96%
Total All Funds	\$ 1,529	\$ 18,218	\$ 16,689	8%

	<b>EXPENDITURES</b>			
	YTD Actual	Annual Budget	Remaining to Spend	YTD Actual as a % of Budget
	\$ 1,667	\$ 11,356	\$ 9,689	15%
	286	7,535	7,249	4%
	175	1,384	1,209	13%
	43	1,058	1,015	4%
	168	1,655	1,487	10%
	-	294	294	0%
	36	1,105	1,069	3%
	-	10	10	0%
	-	162	162	0%
	\$ 2,375	\$ 24,559	\$ 22,184	10%

<b>General Fund Revenues</b>					
	FY20 YTD Actual	FY20 Budget	% of FY20 Budget	FY19 YTD Actual	% of Prior YTD
Prop Tax	\$ 48	\$ 4,757	1%	\$ 19	253%
LO Sales Tax	-	641	0%	-	
Business Lic	100	1,012	10%	121	83%
Rental Lic	516	750	69%	437	118%
Other Lic	1	1,281	0%	-	
Build Pmts	55	338	16%	72	76%
From State	-	215	0%	-	
Parking	365	1,211	30%	354	103%
All Other	147	458	32%	157	94%
Total	\$ 1,232	\$ 10,663	12%	\$ 1,160	106%

<b>General Fund Expenditures (YTD target = 17%)</b>					
	FY20 YTD Actual	FY20 Budget	% of FY20 Budget	FY19 YTD Actual	% of Prior YTD
Mayor/Council	\$ 16	\$ 145	11%	\$ 19	84%
General Govt	136	2,041	7%	131	104%
Police	421	2,707	16%	400	105%
Fire	582	3,286	18%	593	98%
Public Works	226	1,391	16%	234	97%
Build & Lic	63	422	15%	65	97%
Recreation	162	1,038	16%	171	95%
Judicial	36	224	16%	30	120%
BSOs	25	102	25%	24	104%
Total	\$ 1,667	\$ 11,356	15%	\$ 1,667	100%

**August Notes:**

- August 2020 Revenues are in line with expectations for this point in the fiscal year. The majority of spending outside of the General Fund relates to Public Safety Building repair, where approximately \$514,000 has been spent so far in FY21. The YTD cost for this project is split approximately 50% from the Capital Projects Fund and 25% each from the Muni and State Atax Funds.
- In the General Fund, revenues are running 6% ahead of the prior year and expenditures are flat compared to August 2019 levels.
- The City currently has over \$19 million in cash deposits. Of this total, approximately \$7.5 million (38%) is restricted.





# REASSESSMENT 2020 CHARLESTON COUNTY



**DUE TO COVID 19 – AS OPPOSED TO VISITING THE OFFICE IN PERSON, THE ASSESSOR’S OFFICE STRONGLY ENCOURAGES YOU TO CALL THE REASSESSMENT HOTLINE (843) 958-4144: A VISIT MAY NOT BE NECESSARY  
MOST QUESTIONS CAN BE ANSWERED OVER THE PHONE**

## WHAT IS REASSESSMENT?

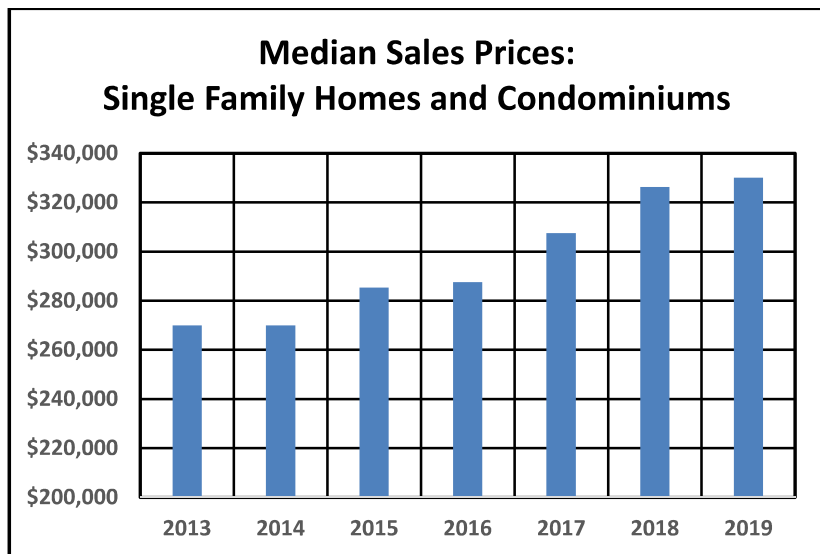
- Reassessment is the process of revaluing real estate for tax purposes. State law requires that real property be reassessed periodically to determine the change in the market value.
- Because property values change over time, reassessment equalizes the tax burden so that every property owner pays taxes in proportion to the value of their property.
- All properties in a county are revalued at the same time for reassessment. Owners are notified by the County Assessor of the change in value. Reassessment is implemented when taxpayer bills are issued based on the new value.

## WILL MY TAX BILL CHANGE THIS FALL BECAUSE OF REASSESSMENT?

- When 2020 tax bills are mailed this fall, some property owners may see a decrease in their taxes; others may see little to no change and some will see an increase.
- According to state law, the total tax revenue a county, municipality or tax district collects after reassessment cannot exceed the previous year’s revenue after allowing for inflation and increases in population.

## WHAT HAS HAPPENED TO PROPERTY VALUES SINCE THE LAST TIME CHARLESTON COUNTY REASSESSED?

- The values of most properties for this **current reassessment** are based on **2018 sales and values**. The 2018 median residential sales price was **\$326,300**. The median is the mid-point, half the sales are higher and half are lower.
  - The values of most properties for the prior countywide reassessment were based on 2013 sales and values. The median price of a residence in Charleston County in 2013 was \$270,000.
  - The median sales price increased about 21% from 2013 to 2018 and was higher still in 2019.
- The chart below shows how median sales prices have changed since the last reassessment:



For more information, visit  
[www.charlestoncounty.org](http://www.charlestoncounty.org)

OR

Call the **REASSESSMENT HOTLINE** at  
**843-958-4144**

**Due to COVID 19, the Assessor’s  
Office encourages you to call if you  
have questions**

**Most questions can be answered  
over the phone, an in-person visit  
may not be necessary**

**Citizens are required to wear masks  
in Charleston County buildings**

## WILL THE 15% REASSESSMENT CAP AFFECT MY VALUE THIS YEAR?

- At reassessment, state law limits the increase in the taxable value on most properties to a maximum of 15% over the prior value. The 15% cap is a limit on the increase in *value*, not a limit on taxes. Taxes are influenced by many other factors such as millage, exemptions, deductions and special use values. Therefore:
  - Some properties may increase in value less than 15% and will not need to be capped.
  - Some properties will not qualify for the 15% reassessment cap, as they sold or transferred in 2019, are newly added to the tax rolls, etc. Those properties will be valued at full market value or may only partially benefit from the 15% cap. The specific situations may vary.

**REASSESSMENT HOTLINE: (843) 958-4144** Monday-Friday 8:30 a.m. – 5:00 p.m. – beginning September 14<sup>th</sup>, 2020

### HOW DOES THE ASSESSOR ESTABLISH THE VALUE OF A PROPERTY?

- The Charleston County Assessor's Office staff includes licensed and certified appraisers who perform ongoing research into the local real estate market. At reassessment, real property is valued based on that research.
- The market for property creates the value. Buyers and sellers create the market. Therefore, supply and demand is the largest single factor in determining a property's value.
- The appraisers research a number of factors relating to value and use a variety of methods to value property. The method used will vary based on property type and the market for that property. These methods include:
  - Comparable sales: based on sales of similar properties. Most single-family homes and lots are valued based on what similar properties sell for in the open market.
  - Income potential: buyers of investment properties often purchase properties based on the anticipated rents or income and what they expect as a return on that investment. Investment properties can range from rented houses to large commercial properties such as shopping centers and office buildings.

### I HAVE MORE QUESTIONS; HOW DO I GET ADDITIONAL INFORMATION?

- A reassessment hotline (**843-958-4144**) staffed by County appraisers will be available beginning September 14th, Monday through Friday 8:30 a.m. – 5:00 p.m. Appraisers will staff the hotline until October 30<sup>th</sup>. After October 30<sup>th</sup>, your call will be redirected to customer service representatives who can answer most questions.
- To help answer more questions and respond to more callers, hotline staff will answer general questions.
  - Messages will be taken when taxpayers wish to discuss individual property values or when the taxpayer has very specific questions that need to be handled by specialists.
  - Callers leaving messages due to specific questions will receive a return call from the appraiser for that area or from the employee who handles that specific type of issue. When the message is taken, information regarding the timing of return phone calls will be provided.
- Call volume to the hotline is usually very high the first two weeks after reassessment notices are mailed, so taxpayers may find it difficult to get through during that time.
- The Charleston County website ([www.charlestoncounty.org](http://www.charlestoncounty.org)) may be the easiest way to get answers to general questions, especially during the first two weeks after reassessment notices are mailed.

### HOW DO I DISAGREE WITH MY VALUE OR ASSESSMENT?

- There are three local levels that an assessment disagreement may proceed through (most disagreements are resolved at local level one or two):
  1. File an objection in writing. A form has been included with the reassessment notice for filing objections. You will be contacted and the disagreement may be resolved. If the disagreement is not resolved:
  2. File a protest in writing. A form will be provided to you for filing the protest. The disagreement may be resolved after the protest is filed; however, you will be notified in writing of any decision. If the disagreement is not resolved at this level:
  3. File an appeal in writing. The appeal will be forwarded to the Charleston County Board of Assessment Appeals. The Board will contact you after they receive your appeal letter.
- Objections, protests and appeals must be submitted to the Assessor's Office in writing with an original signature.
- Most filings are received by mail; some are delivered in person. If mailed, they must have a verifiable sending date. Many delivery services, including the U.S. Postal Service, use postmarks or other verifiable mailing dates.
- Objections, protests and appeals cannot be filed by fax, email, or other electronic means.
- If you are still not satisfied with the outcome of your disagreement after the three local levels, you may pursue it further at the state level through the Administrative Law Court.
- More information is included on the back of the reassessment notice.

### IS THERE A DEADLINE FOR DISAGREEING WITH MY VALUE OR ASSESSMENT?

- The three levels of disagreement listed in the section above have specific legal deadlines that cannot be extended.
  - **The deadline** for objections **is printed on the notice** that informs you of the reassessment value.
  - You will be informed in writing of other deadlines if your disagreement proceeds to the next level.
- You are responsible for meeting all deadlines. Postmarks are used to determine if the deadline was met.
  - Make sure there is a postmark if you file close to any deadline, the USPS often uses barcodes and not postmarks.
- If you miss any deadline throughout the process, your appeal rights will be abandoned for the 2020 tax year.
- Many taxpayers file very close to the deadline.
  - Experience has shown that the volume of appeals doubles during the two weeks before the deadline.
  - Because disputes are generally handled in the order received, those who file the last month experience lengthy delays. Those who file in the first month will receive responses more rapidly.

**City of Isle of Palms**  
**Analysis of Reassessed Values**  
**Current and Proposed Millage Rates Compared to Budget**

*The "Rollback" millage was calculated by the Charleston County Auditor's office and independently verified by the City Treasurer. The CPI/Growth factors are allowable annually per State Law and are provided by the SC Revenue and Fiscal Affairs Office. Options B and C presented below represent minimum and maximum options, but any increase less than 8.58% is allowable. The City's millage rate has not changed since the last reassessment in 2015.*

	Tax Year 2019 ACTUAL	Tax Year 2020 OPTION A	Tax Year 2020 OPTION B	Tax Year 2020 OPTION C
	OLD ASSESSMENTS	NEW ASSESSMENTS		
	Existing Millage	"Rollback" Operating Millage (Required) + Increased Debt Svc Millage (per FY21 Budget)	OPTION A + 2.18% 2020 CPI/Growth Cap	OPTION A + 8.58% 2020 Cap + 2017-2019 CPI/Growth Caps not taken previously (max incr allowable)
Real Property 4%	55,413,360	62,813,966	62,813,966	62,813,966
Real Property 6%	145,257,478	164,512,345	164,512,345	164,512,345
Total Real Property	200,670,839	227,326,311	227,326,311	227,326,311
Motor Vehicles	3,811,132	3,776,615	3,776,616	3,776,617
Total Personal Property	6,719,864	6,540,358	6,540,358	6,540,358
<b>Total Assessed Value</b>	<b>211,201,834</b>	<b>237,643,284</b>	<b>237,643,285</b>	<b>237,643,286</b>
<b>% Increase in Assessed Value</b>		<b>13%</b>	<b>13%</b>	<b>13%</b>
<b>Operating Mills</b>	<b>21.3</b>	<b>19.1</b>	<b>19.5</b>	<b>20.7</b>
<b>Debt Service Mills</b>	<b>3.4</b>	<b>4.2</b>	<b>4.2</b>	<b>4.2</b>
	<b>24.7</b>	<b>23.3</b>	<b>23.7</b>	<b>24.9</b>
Expected Operating Revenues	4,498,599	4,528,862	4,627,591	4,917,439
Expected Debt Svc Revenues	718,086	988,271	988,271	988,271
Total Expected PTax Revenues	5,216,685	5,517,134	5,615,863	5,905,710
FY20 Actual Prop Tax -Operating	3,791,692			
FY20 Actual Prop Tax -Debt Service	799,984			
FY20 Actual Local Opt Sales Tax	727,246			
Total FY20 Actual PTax Revenue	5,318,922			
Actual FY20 over Expected	102,237			
FY21 Budget - Prop Tax -Operating		3,776,390	3,776,390	3,776,390
FY21 Budget - Prop Tax -Debt Service		981,000	981,000	981,000
FY21 Budget - LOST		640,742	640,742	640,742
Total FY21 Budgeted Property Tax Revenue		5,398,132	5,398,132	5,398,132
<b>Expected FY21 over FY21 Budget*</b>		<b>119,002</b>	<b>217,731</b>	<b>507,578</b>

\* Historically, **actual** property tax collections exceed what is expected per the County's revenue calculation. Tax Year 19 shown is an example.

City of Isle of Palms

Millage Rate Table - **ESTIMATED AVERAGE** CHANGE FROM REASSESSMENT AND DEBT SERVICE MILLAGE INCREASE

CURRENT ISLE OF PALMS MILLAGE					"ROLLBACK" OPERATING MILLAGE (REQUIRED) + INCREASED DEBT SERVICE MILLAGE TO FUND 100% OF DRAINAGE PHASE 3 (PER FY21 BUDGET)					OPTION A		
Operating Millage Rate = 0.0213					Operating Millage Rate = 0.0191					TAXPAYER'S INCREASE		
Debt Service Millage Rate 0.0034					Debt Service Millage Rate 0.0042							
Total IOP Millage Rate 0.0247					Total IOP Millage Rate 0.0233							
Local Option Sales Tax Credit Factor (0.0002)					Local Option Sales Tax Credit Factor (0.0002)							
2019 Appraised Value	Primary Residences Assessed at 4%	Less Local Option Sales Tax Credit	Net IOP Property Tax for a primary resident	2nd Homes & Commercial Assessed at 6%	Appraised Value + 13% Average Reassessment Increase	Appraised Value Capped at a 15% Reassessment Increase	Primary Residences Assessed at 4%	Less Local Option Sales Tax Credit	Net IOP Property Tax for a primary resident	2nd Homes & Commercial Assessed at 6%	Primary Residents	2nd Homes/ Commercial
400,000	395.20	(80.00)	315.20	592.80	452,000		421.26	(90.40)	330.86	631.90	15.66	39.10
600,000	592.80	(120.00)	472.80	889.20	678,000		631.90	(135.60)	496.30	947.84	23.50	58.64
900,000	889.20	(180.00)	709.20	1,333.80	1,017,000		947.84	(203.40)	744.44	1,421.77	35.24	87.97
1,000,000	988.00	(200.00)	788.00	1,482.00	1,130,000		1,053.16	(226.00)	827.16	1,579.74	39.16	97.74
1,500,000	1,482.00	(300.00)	1,182.00	2,223.00	1,695,000		1,579.74	(339.00)	1,240.74	2,369.61	58.74	146.61
2,000,000	1,976.00	(400.00)	1,576.00	2,964.00	2,260,000		2,106.32	(452.00)	1,654.32	3,159.48	78.32	195.48
2,500,000	2,470.00	(500.00)	1,970.00	3,705.00	2,825,000		2,632.90	(565.00)	2,067.90	3,949.35	97.90	244.35
3,000,000	2,964.00	(600.00)	2,364.00	4,446.00	3,390,000		3,159.48	(678.00)	2,481.48	4,739.22	117.48	293.22
4,000,000	3,952.00	(800.00)	3,152.00	5,928.00	4,520,000		4,212.64	(904.00)	3,308.64	6,318.96	156.64	390.96
5,000,000	4,940.00	(1,000.00)	3,940.00	7,410.00	5,650,000		5,265.80	(1,130.00)	4,135.80	7,898.70	195.80	488.70

Actual Value Changes Provided by Charleston County - Randomly Selected Island Properties											% Increase in Value	% Increase in Taxes
457,000	451.52	(91.40)	360.12		576,300	525,550	489.81	(105.11)	384.70	24.59	15%	7%
880,000	869.44	(176.00)	693.44		1,091,000	1,012,000	943.18	(202.40)	740.78	47.34	15%	7%
1,015,000	1,002.82	(203.00)	799.82		1,116,000		1,040.11	(223.20)	816.91	17.09	10%	2%
1,775,000	1,753.70	(355.00)	1,398.70		1,828,000		1,703.70	(365.60)	1,338.10	(60.60)	3%	-4%
2,525,000	2,494.70	(505.00)	1,989.70		3,175,000	2,903,750	2,706.30	(580.75)	2,125.55	135.85	15%	7%
4,200,000	4,149.60	(840.00)	3,309.60		5,340,600	4,830,000	4,501.56	(966.00)	3,535.56	225.96	15%	7%
655,600				971.60	796,000	753,940				1,054.01	15%	8%
1,000,000				1,482.00	1,306,800	1,150,000				1,607.70	15%	8%
2,200,000				3,260.40	2,400,000					3,355.20	9%	3%
3,025,000				4,483.05	3,525,000	3,478,750				4,863.29	15%	8%

City of Isle of Palms

Millage Rate Table - **ESTIMATED AVERAGE** CHANGE FROM REASSESSMENT + DEBT SERVICE MILLAGE INCREASE

CURRENT ISLE OF PALMS MILLAGE					"ROLLBACK" OPERATING MILLAGE (REQUIRED) + 2.18% CPI/GROWTH (OPTIONAL) + INCREASED DEBT SERVICE MILLAGE TO FUND 100% OF DRAINAGE PHASE 3 (PER FY 21 BUDGET)					OPTION B		
Operating Millage Rate = 0.0213					Operating Millage Rate = 0.0195							
Debt Service Millage Rate 0.0034					Debt Service Millage Rate 0.0042							
Total IOP Millage Rate 0.0247					Total IOP Millage Rate 0.0237					TAXPAYER'S INCREASE		
Local Option Sales Tax Credit Factor (0.0002)					Local Option Sales Tax Credit Factor (0.0002)							
2019 Appraised Value	Primary Residences Assessed at 4%	Less Local Option Sales Tax Credit	Net IOP Property Tax for a primary resident	2nd Homes & Commercial Assessed at 6%	Appraised Value + 13% Average Reassessment Increase	Appraised Value Capped at a 15% Reassessment Increase	Primary Residences Assessed at 4%	Less Local Option Sales Tax Credit	Net IOP Property Tax for a primary resident	2nd Homes & Commercial Assessed at 6%	Primary Residents	2nd Homes/ Commercial
400,000	395.20	(80.00)	315.20	592.80	452,000		428.50	(90.40)	338.10	642.74	22.90	49.94
600,000	592.80	(120.00)	472.80	889.20	678,000		642.74	(135.60)	507.14	964.12	34.34	74.92
900,000	889.20	(180.00)	709.20	1,333.80	1,017,000		964.12	(203.40)	760.72	1,446.17	51.52	112.37
1,000,000	988.00	(200.00)	788.00	1,482.00	1,130,000		1,071.24	(226.00)	845.24	1,606.86	57.24	124.86
1,500,000	1,482.00	(300.00)	1,182.00	2,223.00	1,695,000		1,606.86	(339.00)	1,267.86	2,410.29	85.86	187.29
2,000,000	1,976.00	(400.00)	1,576.00	2,964.00	2,260,000		2,142.48	(452.00)	1,690.48	3,213.72	114.48	249.72
2,500,000	2,470.00	(500.00)	1,970.00	3,705.00	2,825,000		2,678.10	(565.00)	2,113.10	4,017.15	143.10	312.15
3,000,000	2,964.00	(600.00)	2,364.00	4,446.00	3,390,000		3,213.72	(678.00)	2,535.72	4,820.58	171.72	374.58
4,000,000	3,952.00	(800.00)	3,152.00	5,928.00	4,520,000		4,284.96	(904.00)	3,380.96	6,427.44	228.96	499.44
5,000,000	4,940.00	(1,000.00)	3,940.00	7,410.00	5,650,000		5,356.20	(1,130.00)	4,226.20	8,034.30	286.20	624.30

Actual Value Changes Provided by Charleston County - Randomly Selected Island Properties										% Increase in Value	% Increase in Taxes
457,000	451.52	(91.40)	360.12	576,300	525,550	498.22	(105.11)	393.11	33.00	15%	9%
880,000	869.44	(176.00)	693.44	1,091,000	1,012,000	959.38	(202.40)	756.98	63.54	15%	9%
1,015,000	1,002.82	(203.00)	799.82	1,116,000		1,057.97	(223.20)	834.77	34.95	10%	4%
1,775,000	1,753.70	(355.00)	1,398.70	1,828,000		1,732.94	(365.60)	1,367.34	(31.36)	3%	-2%
2,525,000	2,494.70	(505.00)	1,989.70	3,175,000	2,903,750	2,752.76	(580.75)	2,172.01	182.31	15%	9%
4,200,000	4,149.60	(840.00)	3,309.60	5,340,600	4,830,000	4,578.84	(966.00)	3,612.84	303.24	15%	9%
655,600			971.60	796,000	753,940			1,072.10	100.50	15%	10%
1,000,000			1,482.00	1,306,800	1,150,000			1,635.30	153.30	15%	10%
2,200,000			3,260.40	2,400,000				3,412.80	152.40	9%	5%
3,025,000			4,483.05	3,525,000	3,478,750			4,946.78	463.73	15%	10%

City of Isle of Palms

Millage Rate Table - **ESTIMATED AVERAGE** CHANGE FROM REASSESSMENT + DEBT SERVICE MILLAGE INCREASE

CURRENT ISLE OF PALMS MILLAGE					"ROLLBACK" OPERATING MILLAGE (REQUIRED) + 8.58% MAX CPI/GROWTH (OPTIONAL) + INCREASED DEBT SERVICE MILLAGE TO FUND 100% OF DRAINAGE PHASE 3 (PER FY21 BUDGET)					OPTION C		
Operating Millage Rate = 0.0213					Operating Millage Rate = 0.0207							
Debt Service Millage Rate 0.0034					Debt Service Millage Rate 0.0042							
Total IOP Millage Rate 0.0247					Total IOP Millage Rate 0.0249					TAXPAYER'S INCREASE		
Local Option Sales Tax Credit Factor (0.0002)					Local Option Sales Tax Credit Factor (0.0002)							
2019 Appraised Value	Primary Residences Assessed at 4%	Less Local Option Sales Tax Credit	Net IOP Property Tax for a primary resident	2nd Homes & Commercial Assessed at 6%	Appraised Value + 13% Average Reassessment Increase	Appraised Value Capped at a 15% Reassessment Increase	Primary Residences Assessed at 4%	Less Local Option Sales Tax Credit	Net IOP Property Tax for a primary resident	2nd Homes & Commercial Assessed at 6%	Primary Residents	2nd Homes/ Commercial
400,000	395.20	(80.00)	315.20	592.80	452,000		450.19	(90.40)	359.79	675.29	44.59	82.49
600,000	592.80	(120.00)	472.80	889.20	678,000		675.29	(135.60)	539.69	1,012.93	66.89	123.73
900,000	889.20	(180.00)	709.20	1,333.80	1,017,000		1,012.93	(203.40)	809.53	1,519.40	100.33	185.60
1,000,000	988.00	(200.00)	788.00	1,482.00	1,130,000		1,125.48	(226.00)	899.48	1,688.22	111.48	206.22
1,500,000	1,482.00	(300.00)	1,182.00	2,223.00	1,695,000		1,688.22	(339.00)	1,349.22	2,532.33	167.22	309.33
2,000,000	1,976.00	(400.00)	1,576.00	2,964.00	2,260,000		2,250.96	(452.00)	1,798.96	3,376.44	222.96	412.44
2,500,000	2,470.00	(500.00)	1,970.00	3,705.00	2,825,000		2,813.70	(565.00)	2,248.70	4,220.55	278.70	515.55
3,000,000	2,964.00	(600.00)	2,364.00	4,446.00	3,390,000		3,376.44	(678.00)	2,698.44	5,064.66	334.44	618.66
4,000,000	3,952.00	(800.00)	3,152.00	5,928.00	4,520,000		4,501.92	(904.00)	3,597.92	6,752.88	445.92	824.88
5,000,000	4,940.00	(1,000.00)	3,940.00	7,410.00	5,650,000		5,627.40	(1,130.00)	4,497.40	8,441.10	557.40	1,031.10

Actual Value Changes Provided by Charleston County - Randomly Selected Island Properties										% Increase in Value	% Increase in Taxes		
457,000	451.52	(91.40)	360.12		576,300	525,550	523.45	(105.11)	418.34	58.22	15%	16%	
880,000	869.44	(176.00)	693.44		1,091,000	1,012,000	1,007.95	(202.40)	805.55	112.11	15%	16%	
1,015,000	1,002.82	(203.00)	799.82		1,116,000		1,111.54	(223.20)	888.34	88.52	10%	11%	
1,775,000	1,753.70	(355.00)	1,398.70		1,828,000		1,820.69	(365.60)	1,455.09	56.39	3%	4%	
2,525,000	2,494.70	(505.00)	1,989.70		3,175,000	2,903,750	2,892.14	(580.75)	2,311.39	321.69	15%	16%	
4,200,000	4,149.60	(840.00)	3,309.60		5,340,600	4,830,000	4,810.68	(966.00)	3,844.68	535.08	15%	16%	
655,600				971.60	796,000	753,940				1,126.39	154.79	15%	16%
1,000,000				1,482.00	1,306,800	1,150,000				1,718.10	236.10	15%	16%
2,200,000				3,260.40	2,400,000					3,585.60	325.20	9%	10%
3,025,000				4,483.05	3,525,000	3,478,750				5,197.25	714.20	15%	16%



# Isle of Palms Marina Rehabilitation (Base Bid)

BASE BID				Salmons		Orion		BluTide	
Item	Description	Number	Unit	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost
1	Performance Bond	1	LS	\$22,000	\$22,000	\$45,967.00	\$45,967.00	\$67,752	\$67,751.93
2	Mobilization/Demobilization	1	LS	\$41,000	\$41,000	\$337,777.00	\$337,777.00	\$40,000	\$40,000.00
3	Demolition of all existing docks and water-side appurtenances	1	LS	\$165,000	\$165,000	\$180,226.00	\$180,226.00	\$165,000	\$165,000.00
4	Design, Furnish and Install (2) 6’x80’ aluminum gangways	2	EA	\$56,000	\$112,000	\$51,051.00	\$102,102.00	\$66,112	\$132,224.00
5	Design, Furnish, and Install 6’x40’ aluminum gangway	1	EA	\$15,000	\$15,000	\$21,076.00	\$21,076.00	\$18,035	\$18,035.00
6	Design, Furnish, and Install 3’x30’ aluminum gangway	1	EA	\$9,000	\$9,000	\$9,502.00	\$9,502.00	\$10,946	\$10,946.00
7	Design, Furnish, and Install 3’x25’ aluminum gangway	1	EA	\$8,000	\$8,000	\$8,335.00	\$8,335.00	\$10,225	\$10,225.00
8	Design/Build 8’x8’ fixed timber gangway pier	1	LS	\$55,000	\$55,000	\$76,458.00	\$76,458.00	\$28,089	\$28,089.00
9	Furnish and Install electrical system	1	LS	\$608,000	\$608,000	\$792,167.00	\$792,167.00	\$575,000	\$575,000.00
10	Furnish and Install potable water system	1	LS	\$89,000	\$89,000	\$96,072.00	\$96,072.00	\$86,656	\$86,656.00
11	Furnish and Install marine pumpout system	1	LS	\$34,000	\$34,000	\$44,921.00	\$44,921.00	\$42,470	\$42,470.00
12	Furnish and Install marine fuel dispenser modifications	1	LS	\$240,000	\$240,000	\$288,147.00	\$288,147.00	\$241,355	\$241,355.00
13	Design/Furnish/Install floating dock system and anchorage (INDICATE SPECIFIED SYSTEM)	15424	SF	\$78	\$1,199,216	\$71.00	\$1,095,082.70	\$111	\$1,933,503.60
14	Furnish/Install fire protection system (standpipe system)	1	LS	\$108,000	\$108,000	\$95,172.00	\$95,172.00	\$75,625	\$75,625.00
15	Furnish/Install fire pedestals	16	EA	\$2,000	\$32,000	\$2,858.00	\$45,728.00	\$28,468	\$28,468.00
	Total Base Bid				\$2,737,216		\$3,238,732.70		\$3,455,348.53

# Floating Dock System Included





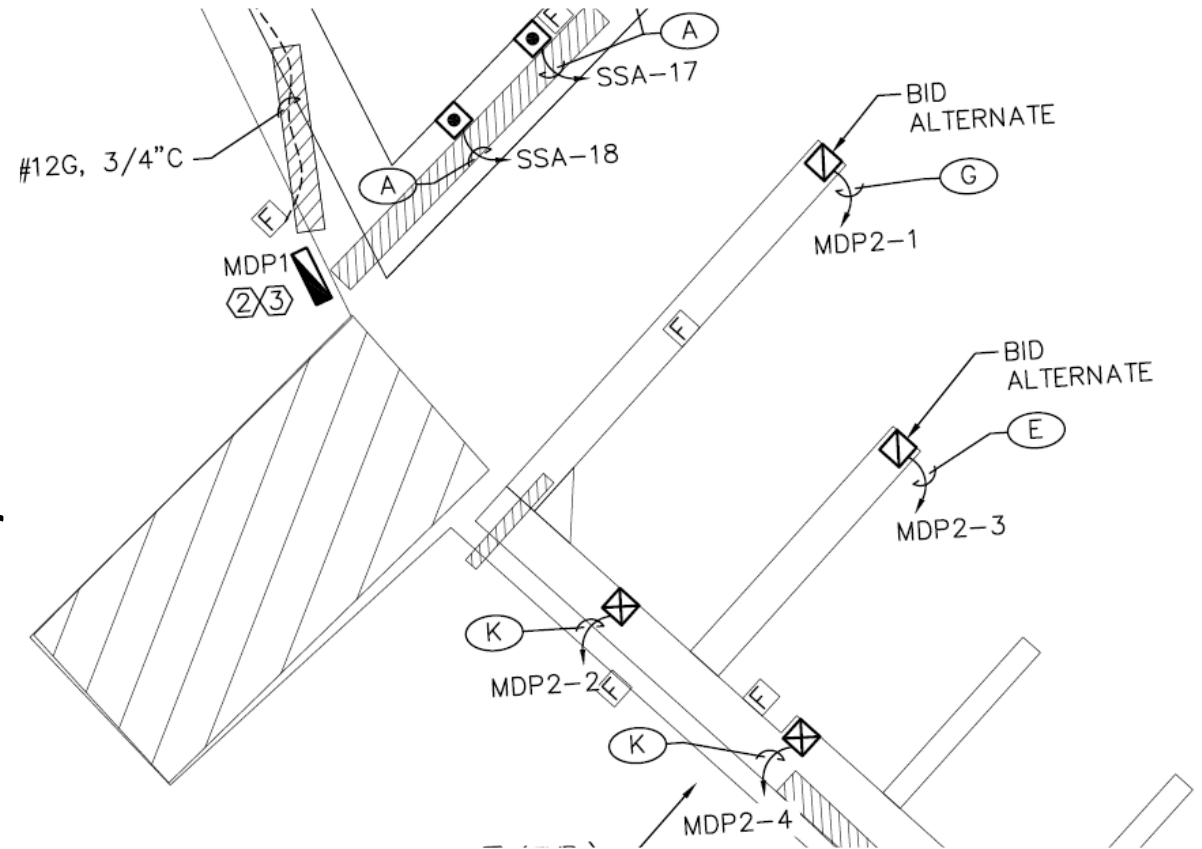
# ALTERNATE ITEM – IPE DECKING

- **\$86,000 ADD**
- IPE is a Brazilian hardwood
- Does not require preservative treatment
- Works well with aluminum
- Limited/no maintenance
- Long lasting
- ATM Recommends



# ALTERNATE ITEM – FINGER END PEDESTALS

- **\$19,000 ADD**
- Finger end pedestals in Dock Area B
- Includes Electrical and Potable Water Service
- Requested by Marina Manager
- Improves flexibility to cater to visiting vessels
  - Moor “stern to” or “bow to”



# ALTERNATE ITEM – BULKHEAD RECOATING

- Option 1 – WJ2 (More Intense Cleaning)
  - UWZ - \$386,200
  - LWZ - \$418,200
- Option 2 – WJ4 (Less Intense Cleaning)
  - UWZ - \$325,000
  - LWZ - \$418,200
- Stop rust as soon as possible

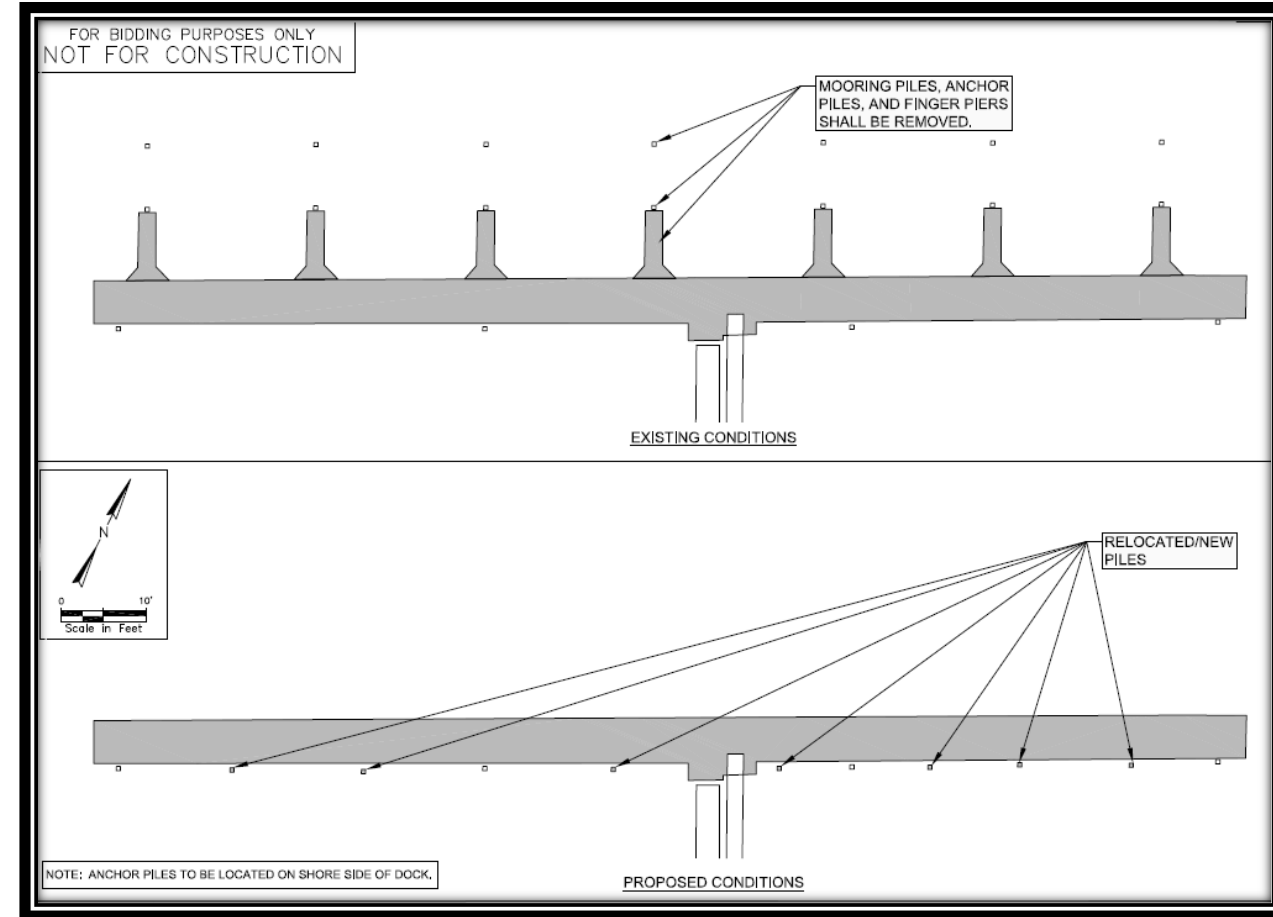


# ALTERNATE ITEM – BUILDER'S RISK INS.

- **\$15,000 ADD**
- Protects against losses to work that is under construction
- Either City or Contractor can purchase

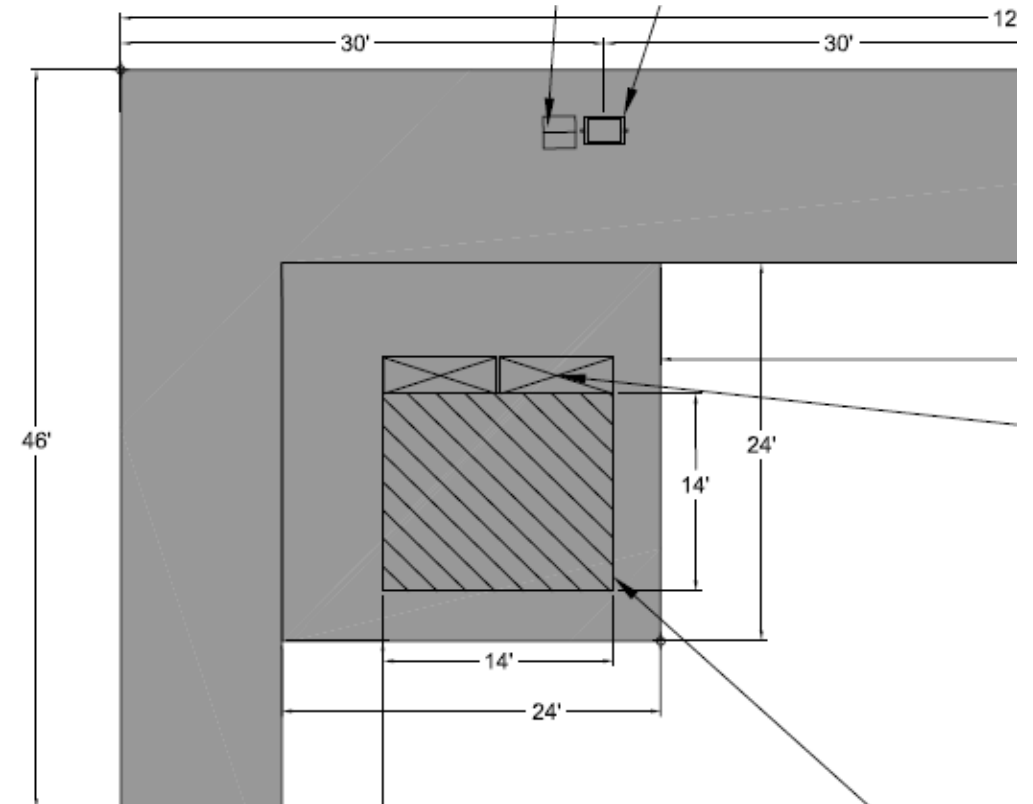
# ALTERNATE ITEM – INTRACOASTAL DOCK MODIFICATIONS

- **\$45,000 ADD**
- Remove finger piers, mooring piles, and outer anchor piles
- Re-use anchor piles on shore side of dock
- Creates a “face” of more usable dock space for construction staging and eventual restaurant use
- Non-engineered/temporary solution
- ATM does not recommend at this time
  - Piling concerns



# ALTERNATE ITEM – FUEL HUT

- **\$130,000 ADD**
- For replacement of on dock fuel hut at marina
- Concern regarding code compliance of structure (IBC)
- Extraordinary cost for ordinary structure (\$663/SF)
- ATM recommends value engineering this line item and negotiating an alternate solution



# Budget vs Actual Bids

FY21 Budget=

\$2,875,000 docks rehab

\$334,000 bulkhead recoating

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\$3,209,000

- Proposal

**Docks:**

Base bid = \$2,737,216

- IPE decking = \$86,000
- Builder's Risk = \$15,000
- Fuel Hut = \$100,000
- 15% contingency = \$440,732

Total = \$3,378,948

(\$503,948 over the FY21 estimate)

**Bulkhead:**

Option 1: \$804,400

Option 2: \$ 743,200

(\$474,000 over the FY21 estimate)

	2017	2020
Element of Work	Referendum	Proposed
Upland Improvements incl stormwater, grading, water & sewer, lighting, landscaping, perimeter boardwalk	1,855,900	
Morgan Creek Dock replacement incl fuel dock	2,007,750	2,938,216
Improvements to AICWW docks	363,574	
Bulkhead recoating		804,400
Contingency	422,723	561,392
Subtotal Contruction	4,649,947	4,304,008
Soft Costs	422,723	217,500
Total	5,072,670	4,521,508
Amount to be financed	5,500,000	4,300,000



- City is contractually responsible for the marina docks and bulkhead
- 2017 numbers were based on cost estimates, not actual bids
- Referendum plan included significant improvements to the upland/parking lot area and the AICWW docks. The 2017 plan did not include improvements to the bulkhead.
- The annual debt service for the 2017 \$5.5M GO Bond was proposed to be serviced with marina rent revenues and tourism funds.
- The FY21 Budget also assumes covering the annual debt service for the dock and bulkhead improvement project with marina rent revenues and tourism funds.

# City of Isle of Palms

## Estimated Annual Debt Service - Full Marina Dock Replacement

### Comparison of Amortization Schedules - FY21 Budget vs. Bids Received w/New Interest Estimate

#### UPDATED DEBT SERVICE ESTIMATE

Principal		4,304,008	Updated Project Total including certain alternates and a 15% City contingency		
Annual Interest %		2.50%	New estimated interest rate - Budget estimate was 4%		
Number of Years		15			
Pmt #	Pmt Date	Amount	Principal	Interest	Balance
					4,304,008
1	7/1/2020	347,650	240,050	107,600	4,063,958
2	7/2/2021	347,650	246,051	101,599	3,817,907
3	7/2/2022	347,650	252,202	95,448	3,565,705
4	7/2/2023	347,650	258,507	89,143	3,307,197
5	7/1/2024	347,650	264,970	82,680	3,042,227
6	7/2/2025	347,650	271,594	76,056	2,770,633
7	7/2/2026	347,650	278,384	69,266	2,492,249
8	7/2/2027	347,650	285,344	62,306	2,206,905
9	7/1/2028	347,650	292,477	55,173	1,914,428
10	7/2/2029	347,650	299,789	47,861	1,614,638
11	7/2/2030	347,650	307,284	40,366	1,307,354
12	7/2/2031	347,650	314,966	32,684	992,388
13	7/1/2032	347,650	322,840	24,810	669,548
14	7/2/2033	347,650	330,911	16,739	338,637
15	7/2/2034	347,103	338,637	8,466	(0)
		5,214,203	4,304,008	910,195	

#### FY21 BUDGET DEBT SERVICE ESTIMATE

Principal		3,209,000	ORIGINAL PROJECT ESTIMATE INCLUDED IN FY21 BUDGET		
Annual Interest %		4.00%			
Number of Years		15			
Pmt #	Pmt Date	Amount	Principal	Interest	Balance
					3,209,000
1	7/1/2020	288,600	160,240	128,360	3,048,760
2	7/2/2021	288,600	166,650	121,950	2,882,110
3	7/2/2022	288,600	173,316	115,284	2,708,795
4	7/2/2023	288,600	180,248	108,352	2,528,547
5	7/1/2024	288,600	187,458	101,142	2,341,088
6	7/2/2025	288,600	194,956	93,644	2,146,132
7	7/2/2026	288,600	202,755	85,845	1,943,377
8	7/2/2027	288,600	210,865	77,735	1,732,512
9	7/1/2028	288,600	219,300	69,300	1,513,213
10	7/2/2029	288,600	228,071	60,529	1,285,141
11	7/2/2030	288,600	237,194	51,406	1,047,947
12	7/2/2031	288,600	246,682	41,918	801,265
13	7/1/2032	288,600	256,549	32,051	544,716
14	7/2/2033	288,600	266,811	21,789	277,904
15	7/2/2034	289,020	277,904	11,116	0
		4,329,420	3,209,000	1,120,420	

#### DIFFERENCE

884,783 1,095,009 (210,226)



**Public Safety Committee**  
**9:00am, Monday, September 14, 2020**  
**Virtual Meeting via Zoom call due to COVID-19 Pandemic**  
**broadcasted live on YouTube: <https://www.youtube.com/user/cityofisleofpalms>**

**MINUTES**

**1. Call to order**

Present: Council members Buckhannon, Ward, and Pounds

Staff Present: Administrator Fragoso, Chief Cornett, Chief Hathaway

Also Present: John Edward Griffith, Trident Construction

**2. Approval of previous meeting's minutes – August 10, 2020**

Council Member Pounds made a motion to approve, and Council Member Ward seconded the motion. The minutes passed unanimously.

**3. Citizens' Comments**

The City Clerk read into the record comments submitted to the Public Safety Committee. They can be found on the City's website alongside the agenda for this meeting.

**4. Old Business**

**A. Update on Public Safety Building Rehabilitation Project**

Administrator Fragoso reported the rehabilitation project is still on time and under budget. She reviewed what has been completed since the last update. She also reported that she confirmed with the contractors that the two change orders approved by City Council last month will be paid for from the contractor's contingency.

She shared that while the trailers may not be needed as long as originally contracted, there is no refund to the City if they return them earlier than January.

**B. Update on implementation of paid parking plan on the existing public beach parking zones**

Administrator Fragoso said, "After Council approved pursuing the plan last month, we gave the go-ahead to Stuart Day and Stantec to develop the drawings that are going to have to be submitted to SCDOT for their revised encroachment permit." She added that she, Asst. Administrator Hanna, and Chief Cornett met with the representative from Flowbird to show her the new areas that will be incorporated into the beach parking plan. She will prepare a plan for the additional signage that will be installed to notify and educate people about the pay-to-park

system. She will ask the City Attorney to draft the first reading of the sign plan after SCDOT gives approval for the encroachment permit.

**C. Update and discussion of eliminating parking on the landside of Palm Boulevard between 22<sup>nd</sup> and 40<sup>th</sup> avenues due to public safety concerns**

Committee members agreed that the intent was the permanently eliminate parking on the landside of Palm Boulevard.

**MOTION: Council Member Ward made a motion to permanently eliminate parking on the landside of Palm Boulevard. Council Member Pounds seconded the motion.**

Administrator Fragoso reported that conversations with Stantec and DHEC confirmed the City will still meet the beach access requirements if they eliminate parking along the landside of Palm Boulevard. She added, “We also had a conversation with SCDOT and their position is that we would have to submit that as part of the same modified permit application that includes the changes for the paid parking changes. SCDOT’s decision remains that the City had jurisdiction over parking on the community and as such recommendations that are made due to Public Safety are considered heavily.”

**VOTE: The motion passed unanimously.**

**D. Discussion of improvements to the ocean side of Palm Boulevard between 21<sup>st</sup> and 41<sup>st</sup> avenues**

Committee members discussed earmarking some of the funds from paid parking to improve the parking and beach access areas along Palm Boulevard. While there are many options to improve Palm Boulevard, Administrator Fragoso noted, “It is going to be a lot of work because there are utilities. There is drainage, infrastructure that would need to be, that is currently open that would need to be address in a different way. There are encroachments and driveways and landscaping that we would have, it will be a long process of just having that plan developed. But in terms of feasibility, it is possible because the space is currently there.”

Council Member Ward noted such a project is a good opportunity to get the public involved, noting the importance of generating local and state support. Administrator Fragoso said the issue will remain on the Public Safety agenda to keep the discussion moving forward.

**E. Update on pedestrian crosswalks and intersection safety**

Administrator Fragoso said that SCDOT cannot explain the inconsistency of the placement of the stop bars at Palm Boulevard intersections.

With regards to increasing the safety at crosswalks, Chief Cornett reported that SCDOT will only approve a “rectangular rapid flashing beacon” at crosswalks. Such devices are in use in Summerville and Folly Beach. Applications for such signage must be made through the Federal Highway Administration and then SCDOT for encroachment permits. SCDOT will also require a traffic study at all the locations where the City would like one of the flashing signs. Additionally, they request crash history, vehicle counts, and pedestrian counts for each intersection.

Committee members agreed Chief Cornett should continue to pursue the acquisition and placement of these signs.

**F. Update on evaluation of speed limits on residential side streets**

Council Member Buckhannon said that SCDOT is not going to allow any change in speed limit without a traffic study. Administrator Fragoso added that hiring a traffic engineer would be necessary to look at speed limits across the island, but that SCDOT will look at specific streets where there may be issues. Chief Cornett will stay on top of speed enforcement in the areas where complaints have been received.

**G. Discussion of Front Beach loading zone and parking**

Chief Cornett reported that he is waiting to hear back from a company who can handle the signage and striping of the area. He said it may also be necessary to draft an ordinance to address the parking in those specific areas. He will speak with business owners near the loading zones about their needs after he has heard from the company about the signage.

**H. Update on Wild Dunes Emergency Exit**

Administrator Fragoso reminded Committee members of the request from Wild Dunes residents to have an alternative exit should there be a traffic incident on Palm Boulevard. She reported that SCDOT has approved the request with the agreement that only Chief Cornett and Chief Graham have the keys to the exit. A document agreeing to that requirement has been signed.

Administrator Fragoso said the residents of Wild Wood have been included and updated throughout the process. Council Member Pounds said that they expect to begin work on the exit in October and November and be completed in 60 days.

**5. New Business**

**A. Discussion of refurbishment of pumper truck purchased in 2003 [FY21 Budget; Fire Department; Capital Projects, \$150,000; Hospitality Tax Fund, \$75,000; State ATAX Fund, \$75,000]**

Chief Graham said, “We had budgeted for our 2003 pumper to be refurbished. The quote came back at \$335,000. The City budgeted \$300,000. In the meantime, a few things have happened. We were planning on sending Engine Two to the shop as soon as the 95-footer came back. The 95-footer was delayed due to the COVID, which is actually in our favor because we really don’t have anywhere to house it just yet. It should be here the end of September, sometime October. By then, we should be able to put it in the bay. The last thing we want to do is spend all this money and leave the truck outside. Unfortunately, the quote for the refurbishment for Engine Two has expired. We are in the process of getting appraisals for the old 75-footer which will go away when the 95-footer comes back. We are also trying to get appraisals for Engine Two for a possible trade-in. In the meantime, when all this was going on when I received the quote for the refurbishment of Engine Two for not a whole lot more money we might be able to get a demo truck. Old Truck One was a demo. The old 95-footer was a demo, so there could be a lot of money saved. So while it is costing more in the long run, we are going to have a truck with a much more substantial warranty. But if we were able to trade both of these trucks in to cut down

the cost. I was expecting the price to be much higher.” She will continue to look into and evaluate the options. She added, “Once we get an updated quote for Engine Two, it could be upwards of \$350,000, and not a whole lot more money to go towards a truck, a demo as long as we caught the demo in time, and if we locked in a commitment then any changes that we needed to be made could be made. It is all about timing, so they have got some trucks that are going to be ready for commitment sometime in July. That also would reduce the amount of time that we were out of the truck. So getting a demo with a few modifications here and there, we might be talking about a three-month turnaround and not an 18-month turnaround.”

**B. Consideration of award of a contract to Nicholson Business Systems for the Records Management system in the amount of \$38,990 [FY21 Budget; Capital Projects Fund; Police Department; Capital Outlay, \$30,000, pg. 17, ln. 20]**

Assistant Administrator Hanna said the goal behind this change is to replace outdated systems and make work for the Public Safety and Court more efficient. He noted there will be ongoing costs after the system is installed.

**MOTION: Council Member Pounds made a motion to award the contract for the Records Management System to Nicholson Business Systems in the amount of \$38,990. Council Member Ward seconded the motion. The motion passed unanimously.**

**C. Consideration of purchase of beach services 4WD pickup truck, State contract pricing in the amount of \$26,870 [FY21 Budget; Hospitality Tax Fund; Police Department; Capital Outlay, \$30,000, pg. 21, ln. 21]**

Chief Cornett explained, “We are already budgeting to replace one of our Beach Services officer trucks this year as it is. As we are looking at the island-wide paid parking, only certain vehicles have the ability to function with the license plate readers that would work with our system. I did verify that one of the trucks that we currently have that we would not be getting rid of will work and the two that are on here will also work. My recommendation would be the Dodge Ram. It is a little bit cheaper, and it is still a significant truck that will work just fine for what we are using it for.”

**MOTION: Council Member made a motion to approve the purchase of the beach services 4WD pickup truck, and Council Member Pounds seconded the motion. The motion passed unanimously.**

**D. Discussion of entering into mutual aid agreements with the City of North Charleston and Town of Summerville**

Committee members and Chief Cornett said these agreements are good to have. Chief Cornett will bring them to the full Council for approval.

**E. Discussion of adding handicap parking on 42<sup>nd</sup> Avenue**

Council Member Buckhannon reported this discussion comes via the Real Property Committee who is currently considering changes to the beach access at 42<sup>nd</sup> Avenue. As the path there is ADA-accessible, more than the one handicap parking space should be available. Chief Cornett

said he will continue to look into this issue but does not foresee any issues with adding additional handicap spots there.

**6. Highlights of Departmental Reports**

**A. Fire Department – Chief Graham**

Chief Graham reported that the 101 calls for service received in August is down from August of last year. Of those 101 calls, 48 were from residents. She detailed some of the calls responded to. She thanked the Awendaw Fire Department for housing the new 75-foot ladder truck during a recent storm.

**B. Police Department – Chief Cornett**

Chief Cornett reported there were 1,512 calls for service in August, along with 47 arrests, 127 incident reports, and 161 charges of significance, including 9 DUIs. He added the higher number of Disorderly Conduct incidents are due to an increased presence on the beach.

The Police Department initiated a traffic blitz in the last week of August and the first week of September. They will continue to conduct such operations on a regular basis.

Chief Cornett reported that the grant for the drone was denied but reminded the Committee that Council approved funding for the drone if they did not receive the grant. He said has recently learned of another grant he could apply for “in reference to applying for the replacement of our LSVs.” He said two of the four LSVs are currently inoperable. The newly purchased Polaris will be available this week, but that will still leave the department down one vehicle for next beach season. He said, “My recommendation would be that we move forward with the grant to try to obtain another ATV, another Polaris to use on the beach.” He said the application is due in three weeks.

He also reported that he is looking to fill two vacancies. He continues to look among the military surplus for any equipment the City may benefit from acquiring.

**8. Miscellaneous Business**

The next meeting of the Public Safety Committee will be Monday, October 5, 2020 at 9am.

**9. Adjournment**

Council Member Ward made a motion to adjourn, and Council Member Pounds seconded the motion. The motion passed unanimously. The meeting was adjourned at 9:55am.

Respectfully submitted,

Nicole DeNeane  
City Clerk





PALM BOULEVARD





## **PALM BOULEVARD CONCEPT**

DRAFT - FOR DISCUSSION PURPOSES ONLY

## **EXISTING CONDITIONS**



Stantec Consulting  
4969 Centre Point Dr. Ste 200  
North Charleston, SC 29418  
Tel: 843-740-7700





# City of Isle of Palms



## **PALM BOULEVARD CONCEPT** DRAFT - FOR DISCUSSION PURPOSES ONLY

## **PROPOSED CONDITIONS**



Stantec Consulting  
4969 Centre Point Dr. Ste 200  
North Charleston, SC 29418  
Tel: 843-740-7700



**Beach Visitor Parking Study**

**March 26, 2013**



**Stantec**

**Wild Dunes** COMMUNITY ASSOCIATION, INC.

6200 Palmetto Drive • Isle of Palms, South Carolina 29451-3815  
(843) 886-8847 • Fax: (843) 886-3745  
www.wilddunesowners.org

June 12, 2020

Desiree Fragoso, City Administrator  
City of Isle of Palms  
P.O. Drawer 528  
Isle of Palms, SC 29451

Re: Wild Dunes Emergency Exit

Dear Ms. Fragoso,

The Wild Dunes Community Association, Inc. (WDCA) desires to move forward with the construction of the emergency exit from Morgan's Cove Drive to Wildwood Avenue via the thirteenth hole of the Harbor golf course. Attached are the final plans for the exit road. As you can see from the drawings, our engineer has specified the Truegrid permeable paver system between the fence and Wildwood Avenue pursuant to our previous discussions, and this system has been approved by SCDOT.

To formalize our intentions with respect to use of the emergency exit, WDCA agrees to adhere to the following operating guidelines:

1. Upon completion of the exit, keys and/or other opening devices to the locks on the metal gates will be furnished to the City Administrator for distribution to Isle of Palms Public Safety Personnel. IOP will be solely responsible for unlocking the gates for emergency exit purposes.
2. WDCA understands that use of the emergency exit from Wild Dunes would be determined solely by ~~City of Isle of Palms Administration~~ *Police Chief and/or Fire Chief* in the event of an emergency which prevented the normal flow of traffic from 1 Sundial Circle to 41<sup>st</sup> or 42<sup>nd</sup> Avenues for an extended period of time. Such traffic blockage could occur with emergencies relating to flooding, utility infrastructure failure, traffic accidents, storm events, structural fires, etc.
3. Requests for consideration to activate the emergency exit would be made by WDCA's Chief Operating Officer after direct consultation with the City Administrator.
4. WDCA would be available to assist with traffic control at the Morgan Cove Drive entrance to the emergency exit if requested by IOP Public Safety.
5. WDCA will be responsible for the ongoing maintenance of the emergency exit including the roadway, fence, signage, gates and landscaping.

Please let me know if you need additional information or have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "David Kynoski".

David Kynoski, PCAM  
Chief Operating Officer

A large, stylized handwritten signature in blue ink, appearing to read "David Kynoski".  
City Administrator





**PUBLIC WORKS COMMITTEE**  
**8:00am, Thursday, September 3, 2020**

**Virtual Meeting via Zoom call due to COVID-19 Pandemic**  
**broadcasted live on YouTube: <https://www.youtube.com/user/cityofisleofpalms>**

**MINUTES**

**1. Call to order**

Present: Council members Pounds, Smith, and Streetman

Staff Present: Administrator Fragoso, Asst. Administrator Hanna, Director Pitts, Asst. Director Asero

**2. Approval of previous meeting's minutes – August 6, 2020**

Council Member Streetman made a motion to approve the minutes of the August 6, 2020 meeting, and Council Member Smith seconded the motion. The minutes passed unanimously.

**3. Citizens' Comments**

The only comment was read into the record by Asst. City Administrator Hanna.

Sherry Welsh, 19 24<sup>th</sup> Avenue, asked about the process by which she can get a new trash can.

This comment in its entirety can be found on the City's website alongside the agenda for this meeting.

**4. Department Reports – Director Pitts and Assistant Director Asero**

Director Pitts said August's garbage collection is closer to normal for this time of year. He reported that Charleston County has notified the City that all of their garbage must now be taken to the Bees Ferry landfill. Vehicle maintenance is on budget.

Asst. Director Asero reviewed works for the month of August. He reported that SCDOT fixed a broken pipe on Charleston Boulevard, Eadie's has reconstructed a ditch at 2<sup>nd</sup> avenue, vegetation was cleaned up at Forest Trail, and Charleston County Stormwater reviewed plans for new home construction. He also shared that SCDOT is working on how to keep Hartnett Boulevard drained.

He shared some of the tasks completed regarding facilities maintenance and landscaping. He also completed an analysis of what is needed to fill in the problematic areas along Palm Boulevard between 21<sup>st</sup> and 57<sup>th</sup> avenues in preparation for paid parking in those areas. Palm tree pruning is happening from Breach Inlet to 21<sup>st</sup> Avenue. He met with the landscape architect for the Public Safety Building and did a city-wide inspection of the irrigation system with the landscape contractor.

Administrator Fragoso reported that Charleston County only gave the City four days' notice about the change regarding trash being dumped at the Bees Ferry landfill. This change will create inefficiencies and cost overtime during the beach season. Director Pitts said it will add approximately 90 minutes to the route during that time due to traffic. The County has said this is a cost-saving measure as it costs them \$115,000/year for the Isle of Palms to use the transfer station.

**5. Old Business**

**A. Update on Phase III Drainage Project and small internal projects**

Administrator Fragoso reported that Thomas & Hutton continues to work on the permitting and engineering and design for the Phase III Drainage Project. She said staff and Thomas & Hutton met with Wild Dunes to discuss a "mutually agreeable design" for the 30<sup>th</sup> Avenue outfall.

Administrator Fragoso said the bid package for the smaller internal projects has been received and it is being reviewed. It should go out for bid by early next week.

Staff is also working with Thomas & Hutton on an application to the Rural Infrastructure Authority Grant. The City was granted the maximum amount of \$500,000 for Phase II of the drainage project a few years ago. The City is eligible to receive additional funding for Phase III since it services another part of the island. The application deadline is September 14.

**B. Discussion of outsourcing household garbage collection services**

Treasurer Suggs reviewed potential savings surrounding the outsourcing of garbage and yard debris collection. Savings across numerous places in the budget for outsourcing garbage collection only comes to approximately \$586,000. The potential savings for outsourcing garbage and yard debris collection comes to approximately \$1,042,000. These numbers are based on non-binding estimates received from Carolina Waste, Republic Services, and costs found in Sullivan's Island's garbage collection contract. Administrator Fragoso said that outsourcing garbage collection is not financially feasible, adding that the community is very satisfied with the service they receive from the Department of Public Works.

Committee members then discussed the backdoor service received by many island residents and the need to rethink that service in light of the associated costs of the County's new requirement of taking trash to the Bees Ferry Landfill. Eliminating the backdoor service provided by the City will result in additional costs to condominium owners. Costs would likely be run through their HOAs. Committee members felt the backdoor service is inefficient and would like to see a financial analysis of eliminating the service.

**C. Discussion of development of cutting agreement between the City and Dominion Energy ahead of next tree-trimming cycle**

Council Member Pounds reported that he and Administrator Fragoso met with Dominion Energy to discuss moving forward with a tree-cutting agreement and the use of the monies in the non-standard service fund. Administrator Fragoso suggested the creation of a Memorandum of Understanding with Dominion Energy rather than a tree-cutting agreement as it could provide

more City-centric direction. Committee members agreed they would like to see monies budgeted for a certified arborist to represent the City's interests in preserving as many trees as possible. Council Member Smith suggested some proactive messaging educating residents about types of trees and planting locations so they do not become hazards.

**D. Discussion of Dominion Energy's Non-Standard Service Fund and list of eligible projects**

Referring to a list of potential projects compiled by Dominion Energy in 2016, Council Member Pounds said that they have asked Dominion Energy to provide some high-level estimates for the costs of these projects. He shared that the cost to underground 0.1 mile of utility lines on Sullivan's Island cost \$310,000. Earlier estimates of undergrounding utilities from Breach Inlet to 15<sup>th</sup> Avenue came to \$12M. He said it is necessary that the City have a strategy on how best to use the monies in this fund.

Administrator Fragoso suggested having an expert in the undergrounding of utilities speak to the committee about all that is involved in the process. It was agreed that it may not be feasible to underground utilities island-wide.

Committee members agreed it is necessary to keep the discussions with Dominion Energy, the potential MOU, and list of projects as reoccurring agenda items to keep the issue front and center. Council Member Pounds asked if the high-level cost estimates for the smaller projects could be available for the next meeting. He also asked Council members Smith and Streetman to review the list of projects so it can be discussed in further detail at the October meeting.

6. **New Business** -- none

7. **Miscellaneous Business**

The next meeting of the Public Works Committee will be Thursday, October 1, 2020 at 8:00am.

Shred Day will be held Saturday, September 26 from 9am-12pm.

8. **Adjournment**

Council Member Streetman made a motion to adjourn, and Council Member Smith seconded the motion. The meeting was adjourned at 9:33am.

Respectfully submitted,

Nicole DeNeane  
City Clerk



**Recreation Committee Meeting  
5:00pm, Monday, September 14, 2020  
Virtual Meeting via Zoom call due to COVID-19 Pandemic  
broadcasted live on YouTube: <https://www.youtube.com/user/cityofisleofpalms>**

**MINUTES**

**1. Call to order**

Present: Council members Moye, Popson, and Smith

Staff Present: Administrator Fragoso, Director Page

**2. Approval of the previous meeting's minutes – August 10, 2020**

**MOTION: Council Member Popson made a motion to approve and Council Member Moye seconded the motion. The motion passed unanimously.**

**3. Citizens' Comments – none**

**4. Departmental Reports – Director Page**

Director Page reviewed highlights of her activities report, noting the Recreation Center has been very busy. She shared classes that have had recent start dates, like dog obedience and IOP Kids, and detailed the participation rates in the exercise classes.

She reported that the surf lessons will begin in the spring. Starting in the fall was not possible, but she thanked Council Member Popson for his assistance with the necessary certification classes.

Staff continues to work on identifying the tutoring needs of the island children. IT is working with the Recreation Department to expand the internet bandwidth to support this effort. They are also working on a recess offering for children who are participating in online schooling.

Director Page reviewed upcoming special events such as the Yard Sale (9/19), Ghostly Tide Tales (10/23), Pumpkin Painting (10/16), and the Halloween Carnival (10/31). Registration for the Halloween Carnival begins October 5. The IOP Connector Walk & Run has been cancelled for this year, but monies raised to date will still benefit local charities. The Holiday Street Festival will go on but will offer different activities supporting social distancing.

While there will be no league softball due to insufficient signups, basketball, soccer, and table tennis are in full swing. Overall, she is enthusiastic about participation levels in Recreation Center activities. There have been no COVID-related issues as of late, and the staff continues to take every precaution to prevent its spread.



She shared that the Recreation Department now has its own Facebook page. Council Member Smith encouraged Committee members to promote the Facebook page.

**5. Old Business -- none**

**6. New Business**

**A. Discussion of Recreation Department support for senior citizens during the COVID-19 crisis**

Director Page shared that 32% of all current Recreation Center participants are seniors (55 years of age and older). They are staying in touch with members of the Keenagers group, which they plan to restart in October. No one signed up for the recent offering of grocery delivery to the elderly.

Council Member Smith asked staff to look into the program Sullivan's Island has pairing an elderly member of the community with a younger family.

**B. Discussion of opportunities to support paddle sports in the community**

Committee members discussed places in the community where paddle sports might best serve the community. Council Member Smith would like to see a kayak storage facility available to residents to support the effort. Council Member Popson and Director Page agreed that the Marina was not the safest place for paddle sports in light of the number of boats and other motorized activities in the area. Asst. Administrator Hanna said staff has begun discussions with the Exchange Club about the possible and future use of their dock for such an endeavor. Council Member Popson said he would bring the issue of a kayak storage facility up to the Real Property Committee.

Council Member Smith would like for the Recreation Committee to "help be a voice" encouraging paddle sports on the island and to investigate the possibility of teaming up with marina business to promote the effort. She also asked for staff to investigate the viability of the marina as a place for paddle sports, what are the pros and cons for the use of that space for paddle sports, and what would need to be done to the dock to make it possible. She would also like to discuss with the marina operator about not charging residents who want to launch from the Marina.

**C. Discussion of landscaping practices and related chemical use at the Recreation Center**

Director Page reviewed outdoor chemical use at the Recreation Center. She said Roundup is used very little and "we use other things for the dollar weed and the broadleaf that does not kill the grass." What is used is listed as "safe to use around children or pets when they are applied properly. So typically, anything we apply to any of our fields, we do it when the sun's out in the mornings when there is no one using the fields. Now, obviously we have to treat the mole crickets and grubs and those type things, so we do have to use some insecticides there, but we always surround the field with "Field Closed" signs. Technically, all the chemicals are watered in so for a child or a dog to have some side effects or be poisoned by this, they would almost

have to literally eat the dirt.” The Recreation Center staff is looking into lower-risk and safer chemicals.

**7. Miscellaneous Business**

Council Member Popson thanked Recreation Center staff for their extra effort and “heavy lifting.”

The next meeting of the Recreation Committee will be on Monday, October 5, 2020 at 5pm.

**8. Adjournment**

Council Member Moye made a motion to adjourn, and Council Member Popson seconded the motion. The meeting was adjourned at 5:46pm.

Respectfully submitted,

Nicole DeNeane  
City Clerk

# I O P REC

SEPTEMBER  
2020

More programs and  
Information Coming Soon



# CITY INFORMATION

## Recreation Staff

### Recreation Director

Norma Jean Page

[njpage@iop.net](mailto:njpage@iop.net)

### Assistant Director

Karrie Ferrell

[kferrell@iop.net](mailto:kferrell@iop.net)

### Recreation Supervisors

Andrea Harrison/Special Events

[aharrison@iop.net](mailto:aharrison@iop.net)

Aaron Sweet / Athletics

[asweet@iop.net](mailto:asweet@iop.net)

### Community Specialist

Holly Norton

[hnorton@iop.net](mailto:hnorton@iop.net)

### Parks Maintenance Supervisor

Chris Bako

[cbako@iop.net](mailto:cbako@iop.net)

### Parks & Facilities Specialist

Joshua Key

[jkey@iop.net](mailto:jkey@iop.net)

## What's New...

The Isle of Palms Recreation Department is now on FACEBOOK. Like our page to get the latest information on Athletics, Events and Programs.



## What's Inside...

### Athletics

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### Programs & Activities

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## Registration Policies

**REGISTRATION:** Register in person at the Isle of Palms Recreation Department, #24 28th Avenue, Monday - Friday 8:00am-5:00pm. The Recreation Department accepts cash, checks and credit cards. *Credit Card charges; a merchant fee of 1.7% plus a portal fee of \$1.00 will be charged per transaction. No part of either fee is retained by the city.*

**CANCELLATIONS:** The Isle of Palms Recreation Department reserves the right to cancel any program that does not receive the minimum number of participants.

**REFUND:** A full refund will be given for the cancellation of a class or activity by Recreation Department. Refunds requested by participants less than one week before the start date will be given minus a \$10 processing fee. No refunds will be granted after the start of a program.



## Rain Out Information

Follow Isle of Palms Recreation Department on Facebook for rain out information and updates. @IOPRec





## RECREATION INFORMATION

### Recreation Facilities

#### BARK PARK

Location: 29th Avenue behind Recreation Department  
Hours: Sunrise to Sunset

#### BASKETBALL COURTS

Location: Hartnett Boulevard & 28th Avenue  
Hours: Sunrise to 10:00pm

#### CLARKIN SOFTBALL FIELD

Location: 27th Avenue  
Adult Softball and Youth Baseball

#### CARDIO ROOM

Treadmills, Recumbent Cycles, Elliptical Machines  
*Starting in September*

Hours: Monday: 8:00am - 6:30pm  
Tuesday: 8:00am - 5:00pm  
Wednesday: 8:00am - 5:00pm  
Thursday: 8:00am - 5:00pm  
Friday: 8:00am - 5:00pm  
Saturdays 9:00am - 11:00am

Hours subject to change due to Recreation Activities/Programs

#### FRISBEE GOLF COURSE

Location: Recreation Department Grounds  
Hours: Sunrise to Sunset

#### GYMNASIUM

Currently closed and being utilized for classes.  
Call 843-886-8294 for availability.

#### PICNIC SHELTER

A 20'X40' picnic shelter adjacent to playground is available for birthday parties and family picnics. First come, first serve. Shelter may not be reserved.

#### PLAYGROUND

Location: 28th Avenue  
The playground is safely equipped for children of all ages.

#### SCALISE BASEBALL FIELD

Location: 27th Avenue  
Youth Baseball

#### SOCCER FIELD

Location: 28th Avenue and Hartnett Boulevard  
Youth Soccer, Fast Start Activities, Adult Soccer and Half Rubber

#### TENNIS COURTS

Location: 28th Avenue and Hartnett Boulevard  
First come, first serve. Hours may be limited due to tennis lessons.

#### WALKING TRAIL

Trail Head Location: 28th Avenue & Hartnett Boulevard and 27th Avenue and Softball Field. 1/2 Mile Loop around recreation grounds. Follow blue arrow trail markers.



**Youth**



**Athletics**

# SOCCER

**FALL 2020 SEASON**



## **Fast Start Soccer**

3 & 4 years

Must be 3 years old by September 1, 2020

### **Fast Start Team Leader Meeting:**

Monday, August 24 at 5:00pm

### **Activity/Game Days:**

Fast Start: Saturdays  
5/6 Soccer: Mondays  
7/8 Soccer: Wednesdays  
9-12 Soccer: Mondays & Thursdays

### **Soccer Picture Day:**

Tuesday, October 13



## **Youth Soccer**

Co-Ed 5-12 years

Player Age as of September 1, 2020

### **Youth Soccer Coach Meeting:**

Monday, August 24  
5/6 age group at 5:30pm  
7/8 age group at 6:00pm  
9-12 Skill Evaluation at 6:30pm  
9-12 Coach Meeting to follow Skill Eval

Coaches will contact parents with Team Information after meeting date.

# YOUTH & ADULT SPORTS

## YOUTH BASKETBALL (5-14yrs)

**Registration Information** \*Player age as of September 1, 2020

IOP/SI Residents: October 5 - November 6

Non-Residents: October 12 - November 6

\$30 IOP resident/ \$55 non-resident

**Activity # 332001**      **Ages 5-6**

**Activity # 332002**      **Ages 7-8**

**Activity # 332003**      **Ages 9-10**

**Activity # 332004**      **Ages 11-14**

### Mandatory Skill Evaluation (ages 9/10 & 11-14):

Ages 9-10: Tuesday, November 17 at 5:00pm

9-10 Coach Meeting to follow Skill Evaluation

Ages 11-14: Tuesday, November 17 at 6:30pm

11-14 Coach Meeting to follow Skill Evaluation

### Coaches Meeting: Monday, November 16

5/6 yr old Mtg.      5:15pm

7/8 yr old Mtg.      5:45pm

### Season Information:

Game Days:      Ages 5-6: Wednesdays

Ages 7-8: Wednesdays

Ages 9-10: Thursdays and/or Saturdays

Ages 11-14: Thursdays and/or Saturdays

*\*Age required by SCAP (SC Athletic Programs)*

Practice begins November 30 and will be determined by coaches. Coaches will reach out to parents after coach meeting to discuss season details and provide team assignments. Participants will receive a team jersey. No shorts with pockets. Special requests will not be honored.



## VOLLEYBALL - LEAGUE PLAY (4th - 8th Graders)

Youth Volleyball League Play! Teams will be established first night of activity. Following weeks teams will play games and receive instruction from coaches in real game situations. *If minimum is not met, Activity will be cancelled or changed to skills based clinic.*

**Thursdays**      **Min. 16**   **Max. 32**

**10**      **October 15 - November 19**

**Activity # 331011**      **4th & 5th Grade**      **5:00pm - 6:00pm**

**Activity # 331012**      **6th - 8th Grade**      **6:00pm - 7:00pm**

**6th - 8th Grade** (Advance: invited by coach)      **7:00pm - 8:00pm**

\$75 resident / \$80 non-resident

Instructor: Laura & Kreg Togami



# Adult Sports

## ADULT CO-ED VOLLEYBALL LEAGUE

### Registration Information:

October 12 - November 6

\$250 per team      Max. 12 teams

Ages 18 & up

Captain's Meeting: Tuesday, November 24 5:30pm

Game Days: Tuesdays

## Adult Fall Athletic Meetings & Information:

### ADULT 3 on 3 BASKETBALL LEAGUE

Game Days: Tuesday Evenings

Season Starts: September 8, 2020

### ADULT SOFTBALL LEAGUE

Game Days: Wednesday or Thursday Evenings

Season Starts: September 3, 2020

### ADULT 6 VS 6 SOCCER LEAGUE

Game Days: Tuesday Evenings

Season Starts: September 1, 2020



# YOUTH PROGRAMS & ACTIVITIES

## **IOP KIDS** (3yrs by Sept. 1, 2020)

### **2020-2021 School Year Registration:**

\$80 Non-Refundable Deposit Due at Registration.

Children will socialize, cooperate with peers, listen to and follow instructions and adapt to a routine in a classroom setting. The IOP Kids schedule coincides with City of Isle of Palms holiday calendar. Deposit required at registration.

*Children MUST be potty trained.*

Minnow Room Min. 5 Max. 10

### **Activity # 160021**

**Mon, Wed & Fri. 9:00am - 12:00pm**

\$150 resident/ \$155 non-resident: Monthly Tuition

### **Activity # 160022**

**Tues. & Thurs. 9:00am - 12:00pm**

\$100 resident/ \$105 non-resident: Monthly Tuition

Instructor: Cathy Adams

## **MINI MINNOWS (3-5yrs)** Must be 3 by September 1, 2020

Learning through play! Socialize, cooperate with peers, listen and follow instructions and adapt to classroom setting. Mini Minnows schedule coincides with the City of Isle of Palms holiday calendar. *Must PRE-REGISTER and be POTTY TRAINED.*

Minnow Room Min. 6 Max. 10

### **Activity # 162021**

**Mon, Wed & Fri. 12:00pm - 3:00pm**

**09 September**

**10 October**

**11 November**

**12 December**

\$150 resident/ \$155 non-resident per month

Instructor: Cathy Adams



## **GYMNASTICS (3+yrs)**

### **Activity # 130016**

Basic tumbling, balance beam and mini-bars. Leotards required for girls. Shorts and t-shirts required for boys. NO socks or tights! *Classes will be combined if we don't receive enough participation.*

Palmetto Room Min. 6 Max. 10

**Tuesdays 3:30pm - 4:15pm (3-5 yrs)**

**Tuesdays 4:15pm - 5:00pm (5yrs+)**

**09 September 15 - October 20**

**10 October 27 - December 8 (No Class Nov. 3)**

\$80 resident/ \$85 non-resident

Instructor: Kaylie Penninger

## **CHEERNASTICS (4-8yrs)**

### **Activity # 130046**

Learn what it takes to be a cheerleader. Participants will learn all aspects of cheerleading, tumbling, stunts, positive attitude and fun! Palmetto Room Min. 6 Max. 14

**Tuesdays 5:00pm - 5:45pm**

**09 September 15 - October 20**

**10 October 27 - December 8 (No Class Nov. 3)**

\$80 resident/ \$85 non-resident

Instructor: Kaylie Penninger

## **TAE KWON DO: Youth (6-11yrs)**

### **Activity # 120020**

Develop balance, accuracy, speed, power, focus, self-confidence and flexibility. Training includes stretching, mild running, forms, 3-step sparring, freestyle non-contact sparring and self-defense techniques. Family Class available to adults with children. Class time 9am. Gymnasium

**Saturdays 9:00am - 10:00am**

**09 September 5 - September 26**

\$20 resident/ \$25 non-resident per month

Instructor: Master Jack Emmel, MD, 7th Dan

Deborah Gessert, 6th Dan

## **YOUTH TENNIS LESSONS (4yrs & up)**

*Placement is subject to evaluation for group/level.*

Learn proper tennis mechanics, strokes, tennis footwork improve hand-eye coordination.

### **Tuesdays**

**3:30pm - 4:00pm** Tiny Tennis (ages 4-5yrs) 36ft court (min. 4/max. 6)

\$45 resident/ \$50 non-resident

**4:00pm - 5:00pm** Red Ball (ages 6-7yrs) 36ft court (min. 4/max. 6)

**5:00pm - 6:00pm** Orange Ball (ages 8 - 10yrs) 60ft court (max 6)

**6:00pm - 7:00pm** Green Ball (ages 9 & up) Full Court (max 8)

\$60 resident/\$65 non-resident

**09 September 15 - October 6**

Instructor: Corinne Enright



# Fitness Classes

## RESERVATION REQUIRED: All Classes

- Call 843-886-8294 to reserve your class
- Classes limited to 6 to 9 people depending on class style
- Zoom Option available for some classes email [Karrie Ferrell](#) for link.

### BARRE

#### **Activity # 131034**

Transform your body through isolated movements, build long, lean muscles while improving posture and flexibility combined with cardio, strength and toning.

*Class is limited to 6 participants.*

**Fridays 8:30am - 9:30am**

**09 September 4 - September 25**

**10 October 2 - October 30**

**11 November 2 - November 30**

\$32 per month

Drop in fee: \$10

- Zoom Option: Available

Instructor: Angela Reinhardt

### CORE STRENGTH & BODY WORKS

Core workout utilizing stability ball and medicine ball. A total body workout to keep your body challenged.

*Class is limited to 9 participants.*

**Mondays 9:00am - 10:00am**

**Tuesdays & Thursdays 8:30am - 9:30am**

**09 September 2 - September 30**

**10 October 2 - October 30**

**11 November 2 - November 30**

**Activity # 131062** \$40 per month / 8 Classes

**Activity # 132062** \$55 per month/ 12 Classes

Drop in fee: \$10

- Zoom Option Available Tuesday & Thursday

Instructor: Angela Reinhardt

### OVER 50 FITNESS

#### **Activity # 132064**

Strengthen muscles, tighten core, increase flexibility and balance. Open to all exercise levels. Bring water and mat to class. *Class is limited to 9 participants.*

**Tuesdays & Thursdays 2:30pm - 3:30pm**

**09 September 1 - September 29**

**10 October 1 - October 29**

**11 November 3 - November 24**

\$64 per month

Drop in fee: \$10

Instructor: Judy Fischer

### SUSPENSION TRAINING

#### **Activity # 131041**

Get your strength training and cardio all in one fun, challenging, sweaty hour. Class meets outdoor under picnic shelter. *Class is limited to 6 participants.*

**Mondays, Wednesdays & Fridays 8:00am - 9:00am**

**09 September 2 - September 30**

**10 October 2 - October 30**

**11 November 2 - November 30**

\$40 per month/ 8 Classes

\$55 per month/ 12 Classes

Drop in fee: \$10

Instructor: Pat Boyd

### YOGA - SATURDAY

Rediscover your flexibility, sense of balance, mental clarity and confidence with yoga. *Class is limited to 9 participants.*

**Saturday 10:00am - 11:15am**

Drop in fee: \$12

Instructor: Jen DeGoyler

### CARDIO & CORE

#### **Activity # 131016**

Class is designed to build strength and endurance, circuit training, cardio exercise, body weight exercises class finishes with core training and stretching for a complete workout.

**Mondays 5:30pm - 6:30pm**

**09 September 14 - September 28**

**10 October 5 - October 26**

**11 November 2 - November 30**

\$32 per month

Drop in fee: \$10

Instructor: Elizabeth Hudson

### FULL BODY SCULPT

#### **Activity #130060**

Weights, weights and more weights! Weights and a variety of other fitness equipment used to tone & firm the entire body. Class will focus on all major muscle groups.

**Tuesdays 5:30pm - 6:30pm**

**09 September 8 - September 29**

**10 October 6 - October 27**

**11 November 3 - November 24**

\$32 per month

Drop in fee: \$10

Instructor: Elizabeth Hudson

## ADULT PROGRAMS & ACTIVITIES

### LINE DANCING

Join other dancers and learn fun line dances or just come out for the great exercise.

Palmetto Room

**Thursdays**

**Beginner: 8:30am - 9:30am**

**Intermediate: 9:30am - 10:30am**

\$5 resident/non-resident

Instructor: Trisha Leonard

### TAI CHI

**Activity # 132065**

An ancient form of meditative, low-impact activity originating from China that is especially effective in assisting older adults achieve a good quality of life. Mental and Emotional Benefits: Reduces symptoms of hypertension, stress, anxiety, and depression while boosting feelings of peace, self-confidence, and joy. Physical Benefits: Low-impact way of improving flexibility, joint health, lower body strength, and balance.

High Tide/ Low Tide Room

**Tuesdays 10:45am - 11:45am**

**09 September 1 - September 29**

**10 October 6 - October 27**

**11 November 3 - November 24**

**12 December 1 - December 29**

\$35 resident/ non-resident/ for the month

Drop in Fee: \$10

Instructor: Connie Cossetti

### TAE KWON DO (12+yrs)

**Activity # 121019**

Develop balance, accuracy, speed, power, focus, self-confidence and flexibility. Training includes stretching, mild running, forms, 3 step sparring, freestyle non-contact sparring and self defense techniques. Learn the joy of "single-tasking" as you concentrate on learning a new skill. Adult participants can join anytime. *\$5 discount to each family member after 1st regular price enrollment.*

**Family Class: Saturdays 9:00am - 10:00am**

**All Belts: Saturdays 9:00am - 10:30am**

**09 September 5 - September 26**

\$20 resident/ \$25 non-resident per month

Instructor: Master Jack Emmel, MD, 7th Dan

Deborah Gessert, 6th Dan

### ADULT TENNIS (Intermediate)

Adult tennis clinic - Come out & improve your game.

Cardio Tennis: Tennis lesson with a high energy workout calorie burning workout. Min. 3

**Tuesdays 8:00am - 9:00am**

Drop-In Fee: \$15.00

Cardio Tennis: \$20.00 8:00am - 9:30am

Call 843-886-8294 to confirm.

Tennis Instructor: Corinne Enright

### KINDERPUPPY (Puppies 12 - 20 weeks)

**Activity # 131011**

Puppies learn basic commands such as sit, stay and come.

Owners must provide proof of DHLPP and Kennel Cough vaccination to participate. Do NOT bring your dog to 1<sup>st</sup> class.

Pre-register for class. Gymnasium Min. 4 Max. 6

**Mondays 6:30pm - 7:30pm** - Under 4 months/Toy Breed

**7:30pm - 8:30pm** - Puppies 4-5 months

**09 September 14 - October 19**

**10 October 26 - November 30**

\$195 resident/ non-resident

Instructor: Susan Maret

### KEENAGERS - Senior Social Group (50yrs+)

**Activity #162061 FREE**

**Wednesdays, October 7 12:00pm**

1st Wednesday of the month.

Stay active and social with this community senior group.

Members meet monthly to socialize and enjoy lunch. Lunch will be catered on October 7.

### GATHER KNIT& STITCH

Work on any type of needlework and meet new friends.

**Mondays 10:00am - 11:30am Free**

### WOODWORKING

Gather with friends and work on your artistic traditions of wood carving.

**Wednesdays 10:00am - 12:00pm Free**

### YARD SALE \*NEW DATE\*

**Saturday, September 19 8:00am - 12:00pm**

The Isle of Palms Community Yard Sale has been rescheduled for Saturday, September, 19. Vendors will sell "used" or "like new" items. Sale of retail will not be permitted. Event will be held Rain or Shine.



# October Events

## PUMPKIN PAINTING

**Friday, October 16** 2:00pm

Come paint and decorate pumpkins at the Rec. Space is limited. Register by October 9th.  
\$5 per person

## GHOSTLY TIDE TALES

**Friday, October 23** 6:00pm

25th Ave Beach Access  
Ghost Stories by Fire  
Free Event

## HALLOWEEN GOLF CART PARADE & DRIVE-THRU HAUNTED HOUSE

**Saturday, October 31** 4:00pm

Parade Line up starts at 3:30pm on 27th ave.  
Winners for top 3 best decorated golf carts.  
Parade ends with a Drive-Thru Haunted House.





**Personnel Committee**  
**9:00am, Tuesday, September 15, 2020**  
**Virtual Meeting via Zoom call due to COVID-19 Pandemic**  
**broadcasted live on YouTube: <https://www.youtube.com/user/cityofisleofpalms>**

**MINUTES**

**1. Call to Order**

Present: Council Members Moye and Streetman, Mayor Carroll

Staff Present: Administrator Fragoso, Asst. Administrator Hanna

**2. Approval of previous meeting's minutes – August 11, 2020**

Council Member Streetman made a motion to approve the minutes August 11 meeting, and Mayor Carroll seconded the motion. The minutes passed unanimously.

**3. Citizen's Comments – none**

**4. Old Business**

**Update on Wage and Compensation Study**

Administrator Fragoso said the timeline for the wage and compensation study has been slightly delayed due to the resignation of Wynette DeGroot. She has discussed the scope of work with the department heads and incorporated their input. The goal is to have proposals to discuss in October. Mayor Carroll would like whatever company is selected to look at municipalities of similar size and economy, meaning those with a busier summer season and slower winter season as dictated by tourism. Council Member Moye stressed the need to have the study completed by the FY22 budget season.

**5. New Business**

**A. Update on the Employee Appreciation Event**

Administrator Fragoso reported that the Employee Appreciation Event is being planned for the Spring in hopes that the pandemic has subsided by then. The budget for the event has been reduced, so staff is discussing other options for the event in order to stay within budget. The Exchange Club has offered the use of their building for only a minimal cleaning fee. Mayor Carroll suggested an experiential event such as touring one of the undeveloped barrier islands. Council Member Moye suggested communicating to the larger staff why the event is being moved.

**B. Discussion of utilization of benefits**

Administrator Fragoso reviewed the benefits offered by the City of Isle of Palms to its employees, including 100% tuition reimbursement, 100% healthcare coverage for the employee and 50% coverage for dependents, the Employee Assistance Program through First Sun, and a 30-minute wellness period during the work day.

She shared that 3 employees took advantage of the tuition reimbursement last year and 8 have applied for this year. First Sun has increased its outreach to employees to increase awareness of their offerings. Administrator Fragoso would like to encourage employees to take advantage of the 30-minute wellness period.

**C. Discussion of the Leola Hanbury Award**

Administrator Fragoso said she would like to keep the presentation of the Leola Hanbury Award with the Employee Appreciation Event. She plans to announce that nominations for the award open in October. The delay of the Employee Appreciation Event will allow for plenty of time for members of the community to nominate a member of staff. Council Member Moye said it would be nice to “establish an expectation or practice in the community of this being ongoing.”

Administrator Fragoso suggested the Mayor highlight it in his next newsletter. The City can also advertise the request for nominations in the *Island Eye* directing people to the City’s website for the nomination form. Council Member Moye suggested interviewing people who nominate staff members and post those videos on social media to help promote the award.

**D. Update on hiring for HR/Payroll Officer**

Administrator Fragoso reported that the deadline for applications for this open position was extended and over 60 applications have been received. The position has been posted on numerous listservs and culled by other websites. She hopes to schedule first-round Zoom interviews next week with in-person interviews to follow. The position is seeking someone with Human Resources and accounting skills.

**6. Miscellaneous Business**

The next meeting of the Personnel Committee will be on Tuesday, October 6 2020 at 9am.

**7. Adjournment**

Mayor Carroll made a motion to adjourn, and Council Member Streetman seconded the motion. The motion passed unanimously. The meeting was adjourned at 9:37am.

Respectfully submitted,

Nicole DeNeane  
City Clerk



**REAL PROPERTY COMMITTEE**  
**1:00pm, Wednesday, September 9, 2020**  
**Virtual Meeting via Zoom call due to COVID-19 Pandemic**  
**broadcasted live on YouTube: <https://www.youtube.com/user/cityofisleofpalms>**

**MINUTES**

**1. Call to order**

Present: Council members Buckhannon, Bell, and Popson

Staff Present: Administrator Fragoso, Asst. Administrator Hanna, Director Kerr

**2. Approval of previous meeting's minutes – August 12, 2020**

Council Member Bell made a motion to approve the minutes of the August 12 meeting, and Council Member Popson seconded the motion. The minutes passed unanimously.

**3. Citizens' Comments**

City Clerk DeNeane read the comments received into the record. They can be found in their entirety on the City's website alongside the agenda for this meeting.

**4. Marina Tenant Comments -- none**

**5. Old business**

**A. Update on marina dock permitting and rehabilitation project**

Administrator Fragoso reported the bid package has been out for several weeks. As numerous questions were submitted by interested parties, the proposal due date was extended to September 11 at 11am. She anticipates staff will still be able to meet their deadline of making a recommendation to the Ways & Means Committee and City Council and remain on schedule to issue a Notice to Proceed on September 30.

No permit has been received from the Army Corps of Engineers for the water sports operation dock.

**B. Update on marina restaurant lease proposal**

Administrator Fragoso said the lease agreement drafted by the attorneys has been sent to the IOP Families Group. Staff hopes to be able to review their comments and meet with the group on September 11 and be ready to present that to the Ways & Means Committee next week.

**C Update on proposed ADA-compliant beach walkover and observation deck at 42<sup>nd</sup> Avenue**

Administrator Fragoso requested more clarity from the Committee direction regarding this project. She said in addition to receiving pushback from the residents, it seemed like Committee members were not in support of cutting vegetation and adding a boardwalk at 42<sup>nd</sup> Avenue.

Director Kerr reviewed the reasoning behind selecting 42<sup>nd</sup> Avenue as the location for this boardwalk. “The City was hearing, and it was a pretty limited number of folks, but they were pretty vocal about the challenges that ADA or people with physical disabilities were facing with the ramps that were being built at that time.” The area of 42<sup>nd</sup> Avenue was selected because it was flat and “there was not a primary dune in that location that required the uphill ramp and downhill ramp. It was also short so those with challenges could park right on the street and then have a relatively short trek to the beach. And also there was already parking.” He noted that the terrain there has changed over time, but none of the other alternatives are as good as 42<sup>nd</sup> Avenue. It is still the best space to make a path for those with physical challenges without costing more.

He presented three options for the Committee which included “continue pretty much as we had planned with a new path adjacent to the existing vehicular track path at 42<sup>nd</sup>,” “improve the path that is there with a better surface than MobiMat, which has a tendency to bulge up;” or look for an alternative location.

Council Member Bell said he is “very opposed to widening the path and cutting vegetation.”

Administrator Fragoso shared a picture of an ADA-compliant path in Hilton Head, noting that while this boardwalk will stay flat, it will need routine maintenance to keep it free of sand.

Director Kerr said this path is wide enough and designed for heavy vehicular use.

Administrator Fragoso also indicated she would be reaching out to the administrators of the Greenbelt funds to see how a change in concept affects the use of the funds. Council Member Buckhannon suggested she emphasize the City’s desire to preserve green space. She said that with a less expensive project at 42<sup>nd</sup> Avenue perhaps the leftover funds could be used to improve other access areas.

**MOTION: Council Member Bell made a motion to “replace the existing MobiMat with a vehicle-width suitable structure, investigating the cost, and bringing it back before the Real Property Committee for review without damaging existing vegetation in the surrounding area of a new boardwalk.” Council Member Popson seconded the motion. The motion passed unanimously.**

Further consideration of additional parking spaces in that area will be discussed by the Public Safety Committee.

**6. New Business**

**A. Discussion of improvements to other beach access paths that continue to flood**

**MOTION: Council Member Bell made a motion to add a discussion about improvements to existing walkways to the agenda. Council Member Popson seconded the motion. The motion passed unanimously.**

Council Member Buckhannon noted the large amount of standing water lately along beach access paths, making it difficult for people to access the beach. He would like to evaluate those areas to see what can be done to improve them. Administrator Fragoso said that sand and fill have been brought in to help stabilize the areas, but it just moves water to adjacent properties. She noted that footbridges cost more money, but if less Greenbelt Funds are being used on the 42<sup>nd</sup> Avenue walkover, perhaps some of those funds could be used for footbridges. She will prepare a list of areas needing improvement for the next Real Property Committee meeting.

**7. Miscellaneous Business**

The next meeting of the Real Property Committee will be Wednesday, October 7, 2020 at 1pm.

**8. Adjournment**

Council Member Bell made a motion to adjourn and Council Member Buckhannon seconded the motion. The meeting was adjourned at 1:38pm.

Respectfully submitted,

Nicole DeNeane  
City Clerk





**Planning Commission**  
**3:00pm, Wednesday, September 9, 2020**  
**Virtual Meeting via Zoom call due to COVID-19 Pandemic**  
**broadcasted live on YouTube: <https://www.youtube.com/user/cityofisleofpalms>**

**MINUTES**

**1. Call to Order**

Present: Marty Brown, Scott Pierce, Ron Denton, William Mills, Vince DiGangi, Rick Ferencz, and Douglas Kerr, Director of Planning

Absent: Lisa Safford

**2. Approval of Previous Meeting's Minutes – August 12, 2020**

Mr. Mills made a motion to approve the minutes and Mr. Pierce seconded the motion. The minutes were approved unanimously.

**3. Citizen's Comments -- none**

**4. New Business**

**A. Meeting with Stuart Day of Stantec and Chief Cornett regarding traffic**

Director Kerr invited Stuart Day and Chief Cornett to answer questions and provide direction to the Commission regarding traffic concerns on the island. Mr. Day said that IOP has its own unique problems but noted that it's important to build consensus about "where we want to go and then we can try to develop the right tools and strategies to help achieve those goals." Mr. Day noted the benefit of hiring a consultant to complete the Transportation element of the Comprehensive Plan would be to help build that consensus among the residents and then provide goals and the necessary tools to achieve that consensus.

Committee members discussed available parking on the island and what is the minimum required of the City to provide in order to still receive renourishment funding.

Chief Cornett clarified that the limited parking on Palm Boulevard is currently as a result of the Emergency Ordinance. He also explained how paid parking currently works and will work after implementation.

**4. Old Business**

**A. Review Comprehensive Plan: review of revisions Natural Resources Element; discussion Transportation Element**

Director Kerr reviewed the changes made to the Natural Resources element during the August meeting.

Commissioners discussed whether or not to include the recommendations from the pollution study done for the City several years ago (page 11 of 34 in the Agenda packet). It was determined that these recommendations already appear in this element in some capacity or elsewhere in the Comprehensive Plan.

Commissioners engaged in a lengthy discussion about available parking on the island. Director Kerr shared information about the City's plan to move forward with paid parking across the island and its planned implementation for next Spring. The Planning Commission will wait to see what the Public Safety Committee and City Council does with parking over the next few months and include some or all of that in the Comprehensive Plan in support of those goals and strategies.

Discussion of the Community Facilities Element will occur at the October meeting.

**B. Make recommendation on MOU with Water & Sewer Commission**

Director Kerr noted one additional change to the MOU to the Commissioners. Commission attendance at the monthly Water & Sewer Commission meetings as well as General Manager Jordan's report will satisfy the Planning Commission's reporting requirement. Director Kerr said he will send the MOU to City Council along with the Planning Commission's recommendation.

**5. Miscellaneous Business**

**A. Update on drainage planning**

Mr. Ferencz noted that Thomas & Hutton "did a great job" on the RFP package for the smaller drainage projects. Director Kerr noted there will be one more RFP package when the permitting and design is finalized on Phase III. Staff and Wild Dunes are meeting to discuss final design issues at the golf course.

**B. Update on short-term rental recommendations**

Director Kerr stated all short-term rental recommendations have been approved and are now part of City ordinances.

**7. Adjournment**

Mr. Mills made a motion to adjourn and Mr. Denton seconded the motion. The meeting was adjourned at 5:14pm.

Respectfully submitted,

Nicole DeNeane  
City Clerk

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ORDINANCE NO. \_\_\_\_\_

TO PROVIDE FOR THE ISSUANCE AND SALE OF NOT EXCEEDING EIGHT MILLION DOLLARS AGGREGATE PRINCIPAL AMOUNT (\$8,000,000) OF GENERAL OBLIGATION BONDS OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA; TO PROVIDE FOR THE ISSUANCE AND SALE OF GENERAL OBLIGATION BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SAID BONDS; TO PRESCRIBE THE PURPOSES TO WHICH THE PROCEEDS OF SUCH BORROWING SHALL BE APPLIED; TO PROVIDE FOR THE PAYMENT THEREOF; AND OTHER MATTERS RELATING THERETO.

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Enacted September 22, 2020

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Exhibit A – Form of Bonds

Exhibit B – Form of Bond Anticipation Note

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ISLE OF PALMS,  
SOUTH CAROLINA, AS FOLLOWS:**

**ARTICLE I**

**FINDINGS OF FACT**

Section 1.01 Findings and Recitals

As an incident to the enactment of this ordinance (this “**Ordinance**”) and the issuance of the Bonds (as hereinafter defined), the City Council of the City of Isle of Palms (the “**City Council**”), the governing body of the City of Isle of Palms, South Carolina (the “**City**”), finds that the facts set forth in this Article exist and the statements made with respect thereto are in all respects true and correct.

1. The City is an incorporated municipality of the State of South Carolina (the “**State**”), located in Charleston County, South Carolina (the “**County**”), and as such possesses all general powers granted to municipalities by the Constitution and laws of the State.

2. By virtue of Chapter 21, Title 5 and the provisions of Section 11-27-40 of the Code of Laws of South Carolina 1976, as amended (together, the “**Enabling Act**”), the City is empowered to issue general obligation bonds for any corporate and public purpose.

3. The City Council, after due investigation and deliberation, has determined that it is necessary to issue general obligation debt in an amount not exceeding \$8,000,000 of the City (the “**Bonds**”) to defray (a) the costs incurred in connection with the planning, engineering, acquisition, construction, and installation of (i) marina docks and related capital expenditures in connection with the Isle of Palms Marina (the “**Marina Project**”), and (ii) drainage outfalls and related drainage projects (the “**Drainage Project**,” and together with the Marina Project, the “**Projects**”); and (b) issuance costs of the Bonds. It is presently estimated that the costs of the portion of the Projects to be financed from the proceeds of the Bonds, together with the costs of issuance of the Bonds, will not be in excess of \$8,000,000.

4. The Projects constitute corporate and public purposes within the meaning of the Enabling Act.

5. Section 14 of Article X of the Constitution of the State of South Carolina (“**Section 14 of Article X**”) provides that subsequent to November 30, 1977, the municipalities of the State may issue bonded indebtedness in an amount not exceeding 8% of the assessed value of all taxable property therein (the “**Debt Limit**”). Section 14 of Article X further provides that general obligation debt that is incurred with the approval of the majority vote of the qualified electors of such municipality shall not be chargeable against the Debt Limit of the municipality.

6. The Enabling Act requires that an election be held prior to the issuance of general obligation bonds. Title 11, Chapter 27, Code of Laws of South Carolina 1976, as amended, provides that if an election be prescribed by the provisions of the Enabling Act but is not required by the provisions of Article X of the Constitution, then, in every such instance, no election need be held (notwithstanding the requirement therefor) and the remaining provisions of the Enabling Act shall constitute a full and complete authorization to issue bonds in accordance with such remaining provisions.

7. The assessed value of all taxable property in the City as of June 30, 2020, as established by the assessment thereof, excluding the values of exempt merchants' inventories, is \$216,119,420. Eight percent of such sum is \$17,289,554.

8. On March 1, 2003, a successful referendum was held in the City authorizing the issuance of the City's \$2,900,000 original principal amount General Obligation Bond, Series 2003, which was subsequently refunded by the City's \$1,500,000 original principal amount General Obligation Refunding Bond, Series 2015 (the "***Series 2015 Bond***"). Pursuant to Section 14 of Article X, the outstanding principal amount of the Series 2015 Bond is not chargeable against the City's Debt Limit.

9. As of the date hereof, the outstanding general obligation debt of the City chargeable against the City's Debt Limit is \$4,670,000, representing the outstanding principal balance of the City's (a) \$6,700,000 original principal amount General Obligation Bond, Series 2008B; and (b) \$2,235,000 original principal amount General Obligation Refunding Bond, Series 2016. Thus, the City may incur \$12,619,554 of general obligation debt within its applicable Debt Limit.

10. It is now in the best interest of the City for the Council to provide for the issuance and sale of not exceeding \$8,000,000 general obligation bonds of the City pursuant to the aforesaid provisions of the Constitution and laws of the State of South Carolina for the purposes set forth in paragraph 3 above.

[End of Article I]



## ARTICLE II

### DEFINITIONS AND AUTHORITY

#### Section 2.01    Definitions

As used in this Ordinance, unless the context shall otherwise require, the following terms shall have the following respective meanings:

**“Authorized Investments”** means any securities which are now or hereafter authorized legal investments for municipalities pursuant to the South Carolina Code.

**“Authorized Officer”** means the Mayor, the City Administrator, or the City Treasurer, and any other officer or employee designated from time to time as an Authorized Officer by resolution of the City Council, and when used with reference to any act or document also means any other person authorized by resolution of the City Council to perform such act or sign such document.

**“BAN”** means any notes issued in accordance with this Ordinance and the BAN Act in anticipation of the issuance of the Bonds.

**“BAN Act”** means Title 11, Chapter 17 of the South Carolina Code.

**“Bond”** or **“Bonds”** means any of the Bonds of the City, not exceeding \$8,000,000 in aggregate principal amount, issued in one or more Series in accordance with the provisions of this Ordinance.

**“Bondholder”** or **“Holder”** or **“Holder of Bond”** or **“Owner”** or similar term means, when used with respect to a Bond, any person who shall be registered as the owner of the Bond as shown on the Registry Books.

**“Bond Payment”** means the periodic payments of principal of, interest on, and redemption premium, if any, on the Bonds.

**“Bond Payment Date”** means each date on which a Bond Payment shall be payable.

**“City”** means the City of Isle of Palms, South Carolina.

**“City Administrator”** means the City Administrator of the City and includes any interim City Administrator or other official acting in such capacity.

**“City Council”** means the City Council of the City of Isle of Palms, the governing body of the City or any successor governing body.

**“City Treasurer”** means the City Treasurer of the City and includes any interim City Treasurer or other official acting in such capacity.

**“Clerk”** means the Clerk of the City.

**“Code”** means the Internal Revenue Code of 1986, as amended.

**“Enabling Act”** means Title 5, Chapter 21 and the provisions of Section 11-27-40 of the South Carolina Code.

**“Fiduciary”** means a third-party institution, which shall be any bank, trust company, or national banking association which is authorized to provide corporate trust services.

**“Government Obligations”** means and includes direct general obligations of the United States of America or agencies thereof or obligations, the payment of principal or interest on which is fully and unconditionally guaranteed by the United States of America.

**“Mayor”** means the Mayor of the City, or in the absence of the Mayor, the Mayor Pro Tempore.

**“Ordinance”** shall mean this Ordinance of the City Council authorizing the issuance of the Bonds and the BANs.

**“Original Issue Date”** shall mean the date of delivery of the Bonds to the initial purchaser thereof.

**“Outstanding,”** when used in this Ordinance with respect to the Bonds, means, as of any date, the Bonds theretofore delivered pursuant to this Ordinance except:

- (a) a Bond if cancelled or delivered to the Registrar for cancellation on or before such date;
- (b) a Bond if deemed to have been paid in accordance with the provisions of Section 7.01 hereof; and
- (c) a Bond if in lieu of or in exchange for which another Bond shall have been authenticated and delivered pursuant to Section 3.05 hereof.

**“Paying Agent”** means any bank, trust company or national banking association which is authorized to pay the principal installments of or interest on any Bond and has the duties, responsibilities and rights provided for in this Ordinance, and its successor or successors and any other corporation or association which at any time may be substituted in its place pursuant to this Ordinance. The entity named as Paying Agent may also act as Registrar. Notwithstanding the above definition of Paying Agent, the Paying Agent may be the City.

**“Person”** means an individual, a partnership, a corporation, a trust, a trustee, an unincorporated organization, or a government or an agency or political subdivision thereof.

**“Record Date”** means either (1) the fifteenth day of the month in the month immediately preceding each Bond Payment Date for Bond Payment Date falling on the first day of a month, or (2) the first day of the month for Bond Payment Dates falling on the fifteenth day of such month.

**“Registrar”** means any bank, trust company, or national banking association which is authorized to maintain an accurate list of those who from time to time shall be the Holders of the Bonds and shall effect the exchange and transfer of the Bonds in accordance with the provisions of this Ordinance and having the duties, responsibilities, and rights provided for in this Ordinance and its successor or successors and any other corporation or association which at any time may be substituted in its place pursuant to this Ordinance. The institution named as Registrar may also act as Paying Agent. Notwithstanding the above definition of Registrar, the Registrar may be the City, acting through the Clerk.

**“Registry Books”** means the registration books for the Bonds maintained by the Registrar pursuant to Section 3.06 hereof.

**“Securities Depository”** shall mean The Depository Trust Company, New York, New York, or another recognized securities depository selected by the City, which securities depository maintains a book-entry system in respect of the Bonds, and shall include any substitute for or successor to the securities depository initially acting as Securities Depository.

**“Securities Depository Nominee”** shall mean, as to any Securities Depository, such Securities Depository or the nominee of such Securities Depository in whose name there shall be registered on the registration books maintained by the Registrar the bond certificates to be delivered to and immobilized at such Securities Depository during the continuation with such Securities Depository of participation in its book-entry system. Cede & Co. shall serve as the initial Securities Depository Nominee hereunder.

**“Series”** means an issuance of Bonds authenticated and delivered on original issuance in a simultaneous transaction, and any Bonds thereafter authenticated and delivered in lieu of or in substitution for such Bonds.

**“South Carolina Code”** means the Code of Laws of South Carolina 1976, as amended.

#### Section 2.02 Construction

In this Ordinance, unless the context otherwise requires:

1. Articles and Sections referred to by number shall mean the corresponding Articles and Sections of this Ordinance.
2. The terms “hereby,” “hereof,” “hereto,” “herein,” “hereunder” and any similar terms refer to this Ordinance, and the term “hereafter” shall mean after, and the term “heretofore” shall mean before, the date of adoption of this Ordinance.
3. Words of the masculine gender shall mean and include correlative words of the female and neuter genders, and words importing the singular number shall mean and include the plural number and vice versa.
4. Any fiduciary shall be deemed to hold an Authorized Investment in which money is invested pursuant to the provisions of this Ordinance, even though such Authorized Investment is evidenced only by a book entry or similar record of investment.

[End of Article II]

## ARTICLE III

### ISSUANCE OF BONDS

#### Section 3.01    Ordering the Issuance of the Bonds

Subject to the conditions set forth in this Ordinance, pursuant to the provisions of the Enabling Act and for the purpose of obtaining funds to defray the costs of the Projects, the Bonds shall be issued by the City as general obligation bonds in an aggregate principal amount of not exceeding Eight Million Dollars (\$8,000,000). The Bonds shall be designated “General Obligation Bond, Series 2020 of the City of Isle of Palms, South Carolina” or such other designation as determined appropriate by an Authorized Officer. The Bonds may bear a Series designation as determined by an Authorized Officer, but in all cases shall include the calendar year of the issuance thereof and a designation to differentiate such Series of Bonds from other Series of Bonds issued in the same year. An Authorized Officer is hereby authorized to determine whether to issue the Bonds in one or multiple Series, the principal amount of each Series of Bonds, provided the aggregate principal amount of all Bonds issued pursuant to this Ordinance shall not exceed \$8,000,000, and other items related to the sale and marketability of the Bonds.

#### Section 3.02    Terms of the Bonds

The Bonds shall be dated as of the date of their delivery and shall bear interest from the dated date. The rate of interest of any Series of Bonds shall be determined by an Authorized Officer; provided that no Series of Bonds issued on a tax-exempt basis shall bear an annual rate of interest greater than 3% and no Series of Bonds issued on a taxable basis shall bear an annual rate of interest greater than 4%. The principal amount, term, maturities, and payment details, including the Bond Payment Dates, of each Series of Bonds shall be determined by an Authorized Officer, provided, however, that in no event shall the aggregate principal amount of all Series of Bonds exceed \$8,000,000 and the final maturity of any Series of Bonds shall in no event be later than December 1, 2035. Bond Payments on the Bonds shall be scheduled to occur no less frequently than annually, and may be scheduled more frequently if so determined by an Authorized Officer. The Bonds shall be dated as of the Original Issue Date, unless an Authorized Officer and purchaser of the Bonds agree otherwise.

#### Section 3.03    Medium of Payment; Form and Denomination of the Bonds; Place of Payment

(a)    The Bonds shall be payable as to principal and interest on the basis of a 360-day year, consisting of twelve 30-day months, in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts.

(b)    As determined by an Authorized Officer, the Bonds shall be issued either (i) in the form of one or multiple fully registered bonds in the name of the purchaser, or (ii) under a book-entry only system, registered in the name of Cede & Co. as the registered owner and nominee of The Depository Trust Company, New York, New York (“*DTC*”), which in such instance will act as Securities Depository.

If the Bonds are issued in the form of one or more fully registered bonds in the name of the purchaser, then the City shall serve, unless otherwise determined by an Authorized Officer, as Paying Agent for the Bonds, and the Bond Payments shall be made by the Paying Agent to the Person appearing on each Record Date on the Registry Books, as provided in Section 3.06 hereof, by check or draft mailed from the City to such registered owners at the addresses as they appear on such Registry Books in sufficient time to reach such registered owners on the Bond Payment Dates. Payment of the final Bond Payment shall be made when the same is due and payable upon the presentation and surrender for cancellation of the Bonds at

the administrative office of the City, or upon such other condition or indicia of satisfaction as may be mutually agreed-upon by the City and the purchaser of the Bonds.

If the Bonds are issued in book-entry form, the Bond Payments shall be payable at the corporate trust office of the Paying Agent and payment of the interest on each Bond shall be made by the Paying Agent to the Person appearing as the registered owner thereof on each Record Date on the Registry Books, by check or draft mailed to such registered owner at its address as it appears on such Registry Books in sufficient time to reach such registered owner on the Bond Payment Date. Payment of the Principal Installment of all Bonds shall be made upon the presentation and surrender for cancellation of such Bonds as the same shall become due and payable.

#### Section 3.04      Execution and Authentication

(a)      The Bonds shall be executed in the name of and on behalf of the City by the manual or facsimile signature of an Authorized Officer, with its corporate seal impressed, imprinted or otherwise reproduced thereon, and attested by the manual signature of its Clerk or other Authorized Officer (other than the officer or officers executing the Bonds). The Bonds may bear the signature of any person who shall have been such an Authorized Officer authorized to sign the Bonds at the time such Bonds were so executed, and shall bind the City notwithstanding the fact that his or her authorization may have ceased prior to the authentication and delivery of the Bonds.

(b)      The Bonds shall be authenticated by the manual or facsimile signature of the Registrar as of their Original Issue Date, unless an Authorized Officer and the purchaser of the Bonds agree that any Series of Bonds shall be authenticated as of a different date. No Bond shall be valid or obligatory for any purpose or shall be entitled to any right or benefit hereunder unless there shall be endorsed on such Bond a certificate of authentication duly executed by the manual signature of the Registrar and such certificate of authentication upon any Bond executed on behalf of the City shall be conclusive evidence that the Bond so authenticated has been duly issued hereunder and that the Holder thereof is entitled to the benefit of the terms and provisions of this Ordinance.

#### Section 3.05      Exchange of the Bonds

Any Bond, upon surrender thereof at the office of the Registrar with a written instrument of transfer satisfactory to the Registrar, duly executed by the registered Holder or his or her duly authorized attorney, may, at the option of the registered Holder thereof, be exchanged for a new Bond of like tenor, interest rate and maturity. So long as the Bonds remain Outstanding or unpaid, the City shall make all necessary provisions to permit the exchange of any Bonds. Such exchanged Bond shall reflect the principal amount thereof as then yet unpaid.

#### Section 3.06      Transferability and Registry

The Bonds shall at all times be transferable only in accordance with the provisions for registration and transfer contained in this Ordinance and in the Bonds. So long as the Bonds remain Outstanding or unpaid, the Registrar shall maintain and keep, at its offices, the Registry Books for the registration and transfer of the Bonds, and, upon presentation thereof for such purpose at such office, the Registrar shall register or cause to be registered therein, and permit to be transferred thereon, under such reasonable regulations as it may prescribe, the Bonds.

### Section 3.07    Transfer of the Bonds

The Bonds shall be transferable only upon the Registry Books, upon presentation and surrender thereof by the Holder of a Bond in person or by his or her attorney duly authorized in writing, together with a written instrument of transfer satisfactory to the Registrar duly executed by the registered Holder or his or her duly authorized attorney. Upon surrender for transfer of a Bond, the City shall execute, authenticate and deliver, in the name of the Person who is the transferee, a new Bond of the same tenor, principal amount, maturity and rate of interest as the surrendered Bond. Such transferred Bond shall reflect the principal amount thereof as then yet unpaid.

### Section 3.08    Regulations with Respect to Exchanges and Transfers

Any Bond surrendered in any exchange or transfer shall forthwith be cancelled by the Registrar. For each such exchange or transfer of a Bond, the Registrar may make a charge sufficient to reimburse itself for any tax, fee or other governmental charge required to be paid with respect to such exchange or transfer, which sum or sums shall be paid by the Holder requesting such exchange or transfer as a condition precedent to the exercise of the privilege of making such exchange or transfer. The City shall not be obligated to issue, exchange or transfer any Bond during the 15 days next preceding any (a) Bond Payment Date of such Bond, or (b) date upon which such Bond will be redeemed, if any.

### Section 3.09    Mutilated, Destroyed, Lost and Stolen Bonds

(a) If a Holder surrenders a mutilated Bond to the Registrar or the Registrar receives evidence to its satisfaction of the destruction, loss, or theft of the Bond, and there is delivered to the Registrar such security or indemnity as may be required by it to save it harmless, then, in the absence of notice that the Bond has been acquired by a bona fide purchaser, the City shall execute and deliver, in exchange for the mutilated Bond or in lieu of any such destroyed, lost, or stolen Bond, a new Bond of like tenor, maturity, and interest rate bearing a number unlike that of such mutilated, destroyed, lost, or stolen Bond, and shall thereupon cancel any such mutilated Bond so surrendered. In case any such mutilated, destroyed, lost, or stolen Bond has become or is to become due for final payment within one month, the City in its discretion may, instead of delivering a new bond certificate, pay the Bond.

(b) Upon the delivery of a new Bond under this Section 3.09, the City may require the payment of a sum sufficient to cover any tax, fee, or other governmental charge that may be imposed in relation thereto and any other expenses, including counsel fees or other fees, of the City or the Registrar connected therewith.

(c) Each new Bond delivered pursuant to this Section in lieu of any destroyed, lost, or stolen Bond, shall constitute an additional contractual obligation of the City, whether or not the destroyed, lost, or stolen Bond shall at any time be enforceable by anyone, and shall be entitled to all the benefits hereof equally and proportionately with the Bond duly issued pursuant to this Ordinance.

(d) The Bonds shall be held and owned upon the express condition that the foregoing provisions are exclusive with respect to the replacement or payment of the mutilated, destroyed, lost, or stolen Bonds and shall preclude (to the extent lawful) all other rights or remedies with respect to the replacement or payment of the mutilated, destroyed, lost, or stolen Bonds or securities.

### Section 3.10    Holders As Owners of the Bonds

The City and the Registrar may deem and treat the Holders of the Bonds as the absolute owners thereof, whether the Bonds shall be overdue or not, for the purpose of receiving payment of, or on account

of, Bond Payments on the Bonds and for all other purposes, and payment of Bond Payments shall be made only to, or upon the order of, such Holders. All payments to the Holders shall be valid and effectual to satisfy and discharge the liability upon the Bonds to the extent of the sum or sums so paid, and the City shall not be affected by any notice to the contrary.

#### Section 3.11 Cancellation of the Bonds

The Registrar shall destroy any Bond when the same shall be surrendered to it for cancellation. In such event, the Bond shall no longer be deemed Outstanding under this Ordinance and no bond certificate shall be delivered in lieu thereof.

#### Section 3.12 Payments Due Saturdays, Sundays and Holidays

In any case where the Bond Payment Date shall be Saturday or Sunday or shall be, at the place designated for payment, a legal holiday or a day on which banking institutions are authorized by law to close, then payment of the Bond Payment need not be made on such date but may be made on the next succeeding business day not a Saturday, Sunday or a legal holiday or a day upon which banking institutions are authorized by law to close, with the same force and effect as if made on the Bond Payment Date and no interest shall accrue for the period after such date.

#### Section 3.13 Tax Exemption in South Carolina

The interest on the Bonds shall be exempt from all State, county, municipal, school district, and all other taxes or assessments of the State, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise, except inheritance, estate, transfer or certain franchise taxes.

#### Section 3.14 Security; Order to Levy Ad Valorem Taxes to Pay Principal and Interest of the Bonds

For Bond Payments on the Bonds as the same become due and for the creation of such sinking fund as may be necessary therefor, the full faith, credit, and taxing power of the City are hereby irrevocably pledged, and there shall be levied an *ad valorem* tax upon all taxable property located within the City sufficient to pay the Bond Payments until the Bonds are no longer Outstanding. Such levy shall be reduced to the extent that, at the time the amount of annual millage levy for the debt service is set, the City has available other amounts for the payment of amounts due on the succeeding Bond Payment Date and has deposited the same into the sinking fund established for the payment of the Bond Payments.

#### Section 3.15 Form of the Bonds

The Bonds and registration provisions to be endorsed thereon, shall be substantially in the form set forth in Exhibit A attached hereto and made a part of this Ordinance. To the extent the Bonds are sold in the public markets, the form of the Bonds may be revised accordingly to include provisions and language unique to a public market bond issuance.

#### Section 3.16 Book-Entry Only System

(a) Notwithstanding anything to the contrary herein, so long as the Bonds are being held under a book-entry system of a securities depository, transfers of beneficial ownership of the Bonds will be effected pursuant to rules and procedures established by such securities depository. If held under a book-entry system, the initial securities depository for the Bonds will be DTC. DTC and any successor securities depositories are hereinafter referred to as the “Securities Depository” and “Securities Depository Nominees,” respectively.



(b) As long as a book-entry system is in effect for the Bonds, the Securities Depository Nominee will be recognized as the Holder of the Bonds for the purposes of: (i) paying the principal installments, interest, and redemption price, if any, on the Bonds, (ii) selecting the portions of such Bonds of a maturity to be redeemed, if Bonds of a maturity are to be redeemed in part, (iii) giving any notice permitted or required to be given to Bondholders under this Ordinance, (iv) registering the transfer of beneficial ownership interests in the Bonds, and (v) requesting any consent or other action to be taken by the Holders of the Bonds, and for all other purposes whatsoever, and the City shall not be affected by any notice to the contrary.

(c) The City shall not have any responsibility or obligation to any participant, any beneficial owner or any other person claiming a beneficial ownership in any Bond which is registered to a Securities Depository Nominee under or through the Securities Depository with respect to any action taken by the Securities Depository as Holder of such Bond.

(d) The City shall pay all principal installments, interest and redemption price, if any, on any Bond issued under a book-entry system, only to the Securities Depository or the Securities Depository Nominee, as the case may be, for such Bond, and all such payments shall be valid and effectual to fully satisfy and discharge the obligations with respect to the principal of, interest on, and redemption price, if any, of such Bond.

(e) In the event that the City determines that it is in the best interest of the City to discontinue the book-entry system of transfer for the Bonds, or that the interests of the beneficial owner of the Bonds may be adversely affected if the book-entry system is continued, then the City shall notify the Securities Depository of such determination. In such event, the Registrar shall authenticate, register and deliver physical certificates for the Bonds in exchange for the Bonds registered in the name of the Securities Depository Nominee.

(f) In the event that the Securities Depository for the Bonds discontinues providing its services, the City shall either engage the services of another Securities Depository or arrange with the Registrar for the delivery of physical certificates in the manner described in subparagraph (e) above.

(g) In connection with any notice or other communication to be provided to the Holders of the Bonds by the City or by the Registrar with respect to any consent or other action to be taken by the Holders of the Bonds, the Registrar shall establish a Record Date for such consent or other action and give the Securities Depository Nominee notice of such record date not less than 15 days in advance of such Record Date to the extent possible.

(h) At the closing of the Bonds and the delivery of the same to the purchaser thereof through the facilities of DTC, the Registrar may maintain custody of Bond certificates on behalf of DTC in accordance with DTC's "FAST" closing procedures.

[End of Article III]

## **ARTICLE IV**

### **REDEMPTION OF BONDS**

#### **Section 4.01**    **Redemption of the Bonds**

The Bonds shall be subject to redemption prior to maturity upon such terms as may be agreed to by an Authorized Officer and the purchaser of the Bonds as memorialized on the faces of the Bonds.

#### **Section 4.02**    **Election to Redeem**

In the event that the City shall, in accordance with the provisions of Section 4.01 hereof, elect to redeem the Bonds, it shall give notice to the Registrar and the Paying Agent of each optional redemption. Such notice shall specify the date fixed for redemption and the Bonds which are to be redeemed. Such notice shall be given at least 30 days prior to the date fixed for redemption or such lesser number of days as shall be acceptable to the Registrar.

[End of Article IV]

## ARTICLE V

### SALE OF BONDS

#### Section 5.01    Sale and Award of Bonds

(a) Except as authorized by Section 5.02(b), the Bonds shall be sold at a date and time certain after public notice thereof at not less than par and accrued interest to the date of delivery. Bids shall be received at such time and date and in such manner as determined by an Authorized Officer. Unless all bids are rejected, the award of the Bond may be made by an Authorized Officer to the bidder offering the most advantageous terms to the City, with the basis of such award to be set forth in the official notice of sale used in connection with the sale of the Bond (the “***Official Notice of Sale***”). In lieu of publishing the Official Notice of Sale in its entirety to notice the sale, an Authorized Officer may elect to publish an abbreviated form of such notice (the “***Summary Notice of Sale***”) and provide the Official Notice of Sale to those parties who request the same pursuant to the instructions provided in the Summary Notice of Sale.

(b) With respect to the sale of any Series of Bonds, in the event that (i) no bids are received or all bids are rejected in accordance with Section 11-27-40(9) of the South Carolina Code, or (ii) such Series of Bonds is sold in a principal amount not exceeding \$1,500,000 and maturing not later than 10 years from its date of issuance in accordance with Section 11-27-40(4) of the South Carolina Code, the sale of such Series of Bonds may be negotiated at private sale at an interest rate to be agreed upon by an Authorized Officer and the purchaser of the Bond. In negotiating the sale of the Bond, an Authorized Officer is authorized to solicit bids from qualified lenders for the purchase of the Bond and award the sale of the Bond to the party offering the terms most advantageous to the City, as determined by an Authorized Officer. With respect to any Series of Bonds sold in accordance with subsection (b)(ii) of this Section, notice of the sale of the Bond meeting the requirements of Section 11-27-40(4) of the South Carolina Code shall be published not less than 7 days prior to delivery of the Bond.

[End of Article V]

## ARTICLE VI

### DISPOSITION OF PROCEEDS OF SALE OF BONDS

#### Section 6.01 Disposition of Bond Proceeds Including Temporary Investments

(a) The proceeds derived from the sale of the Bonds shall be paid to the City, and are hereby appropriated to be applied as follows:

(i) with respect to any BAN issued in anticipation of the issuance of any Series of Bonds, the proceeds of such Bond shall be applied to pay the principal of and interest on the applicable BAN when it is redeemed or otherwise matures, and

(ii) the remaining amount shall be deposited in a separate account, and shall be expended and made use of by the City Council to defray the costs of the Projects described in Section 1.01 hereof, and to pay the costs of issuance of the Bonds.

(b) Pending the use of proceeds as provided above, the same may, in the discretion of an Authorized Officer, be invested and reinvested by the City in Authorized Investments. All earnings from such investments shall be applied, at the direction of an Authorized Officer, either (i) to defray the cost of the Projects and, if not required for this purpose, then (ii) to pay the next Bond Payment then falling due on the Bonds; if any balance remains, it shall be held by the City in a special fund, invested by an Authorized Officer in Government Obligations and other Authorized Investments, with a yield not in excess of the yield on such Bonds and used to effect the retirement thereof.

Neither the purchaser nor any Holder of the Bonds shall be liable for the proper application of the proceeds thereof.

[End of Article VI]

## ARTICLE VII

### DEFEASANCE OF BONDS

#### Section 7.01 Discharge of Ordinance - Where and How the Bonds are Deemed to Have Been Paid and Defeased

If the Bonds and the interest thereon shall have been paid and discharged, then the obligations of the City under this Ordinance and all other rights granted hereby shall cease and determine (other than with respect to the registration and transfer of Bonds and the delivery of such notices to the registered owners thereof as may be required by this Ordinance). A Bond shall be deemed to have been paid and discharged within the meaning of this Article under each of the following circumstances:

- (a) a Fiduciary shall hold, in trust and irrevocably appropriated thereto, sufficient moneys for the payment of all Bond Payments due thereunder; or
- (b) if default in the payment of the Bond Payments due thereunder shall have occurred on any Bond Payment Date, and thereafter tender of such payment shall have been made, and at such time a designated Fiduciary shall hold in trust and irrevocably appropriated thereto, sufficient moneys for the payment thereof to the date of the tender of such payment; or
- (c) if the City shall elect to provide for the payment of the Bonds prior to their stated maturity and shall have deposited with a Fiduciary, in an irrevocable trust, moneys which shall be sufficient, or Government Obligations, the principal of and interest on which when due will provide moneys, which together with moneys, if any, deposited with such Fiduciary at the same time, shall be sufficient to pay when due the Bond Payments due and to become due thereunder, together with any redemption premium applicable thereto.

Neither the Government Obligations nor moneys deposited with any Fiduciary pursuant to this Section nor the Bond Payments thereon shall be withdrawn or used for any purpose other than, and shall be held in trust for, the payment of the Bond Payments and redemption premium, if any, on the Bonds; provided that any cash received from such principal or interest payments on Government Obligations deposited with the Fiduciary, if not then needed for such purpose, shall to the extent practicable be invested and reinvested in Government Obligations maturing at times and in amounts sufficient to pay when due the Bond Payments and redemption premium, if any, to become due on the Bonds on and prior to the Bond Payment Dates thereof, and interest earned from such reinvestments not required for the payment of the Bond Payments and redemption premium, if any, may be paid over to the City, free and clear of any trust, lien or pledge.

[End of Article VII]

## ARTICLE VIII

### CERTAIN TAX AND DISCLOSURE MATTERS

#### Section 8.01 Tax Covenants

The City acknowledges that it has on-going responsibilities with respect to the Code and the preservation of the tax-exempt status of any Series of Bonds issued as a tax-exempt obligation. The City hereby represents and covenants that it will comply with all relevant requirements of the Code, and that it will not take any action which will, or fail to take any action (including, without limitation, filing the required information reports with the Internal Revenue Service) which failure will, cause interest on the Bonds to become includable in the gross income of the Holder thereof for federal income tax purposes pursuant to the provisions of the Code and regulations promulgated thereunder in effect on the date of original issuance of the Bonds. Without limiting the generality of the foregoing, the City represents and covenants as follows:

(a) All property financed or refinanced with the net proceeds of the Bonds will be owned for federal income tax purposes by the City throughout the entire term of the Bonds and until the Bonds are paid in full.

(b) The City shall not permit the proceeds of the Bonds or any property financed or refinanced with the proceeds of the Bonds to be used such that (i) 10% or more of such proceeds are considered as having been used in a private business use; (ii) 5% or more of such proceeds are considered as having been used in a private business use that is “unrelated” or “disproportionate” to the governmental use of such proceeds on property (as those terms are defined for purposes of Section 141 of the Code); or (iii) an amount greater than the lesser of 5% of such proceeds or \$5,000,000 are considered as having been used directly or indirectly to make or finance loans to any person other than a governmental unit as provided in Section 141(c) of the Code.

(c) The City is not a party to, will not enter into, or permit any other party to enter into, any contracts with any entity involving the management of any property provided with the proceeds of the Bonds that do not conform to (i) the guidelines set forth in Revenue Procedure 2017-13 (or a successor revenue procedure or other official guidance), or (ii) the Code.

(d) No property, nor any portion thereof, financed or refinanced with the proceeds of the Bonds will be (i) sold, leased, or otherwise disposed of to (or for the benefit of) any private person engaged in a private trade or business, or, (ii) managed, serviced, or otherwise used (directly or indirectly) by (or on behalf of) any private person engaged in a private trade or business, unless the City obtains an opinion of nationally recognized bond counsel that such sale, lease, other disposition to (or on behalf of) such private person, or such use in a private trade or business, will not adversely affect the tax-exempt status of interest on the Bonds for federal income tax purposes.

(e) The Bonds will not be “federally guaranteed” within the meaning of Section 149(b) of the Code. No property, nor any portion thereof, financed or refinanced with the proceeds of the Bonds will be (i) sold, leased, or otherwise disposed of to (or for the benefit of) the federal government or any of its agencies, or (ii) managed, serviced or otherwise used (directly or indirectly) by (or on behalf of) the federal government or any of its agencies, unless the City obtains an opinion of nationally recognized bond counsel that such sale, lease, other disposition to, or such use by (or on behalf of), the federal government or any of its agencies will not adversely affect the tax-exempt status of interest on the Bonds for federal income tax purposes.

(f) The City covenants to file IRS form 8038-G at the time and in the place required therefor under the Code.

(g) Prior to the issuance of the Bond, an Authorized Officer may designate any Series of Bonds as taxable under the Code. The election to issue a Series of Bonds on a taxable basis shall be clearly indicated by including the phrase “Taxable Series,” or words to that effect, in the series designation of such taxable Bond. In the event any Series of Bonds is so designated as taxable, the provisions set forth in the provisions of Section 8.01(a) – (f) and Section 8.02 shall not apply.

#### Section 8.02 Ability to Meet Arbitrage Requirements

(a) The City hereby covenants, and as of the issuance date of the Bonds will certify, that (i)(1) on the date of issuance of the Bonds, it reasonably expects that no use of the proceeds of the Bonds, and (2) after the issuance date of the Bonds, it will make no use of the proceeds of the Bonds, that would cause the Bonds to be “arbitrage bonds,” as defined in the Code; and (ii) it will comply with all of the requirements of Section 148 of the Code with respect to the Bonds.

(b) In order to comply with the requirements of paragraph (a) of this Section, the City further agrees to compute and pay arbitrage rebate required under Section 148(f) of the Code.

(c) Supplemental to the covenants of Section 8.01 hereof, and in no way in limitation thereof, an Authorized Officer is hereby authorized and directed to execute, at or prior to delivery of the Bonds, a certificate or certificates specifying actions taken or to be taken by the City, and the reasonable expectations of such officials, with respect to the Bonds, the proceeds thereof, or the City.

#### Section 8.03 Continuing Disclosure

Pursuant to Section 11-1-85 of the South Carolina Code (“**Section 11-1-85**”), the City covenants to file with a central repository for availability in the secondary bond market, when requested:

(a) An annual independent audit, within 30 days of the City’s receipt of the audit; and

(b) Event-specific information within 30 days of an event adversely affecting more than 5% of revenue or the City’s tax base.

The only remedy for failure by the City to comply with the covenant in this Section 8.03 shall be an action for specific performance of this covenant. The City specifically reserves the right to amend this covenant to reflect any change in Section 11-1-85, without the consent of any Bondholder.

#### Section 8.04 Qualified Tax-Exempt Obligation

The City expects to issue no other tax-exempt obligation in calendar year 2020 which, along with those Series of Bonds issued on a tax-exempt basis, would aggregate more than \$10,000,000. Accordingly, any Series of Bonds may be designated by an Authorized Officer as a “qualified tax-exempt obligation” within the meaning of Section 265(b)(3)(B) of the Code. An Authorized Officer is further authorized to make such representation and designation in future years as appropriate, taking into account the tax-exempt obligation issuance plans of the City during such year.

[End of Article VIII]



## ARTICLE IX

### BORROWING IN ANTICIPATION OF BONDS

#### Section 9.01    Generally

Pursuant to the BAN Act, there may be issued from time to time, at the discretion of an Authorized Officer, BANs in aggregate principal amount not exceeding \$8,000,000 in anticipation of the issuance of any Series of Bonds. If BANs are issued and if, upon the maturity thereof an Authorized Officer should determine that it would be in the best interest of the City to renew or refund the BANs, they are authorized to renew or refund the BANs from time to time until an Authorized Officer determines to issue the applicable Series of Bonds, and the Bonds are issued.

Without limiting the generality or specifics of any other provision in this Ordinance, the term “Bonds” as used in Articles VI, VII, VIII, and X shall include BANs.

#### Section 9.02    Terms of BANs

The BANs shall be dated and bear interest from their date of issuance or from such other date or dates as may be agreed to by the City and the purchaser thereof, payable upon the stated maturity thereof and shall mature on such dates as determined by an Authorized Officer, provided that no BAN shall mature on a date which is later than one year following the issuance thereof. Interest on the BANs shall be calculated on the basis of a 360-day year of twelve 30-day months. The BANs shall be payable, both as to principal and interest, in legal tender upon maturity, at the principal office of the Paying Agent. BANs may be issued as a draw-down obligation with interest beginning to accrue thereunder as amounts are advanced from the purchaser. The BANs may be issued in denominations of \$1,000 and integral multiples thereof. The BANs shall be executed and sealed in the name and on behalf of the City in the same manner as the Bonds. BANs bearing the manual or facsimile signature of any Person who shall have been such an Authorized Officer at the time such BANs were so executed shall bind the City notwithstanding the fact that he may have ceased to be such Authorized Officer prior to the authentication and delivery of such BANs or was not such Authorized Officer at the date of the authentication and delivery of the BANs.

#### Section 9.03    Paying Agent and Registrar for BANs; Place and Time of Payment

The City shall serve as Paying Agent for the BAN, and the payments shall be made by the Paying Agent to the Person appearing on each Record Date on the Registry Books held by the City as Registrar, as provided in Section 3.06 hereof, as the registered owner thereof, by check or draft mailed from the City to such registered owner at his or her address as it appears on such registration books in sufficient time to reach such registered owner on the payment dates. Payment of the final payment on the BAN shall be made when the same is due and payable upon the presentation and surrender for cancellation of the BAN at the administrative office of the City, or upon such other condition or indicia of satisfaction as may be mutually agreed-upon by the City and the purchaser of the BAN.

#### Section 9.04    Sale of BANs

The BANs may be sold at public or private sale. Bids therefor shall be received until such time and date to be selected by an Authorized Officer. Notice of sale of the BANs shall be given in a manner determined by an Authorized Officer. Upon receipt of bids for the BANs, an Authorized Officer shall, and is hereby authorized to, award the BANs to the bidder offering the lowest interest cost therefor, the method of calculation of which shall be set forth in the notice of sale and determined at an Authorized Officer's

discretion, without further action on the part of the City if an Authorized Officer shall determine that it is in the interest of the City to make such award.

#### Section 9.05 Form and Execution of BANs

The BANs shall be issued in physical form registered in the name of the Holder with such terms and conditions, not inconsistent with this Ordinance, as shall be determined by an Authorized Officer. No BAN shall be valid or obligatory for any purpose or shall be entitled to any right or benefit hereunder unless there shall be endorsed on such BAN a certificate of authentication duly executed by the manual signature of the Registrar and such certificate of authentication upon any BAN executed on behalf of the City shall be conclusive evidence that the BAN so authenticated has been duly issued hereunder and that the Holder thereof is entitled to the benefit of the terms and provisions of this Ordinance. The BAN shall be in substantially the form attached as Exhibit B, with such amendments as may be authorized by an Authorized Officer.

#### Section 9.06 Exchange and Transfer of BANs

Conditions as to ownership, exchange, transfer, replacement and payment of BANs shall be as provided for Bonds herein, except as expressly provided in this Ordinance to the contrary.

#### Section 9.07 Optional Redemption of BANs

The BANs may, at the discretion of an Authorized Officer, be subject to redemption prior to their stated maturity, on such terms and conditions as an Authorized Officer may prescribe, except that the maximum premium to be paid for prior redemption shall not exceed one-half of one per centum (1/2%).

#### Section 9.08 Security for BANs

For the payment of the principal of and interest on the BANs as the same shall fall due, the full faith, credit, and taxing power of the City shall be pledged. In addition thereto, so much of the principal proceeds of the applicable Series of Bonds when issued shall and is hereby directed to be applied, to the extent necessary, to the payment of the BANs; and, further, the City covenants and irrevocably pledges to effect the issuance of the applicable Series of Bonds or, in the alternative, to refund or renew Outstanding BANs in order that the proceeds thereof will be sufficient to provide for the retirement of any BANs issued pursuant hereto. Pursuant to Section 11-17-30 of the South Carolina Code, nothing shall prevent the City in its discretion from appropriating other legally available funds to the payment of the principal of and interest on the BAN, consistent with the foregoing.

#### Section 9.09 Application of BAN Proceeds

Proceeds from the sale of the BANs shall be applied in the manner as provided by Section 6.01(a)(ii) of this Ordinance for Bonds.

#### Section 9.10 Tax Exemption for BANs

Both the principal of and interest on the BANs shall be exempt from all State, county, municipal, school district, and all other taxes or assessments imposed within the State, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise, except estate or other transfer taxes, and certain fees or franchise taxes.

[End of Article IX]

**ARTICLE X**  
**MISCELLANEOUS**

Section 10.01 Savings Clause

If any one or more of the covenants or agreements provided in this Ordinance should be contrary to law, then such covenant or covenants or agreement or agreements shall be deemed severable from the remaining covenants and agreements, and shall in no way affect the validity of the other provisions of this Ordinance.

Section 10.02 Successors

Whenever in this Ordinance the City is named or referred to, it shall be deemed to include any entity, which may succeed to the principal functions and powers of the City, and all the covenants and agreements contained in this Ordinance or by or on behalf of the City shall bind and inure to the benefit of said successor whether so expressed or not.

Section 10.03 Ordinance to Constitute Contract

In consideration of the purchase and acceptance of the Bonds and the BAN by those who shall purchase and hold the same from time to time, the provisions of this Ordinance shall be deemed to be and shall constitute a contract between the City and the Holders from time to time of the Bonds and the BAN, and such provisions are covenants and agreements with such Holders which the City hereby determined to be necessary and desirable for the security and payment thereof. The pledge hereof and the provisions, covenants, and agreements herein set forth to be performed on behalf of the City, shall be for the benefit, protection, and security of the Holders of the Bonds and the BAN.

Section 10.04 Filing of Copies of Ordinance

Copies of this Ordinance shall be filed in the offices of the Clerk of the City and in the office of the Clerk of Court of Charleston County, South Carolina (as a part of the Record of Proceedings for the Bonds).

Section 10.05 Further Action by Officers of City

The Authorized Officers and the Clerk are fully authorized and empowered to take the actions required to implement the provisions of this Ordinance and to furnish such certificates and other proofs as may be required of them. In the absence of any officer of the City Council herein authorized to take any act or make any decision, the City Administrator is hereby authorized to take any such act or make any such decision.

Section 10.06 Effective Date of Ordinance

This Ordinance shall take effect upon its second reading.

[End of Article X]

**DONE, RATIFIED, AND ENACTED BY THE MAYOR AND CITY COUNCIL OF THE  
CITY OF ISLE OF PALMS, SOUTH CAROLINA ON THIS 22ND DAY OF SEPTEMBER 2020.**

(SEAL)

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Clerk

First Reading:           September 15, 2020  
Second Reading:       September 22, 2020

EXHIBIT A

FORM OF BONDS

UNITED STATES OF AMERICA  
STATE OF SOUTH CAROLINA  
CITY OF ISLE OF PALMS  
GENERAL OBLIGATION BOND  
[TAXABLE] SERIES 2020[A][B]

No. R-1

\$[\_\_\_\_\_]

Registered Holder:

Principal Amount: \_\_\_\_\_ Dollars (\$\_\_\_\_\_)

THE CITY OF ISLE OF PALMS, SOUTH CAROLINA (the “*City*”), a public body corporate and politic and a political subdivision of the State of South Carolina (the “*State*”), created and existing by virtue of the laws of the State, acknowledges itself indebted and for value received hereby promises to pay, solely as hereinafter provided, to the Registered Holder named above or registered assigns, the Principal Amount stated above.

This bond is issued as part of an issue of general obligation bonds of the City, designated “General Obligation Bonds, [Taxable] Series 2020[A][B]” (the “*Bond*”) in the aggregate principal amount of \_\_\_\_\_ Dollars (\$\_\_\_\_\_) for purposes authorized by and pursuant to and in accordance with the Constitution and statutes of the State of South Carolina, including particularly the provisions of Sections 5-21-210 through 5-21-500 and Section 11-27-40, Code of Laws of South Carolina 1976, as amended, and an ordinance (the “*Ordinance*”) duly enacted by the City Council of the City (the “*Council*”) on \_\_\_\_\_, 2020.

[Insert Redemption Provisions, if any]

The principal of this Bond shall be payable on \_\_\_\_ 1, 20\_\_ (the “*Maturity Date*”), upon the presentation and surrender of this Bond at the office of the City, as Paying Agent. Interest on the outstanding principal amount hereof is initially payable on \_\_\_\_\_ 1, 20\_\_ and on \_\_\_\_ 1 and \_\_\_\_\_ 1 (each a “*Bond Payment Date*”) until payment or final maturity by check or draft mailed to the person in whose name this Bond is registered at the address shown on the Registry Books of the City at the close of business on the fifteenth day of the month next preceding each Bond Payment Date. This Bond shall bear interest at the rate of \_\_\_\_% per annum, calculated on the basis of a 360-day year consisting of twelve 30-day months. Notwithstanding the foregoing, principal amounts payable upon the partial redemption of this Bond may be made to the Registered Holder (without any presentment thereof, except upon payment of the final installment of principal, and without any notation of such payment being made thereon) in such manner or at such address in the United States of America as may be designated by the Registered Holder in writing to the City, as Paying Agent, in which event partial payments of the principal on this Bond shall be noted on the Table of Partial Redemptions attached hereto in lieu of surrendering this Bond in connection with such redemption. The payments of principal and interest on this Bond (the “*Bond Payments*”) are payable in any

coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts.

Certain capitalized terms used herein and not otherwise defined shall have the meanings ascribed thereto in the Ordinance. Certified copies of the Ordinance are on file in the office of the Clerk of Court of Charleston County, South Carolina and in the office of the Council.

For Bond Payments on the Bonds as the same become due and for the creation of such sinking fund as may be necessary therefor, the full faith, credit, and taxing power of the City are hereby irrevocably pledged, and there shall be levied an *ad valorem* tax upon all taxable property located within the City sufficient to pay the Bond Payments until the Bonds are no longer Outstanding. Such levy shall be reduced to the extent that, at the time the amount of annual millage levy for the debt service is set, the City has available other amounts for the payment of amounts due on the succeeding Bond Payment Date and has deposited the same into the sinking fund established for the payment of the Bond Payment.

This Bond and the interest hereon are exempt from all State, county, municipal, school district, and all other taxes or assessments of the State of South Carolina, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise, except inheritance, estate, transfer, or certain franchise taxes.

This Bond is issued as a fully registered bond and is transferable, as provided in the Ordinance, only upon the Registry Books of the City kept for that purpose at the offices of the City by the Registered Holder in person or by his or her duly authorized attorney upon (i) surrender of this Bond together with a written instrument of transfer satisfactory to the Registrar duly executed by the Registered Holder or his or her duly authorized attorney, and (ii) payment of the charges, if any, prescribed in the Ordinance. Thereupon a new fully registered bond of like interest rate and principal amount shall be issued to the transferee in exchange therefor as provided in the Ordinance. The City may deem and treat the person in whose name this Bond is registered as the absolute owner hereof for the purpose of receiving payment of the Bond Payment due hereon and for all other purposes.

For every exchange or transfer of this Bond, the City may make a charge sufficient to reimburse itself for any tax, fee, or other governmental charge required to be paid with respect to such exchange or transfer.

It is hereby certified and recited that all acts, conditions, and things required to exist, happen, and to be performed precedent to and in the enactment of the Ordinance and in the issuance of this Bond in order to make the legal, valid, and binding general obligation of the City in accordance with its terms, do exist, have been done, have happened and have been performed in regular and due form as required by law; and that the issuance of this Bond does not exceed or violate any constitutional, statutory, or other limitation upon the amount of indebtedness prescribed by law.

**IN WITNESS WHEREOF**, the City has caused this Bond to be signed by the manual signature of the Mayor of the City, attested by the manual signature of the Clerk of the City, and the seal of the City impressed hereon.

**CITY OF ISLE OF PALMS,  
SOUTH CAROLINA**

(SEAL)

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
Clerk  
City of Isle of Palms, South Carolina

**CERTIFICATE OF AUTHENTICATION**

This Bond is the Bond of the issue described in the within-mentioned Ordinance.

\_\_\_\_\_  
Clerk of the City of Isle of Palms,  
South Carolina, as Registrar

Date of Authentication:\_\_\_\_\_



**(FORM OF ASSIGNMENT)**

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto  
the within bond  
and does hereby irrevocably constitute and appoint  
attorney to  
transfer the within bond on the books kept for registration thereof, with full power of substitution in the  
premises.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
(Authorized Officer)

\_\_\_\_\_  
Notice: The signature to the assignment must  
correspond with the name of the registered owner  
as it appears upon the face of the within bond in  
every particular, without alteration or enlargement  
or any change whatever.

### TABLE OF PARTIAL REDEMPTIONS

Upon all partial redemptions (whether optional, mandatory or otherwise) the above Bond may be surrendered to the Paying Agent for the appropriate notation by it on the table below or the Registered Holder may make such notation itself. The Paying Agent's records relating to the outstanding principal amount of the Bond shall in all cases prevail:

<u>Date</u>	<u>Amount Redeemed</u>	<u>Remaining Unpaid Principal Amount</u>	<u>Signature of Registered Holder or Paying Agent</u>

## FORM OF BOND ANTICIPATION NOTE

UNITED STATES OF AMERICA  
 STATE OF SOUTH CAROLINA  
 CITY OF ISLE OF PALMS  
 GENERAL OBLIGATION  
 BOND ANTICIPATION NOTE  
 SERIES 2020

No. \_\_\_\_

\$[\_\_\_\_\_]

Registered Holder:

Principal Amount: \_\_\_\_\_ Dollars (\$ \_\_\_\_\_)

THE CITY OF ISLE OF PALMS, SOUTH CAROLINA (the “**City**”), a public body corporate and politic and a political subdivision of the State of South Carolina (the “**State**”), created and existing by virtue of the laws of the State, acknowledges itself indebted and for value received hereby promises to pay, solely as hereinafter provided, to the Registered Holder named above or registered assigns, the Principal Amount stated above on \_\_\_\_\_, 202\_, and to pay interest on said Principal Amount at the rate of \_\_\_\_\_ per annum (calculated based upon a year of 360-days consisting of twelve 30-day months) payable at maturity of this Note. Both the principal of any interest on this Note are payable to the person in whose name this Note is registered at the address shown on the registration books. The Note payments are payable in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts.

This Note is issued pursuant to and in accordance with the Constitution and laws of the State of South Carolina, including, particularly, the provisions of Title 11, Chapter 17, Title 5, Chapter 21, and Section 11-27-40, of the Code of Laws of South Carolina 1976, as amended, and in accordance with an ordinance (the “**Ordinance**”) duly enacted by the City Council of the City (the “**Council**”) on \_\_\_\_\_, 2020.

This Note is a general obligation of the City and is issued in anticipation of and payable, both as to principal and interest, from the proceeds of the not exceeding \$8,000,000 of general obligation bonds of the City authorized by the Ordinance (the “**Bonds**”), or if said Bonds are not issued prior to the stated maturity of this Note, from the sale, issuance, and delivery of an issue of renewal or refunding general obligation bond anticipation notes; and is secured by a pledge of the full faith, credit and taxing power of the City.

[Insert Redemption Provisions, if any]

Certain capitalized terms used herein and not otherwise defined shall have the meanings ascribed thereto in the Ordinance. Certified copies of the Ordinance are on file in the office of the Clerk of Court of Charleston County, South Carolina and in the office of the Council.

This Note and the interest hereon are exempt from all State, county, municipal, school district, and all other taxes or assessments of the State of South Carolina, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise, except inheritance, estate, transfer, or certain franchise taxes.

For every exchange or transfer of this Note, the City may make a charge sufficient to reimburse itself for any tax, fee, or other governmental charge required to be paid with respect to such exchange or transfer.

IT IS HEREBY CERTIFIED AND RECITED that all acts, conditions, and things required to exist, happen, and to be performed precedent to and in the enactment of the Ordinance and in the issuance of this Note in order to make the legal, valid, and binding general obligation of the City in accordance with its terms, do exist, have been done, have happened and have been performed in regular and due form as required by law; and that the issuance of this Note does not exceed or violate any constitutional, statutory, or other limitation upon the amount of indebtedness prescribed by law.

IN WITNESS WHEREOF, the City has caused this Note to be signed by the manual signature of the Mayor of the City, attested by the manual signature of the Clerk of the City, and the seal of the City impressed hereon.

CITY OF ISLE OF PALMS,  
SOUTH CAROLINA

(SEAL)

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
Clerk  
City of Isle of Palms, South Carolina

#### **CERTIFICATE OF AUTHENTICATION**

This Note is the Note of the issue described in the within-mentioned Ordinance.

\_\_\_\_\_  
Clerk of the City of Isle of Palms,  
South Carolina, as Registrar

Date of Authentication: \_\_\_\_\_

**(FORM OF ASSIGNMENT)**

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto  
and does hereby irrevocably constitute and appoint \_\_\_\_\_ the within Note  
attorney to  
transfer the within Note on the books kept for registration thereof, with full power of substitution in the  
premises.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
(Authorized Officer)

\_\_\_\_\_  
Notice: The signature to the assignment must correspond with the name of the registered owner as it appears upon the face of the within Note in every particular, without alteration or enlargement or any change whatever.

EMERGENCY ORDINANCE 2020-12

**LIMITING PARKING ON THE ISLAND, LIVE ENTERTAINMENT AFTER 9:00 P.M. AND OCCUPANCY IN BARS AND RESTAURANTS TO FIFTY (50%) PERCENT.**

**WHEREAS**, the 2019 Novel Coronavirus (“COVID-19”) is a respiratory disease that can result in serious illness or death by the SARS-CoV-2 virus, which is a new strain of coronavirus previously unidentified in humans and which can spread from person to person;

**WHEREAS**, the World Health Organization declared COVID-19 a Public Health Emergency of International Concern on January 30, 2020;

**WHEREAS**, the Centers for Disease Control and Prevention (the “CDC”) has warned of the high public health threat posed by COVID-19 globally and in the United States;

**WHEREAS**, on January 31, 2020, the United States Department of Health and Human Services Secretary declared a public health emergency in the United States for COVID-19 under Section 391 of the Public Health Service Act;

**WHEREAS**, on March 13, 2020, the President of the United States declared that the COVID-19 outbreak in the United States constitutes a national emergency, which began on March 1, 2020;

**WHEREAS**, also on March 13, 2020, the Governor of the State of South Carolina (the “State”) issued Executive Order 2020-08, declaring a State of Emergency based on a determination that the COVID-19 poses an actual or imminent public health emergency for the State;

**WHEREAS**, the City has determined that it is imperative to reduce social transmission in all areas of the City, including the beach. Other local beachfront towns have enacted or are considering new emergency ordinances restricting activities on the beach to encourage social distancing and reduce social transmission; and

**WHEREAS**, the Governor of the State has subsequently declared a continued State of Emergency in Executive Orders 2020-15 (March 28), 2020-23 (April 12), 2020-29 (April 27), 2020-35 (May 12), 2020-38 (May 27), and 2020-40 (June 11);

**WHEREAS**, the City of Isle of Palms Council adopted Emergency Ordinance 2020-10 on June 26, 2020 requiring the use of face coverings in certain circumstances on the Island effective July 1, 2020;

**WHEREAS**, the State is experiencing a dramatic increase in the number of identified new COVID-19 cases, and as of July 14, 2020, the South Carolina Department of Health and Environmental Control (“DHEC”) is reporting that there have been 60,220 confirmed COVID-19 cases and 984 confirmed COVID-19 deaths in the State;

**WHEREAS**, if COVID-19 cases continue to increase in the State and in the City of Isle of Palms, the demand for medical, pharmaceutical, personal, and general cleaning supplies may overwhelm sources of supply; the private and public sector work force may be negatively impacted by absenteeism; and the demand for medical facilities may exceed locally available resources;

**WHEREAS**, health authorities, including the CDC, the Surgeon General of the United States, and DHEC have recommended the use of face coverings as a means of preventing the spread of COVID-19; and

**WHEREAS**, S.C. Code § 5-7-250(d) provides that “[t]o meet public emergencies affecting life, health, safety or the property of the people, council may adopt emergency ordinances ... by the affirmative vote of at least two-thirds of the members of council present. An emergency ordinance is effective immediately upon its enactment without regard to any reading, public hearing, publication requirements, or public notice requirements. Emergency ordinances shall expire automatically as of the sixty-first day following the date of enactment;”

**WHEREAS**, Sections 5-7-30 (the “Home Rule Statute”) and 5-7-250 of the South Carolina Code of Laws, as well as the Governor’s Orders, all empower Council to enact emergency ordinances affecting life, health, or safety; and

**WHEREAS**, this Ordinance has been approved by at least two-thirds of the Councilmembers present at the meeting in which it was considered;

**NOW, THEREFORE**, be it ordained by the City of Isle of Palms Council as follows:

1. Council and the Mayor formally declare a State of Emergency due to a resurgence in known cases of COVID-19 within the City and surrounding areas.
2. The City of Isle of Palms temporarily suspends the normal operating procedures of City Council meetings and hereby allows for the Mayor and Councilmembers to remotely participate in voting and operational procedures by telephone or other means of electronic communication provided that the provisions of the South Carolina Freedom of Information Act are complied with.
3. Local businesses on the island are authorized to purchase, use and distribute containers that do not comply with the City's plastic ban until October 31, 2020, however, with a grace period to use all remaining stock until November 1, 2020.
4. The City Administrator is authorized to develop and enact any additional plans in order to ensure continuity in the delivery of government services in light of the COVID-19 outbreak.
5. The City Administrator is authorized to cancel and revoke any special events permits issued prior to the date of this ordinance for events taking place.
6. Any person on the beach will be required to maintain social distancing.
7. Emergency Ordinance 2020-10, an ordinance requiring individuals to wear face coverings in retail and foodservice establishments shall remain in place.
8. All Short-Term Rentals on the island will be subject to the Safety Standards and Guidelines provided by the City's taskforce. The requirements of these Safety Standards shall expire Upon the expiration of the State of Emergency.
9. During the duration of this emergency order, businesses, including but not limited to event spaces, restaurants and bars, shall not allow live entertainment, including but not limited to bands, DJ's, karaoke, bingo, trivia, contests, or other crowd drawing activity after 10:00pm. This is recognized as a temporary alteration of the City's existing noise ordinance, Section 9-2-5.
10. During the duration of this emergency order, businesses, including but not limited to event spaces, restaurants and bars shall operate at fifty-percent (50%) occupancy. Council empowers the City Fire Marshall to inspect and issue a citation pursuant to the City's Code of Ordinances, the Emergency Ordinance or any State Executive Order.
11. Beach parking will be prohibited on the landside of Palm Boulevard between 21<sup>st</sup> and 40<sup>th</sup> Avenue, on one side of 3<sup>rd</sup> through 9<sup>th</sup> Avenues, as determined by Police and Fire Department staff; and parking on Hartnett Boulevard, between 27<sup>th</sup> and 29<sup>th</sup> Avenues, will remain limited to recreational department use only.



12. All metered parking will be enforced from 8:00 a.m. through 6:00 p.m. until October 31, 2020.

**Section 2. Penalties.** Any violation of any rule or regulation issued and set forth herein shall be punishable as provided in Title 9, Chapter 2, Section 3: Disorderly Conduct of the Code of Ordinances of the City of Isle of Palms, including Section 7-1-15 allowing for suspension or revocation of business license and as a violation of S.C. Code Section 16-7-10 (Illegal acts during state of emergency, or c) any other penalties provided by State law, including penalties granted pursuant to Executive Orders issued by the South Carolina Governor. In addition, the Governor has authorized cities to seek an injunction, mandamus, or other appropriate legal action in the courts of the State. In addition, any violation of any rule or regulation issued and set forth herein as it relates to parking shall be punishable pursuant to Title 8, Chapter 2: Stopping, Standing and Parking of Vehicles.

**Section 3. Suspension of Contrary Local Provisions.** During the Emergency Term (as defined in Section 12 below), any ordinance, resolution, policy, or bylaw of the City of Isle of Palms that conflicts with the provisions hereof shall be and is hereby suspended and superseded.

**Section 4. Expiration of Ordinance; Extension of Emergency Term.** As provided by S.C. Code § 5-7-250(d), this Ordinance shall expire automatically as of the sixty-first day following the date of enactment (the “Emergency Term”). Notwithstanding the foregoing, however, Council may extend the Emergency Term by emergency ordinance for one or more additional terms, each of no more than sixty days, provided that the total duration of the Emergency Term shall not exceed six months without enacting an ordinance in the ordinary course.

**Section 5. Severability.** Should any provision, section, paragraph, sentence, or word of this Ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences, or words of this Ordinance as hereby adopted shall remain in full force and effect.

**Section 6. Effective Date and Time.** This emergency Ordinance shall take effect at 8:00 a.m, on September 23, 2020.

PASSED AND APPROVED BY THE CITY COUNCIL FOR THE CITY OF ISLE OF PALMS, ON THE 22<sup>nd</sup> DAY OF SEPTEMBER, 2020.

---

Jimmy Carroll, Mayor

**RESOLUTION NO. R-2020-03**

**A RESOLUTION TO EXPRESS THE INTENTION OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA TO CAUSE THE CITY TO BE REIMBURSED WITH THE PROCEEDS OF TAX-EXEMPT OBLIGATIONS AND OTHER MATTERS RELATED THERETO.**

**WHEREAS**, the City of Isle of Palms, South Carolina (the “City”), hereby declares its intention to reimburse itself for a portion of the original expenditures of the City in connection with the planning, engineering, acquisition, construction, and installation of (i) marina docks and related capital expenditures in connection with the Isle of Palms Marina, and (ii) drainage outfalls and related drainage projects (the “*Projects*”) with the proceeds of the tax-exempt obligations (the “Bonds”) in a maximum aggregate principal amount reasonably expected not to exceed \$7,000,000.

**NOW THEREFORE**, be it resolved by the City Council of the City of Isle of Palms, South Carolina, as follows:

1. No funds from any sources other than the Bonds may be, are, or are reasonably expected to be, reserved, allocated on a long-term basis or otherwise set aside by the City pursuant to the budget or financial policies of the City for the financing of the portion of the costs of the Projects to be funded with the Bonds;
2. The City reasonably expects that all or a portion of the original expenditures incurred for the Projects and the issuance of the Bonds will be paid prior to the date of issuance of the Bonds;
3. The City intends and reasonably expects to reimburse itself for all such expenditures paid by it with respect to the Projects prior to the issuance of the Bonds, from the proceeds of the Bonds, and such intention is consistent with the budgetary and financial circumstances of the City;
4. The City intends and reasonably expects to reimburse itself for all such expenditures no later than 18 months after the later of (i) the date the original expenditure is paid, or (ii) the date the Projects are placed in service or abandoned for federal income tax purposes, but in no event more than 3 years after the original expenditure is paid;
5. All of the costs to be paid or reimbursed from the proceeds of the Bonds, will be for costs incurred in connection with the issuance of the Bonds or will, at the time of payment thereof, be properly chargeable to the capital accounts of the Projects (or would be so chargeable with a proper election) under general federal income tax principles; and
6. This Resolution shall constitute a declaration of official intent under United States Department of the Treasury Regulation Section 1.150-2.

**DONE, RATIFIED AND ADOPTED** this 15th day of September, 2020.

**CITY OF ISLE OF PALMS, SOUTH CAROLINA**

(SEAL)

Attest:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk