



City Council

6:00 p.m., Tuesday, June 22, 2021
Council Chambers
1207 Palm Boulevard, Isle of Palms, South
Carolina

Public Comment:

All citizens who wish to speak during the meeting must email their first and last name, address, and topic to Nicole DeNeane at nicoled@iop.net no later than **3:00 p.m. the business day before the meeting**. Citizens may also 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**
3. **Consent Agenda**
 - a. Approval of Previous Meetings' Minutes - Regular Meeting – May 25, 2021, and Special Meeting – May 26, 2021
 - b. Consideration of approval of the Axon body camera, in-car camera video software and data storage [State contract purchase, FY22 Budget]
 - c. Consideration of recommendation from the ATAX Committee of an application by the South Carolina Aquarium for funding in the amount of \$10,000 for the Turtle Trek 5k project
 - d. Consideration of recommendation from the ATAX Committee of an application by Veterans of Foreign Wars Post 3137 for funding in the amount of \$15,000 for facilities maintenance
 - e. Consideration of providing free parking in the Municipal Parking Lots on Mondays from 5:00 – 8:00 p.m. to members of the IOP Cleanup Crew who participate in the beach sweeps
4. **Reports from Standing Committees**
 - a. **Ways and Means Committee**
Consideration of proposal to extend Builder's Risk insurance coverage for dock project in the amount of \$27,602.39
 - f. **Public Safety Committee**

Discussion of beach shuttle

g. Public Works Committee

Consideration of drainage easement and maintenance agreement with Lowe Wild Dunes regarding Phase 3 Drainage Outfall Project

h. Recreation Committee – no meeting in June

i. Personnel Committee

- a. Consideration of appointing Glenda Nemes to fill ATAX vacancy expiring 12/31/2023
- b. Consideration of appointment for City Attorney and Assistant City Attorney
- c. Consideration of nomination of Howard Hogue “Beach Santa” for a Signal 30 Award

j. Real Property Committee

5. Reports from City Officers, Boards and Commissions

- a. **Board of Zoning Appeals** – minutes attached
- b. **Planning Commission** – minutes attached
- c. **Accommodations Tax Advisory Committee** – 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

Ordinance 2021-07 - An Ordinance Amending Title 5, Planning and Development, Chapter 4, Article 8, Flood Damage Prevention, Sections 5-4-152 Through 5-4-171, of the City of Isle of Palms Code of Ordinance, to Chapter 4, Zoning, Article 2, District Regulations

9. Introduction of New Bills, Resolutions and Proclamations

- a. Ordinance 2021-08 – An Ordinance Amending Title 7, Licensing and Regulation, Chapter 1, Business Licenses, Article A, General Provisions, Section 7-1-3, 7-1-4, And Section 7-22-22, Classification and Rates, SIC 6513; NAICS 53111- Lessors of Residential Housing Units- Less Than Ninety (90) Days
- b. Ordinance 2021-09 – An ordinance to present a non-binding referendum question to the citizens of the Isle of Palms concerning the wisdom of reducing the size of the City Council
- c. Ordinance 2021-10 – An ordinance to authorize the temporary use of new or additional space for outdoor dining services.
- d. Proclamation in Support of National Safe Boating Week

10. Miscellaneous Business

- a. Discussion and consideration of evaluating short term rental regulations and trends
- b. Next meeting: Regular Meeting: 6:00 p. m., Tuesday, July 27, 2021

11. Executive Session – In accordance with S.C. Code Section 30-4-70 (a) (1) to discuss personnel matters and applications for boards and commissions and city attorney. Upon returning to open session, the Committee may take action on matters discussed in Executive Session.

12. Adjournment



CITY COUNCIL MEETING
6:00pm, Tuesday, May 25, 2021
1207 Palm Boulevard, Isle of Palms, SC and
broadcasted live on YouTube: <https://www.youtube.com/user/cityofisleofpalms>

MINUTES

1. Call to order

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

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

2. Citizens' Comments

Rebecca Kovalich, detailed a story of a dog attack on her while running on the beach. She asked City Council to review all dog bite incidents and to review what other beach communities have as ordinances regarding dogs on leashes. She expressed concern about a child being attacked.

Bill and Donna Crawford of Wild Dunes also relayed a story about a recent dog attack just outside their home. Both Mr. Crawford and his dog were injured. They said they no longer feel safe in their neighborhood. Mr. Crawford read from Title 47, Chapter 13 of the State Code of laws regarding the definition and registration of dangerous animals and the penalties involved with such incidents. He expressed concern that such laws are not being enforced within the City. He asked Mayor Carroll to meet with Chief Cornett to discuss enforcing these laws.

3. Consent Agenda

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

A. Approval of Previous Meetings' Minutes

- i. Regular Meeting – April 27, 2021
- ii. Special Meeting – May 21, 2021

B. Consideration of proposal from Salmons Dredging for the removal and disposal of pile laying on the seafloor adjacent to Dock C in the amount of \$17,230 [Marina Rehabilitation Project, Available Contingency \$372,635]

C. Consideration of recommendation from the Public Safety Committee of the purchase of a 2021 Ford Ranger in the amount not to exceed \$35,000 [State contract base

price \$22,253] for the Fire Inspector [FY21 Budget, Capital Projects, Fire Department, Capital Outlay, \$1,994,687]

D. Consideration of recommendation from the Public Works Committee of award of a contract in the amount of \$18,850 to Truluck Construction, Inc. to install drainage infrastructure and grading to address drainage issue at the intersection of 34th and Hartnett Boulevard [FY21 Budget, Capital Projects Fund, Public Works, Drainage Contingency, \$320,000, pg. 18, ln. 54]

4. Reports from Standing Committees

A. Ways and Means Committee

Council Member Pounds reviewed some financial highlights through April 30, 2021. Total revenues are just under \$17M against a budget of \$18.2M. The forecast is for revenues to come in about \$2.5M over budget. Expenditures are approximately \$15.4M. The forecast projects expenditures to be just under \$20M against a budget of \$24.5M.

General Fund revenues of \$9.8M will exceed expenditures by just under \$1M. The forecast assumes that overage will be transferred to the Capital Projects fund, which will be decided by City Council upon completion of the audit.

i. Consideration of proposals for marina parking lot improvements and approval of an amount not to exceed \$50,000 for improvements per marina restaurant lease.

MOTION: Council Member Bell made a motion to approve the recommended parking lot improvements in an amount not to exceed \$50,000 per the marina restaurant lease. Council Member Buckhannon seconded the motion.

Administrator Fragoso explained that Director Kerr met with the low bidder to see if something could be done about lowering their original bid of \$83,000. Rather than using crushed granite, they will now put down recycled asphalt. The cost to use these salvaged materials comes in at \$59,900. Administrator Fragoso recommends approving an amount not to exceed this cost. Council Member Pounds offered a friendly amendment to the motion to not exceed \$60,000. Council members Bell and Buckhannon agreed to the friendly amendment.

Administrator Fragoso said this project will be completed before the restaurant opens. She hopes to have it done while utilities work is being done in the parking lot. She does not believe the parking lot improvements will be impacted by the remaining dock rehabilitation. She said the restaurant tenants have seen the material and are fine with its placement in the parking lot. Since this is a stockpiled salvaged material, staff does not anticipate the cost increasing before it is laid down.

VOTE: The motion to approve the recommended parking lot improvements in an amount not to exceed \$60,000 was approved unanimously.

Council Member Ward asked about the differences expected in business license revenues. Treasurer Suggs explained that while the year-to-date number might seem low compared to the

budget, there is no reason to believe it won't meet this year's budget. Several expected revenue come in June and July.

Treasurer Suggs said that parking revenues will come in under budget but will meet the forecast.

B. Public Safety Committee

Council Member Bell reviewed the minutes of the May 6, 2021 meeting. Administrator Fragoso shared that Asst. Administrator Hanna worked with CARTA to garner financial support from neighboring communities to support the beach shuttle. In a cost-sharing measure, the Town of Mt. Pleasant and the City of Isle of Palms each pledged \$8,000 to cover the costs of the weekend service for the summer, thereby making the service free for all riders. She encouraged and invited other communities to participate in a similar way in the coming years.

Council Member Buckhannon expressed concern about the shuttle still sitting in traffic on the IOP Connector and wondered if SCDOT would consider reorganizing the traffic lanes on the Connector to allow for the middle lane to be used for emergency and shuttle traffic. Administrator Fragoso said the use of the shuttle will be monitored carefully this summer and an after-action report will be compiled with input from all stakeholders. Council Member Smith thanked staff for following through with this request.

Chief Cornett shared the metro marine unit initiative Sheriff Graziano proposes by placing a marked boat at the Isle of Palms Marina.

MOTION: Council Member Buckhannon made a motion to approve the law enforcement assistance and support agreement with Charleston County Sheriff's Office. Council Member Pounds seconded the motion. The motion passed unanimously.

Council members briefly discussed the staffing of BSOs for the season. Administrator Fragoso shared that the Mt. Pleasant Chamber of Commerce recognized Sgt. Matthew Storen for the May First Responder Award.

C. Public Works Committee

Council Member Ward reviewed the minutes of the May 5, 2021 meeting. Director Kerr shared with City Council concerns about the erosion of drainage ditches on private property. He reported that he, Director Pitts, and Asst. Director Asero are working on a policy and process to allow for the placement of rip rap on the sides of the ditches to help stabilize the ditch. They are also discussing requiring ditch stabilization during new construction.

MOTION: Council Member Smith made a motion to approve the formation of an Environmental Advisory Committee consisting of seven (7) adult citizens, one (1) college student, one (1) high school student, and a City Council liaison. Council Member Pounds seconded the motion.

Council Member Streetman expressed his support for this committee seeing it as an opportunity for the City to address environmental concerns and engage more citizens in government. Council Member Smith thanked Council Member Ward for his suggestion of the addition of a college

student and high school student to the Committee. Each student will serve one-year terms and the adult citizen members will serve staggered 3-year terms.

VOTE: The motion passed unanimously.

D. Recreation Committee

Council Member Smith reviewed the minutes of the May 3, 2021 meeting. She reported the Farmer's Market will be held on the third Thursday of each month from June through September. Council Member Moya commended Council Member Smith on the environmental series at the Recreation Center.

E. Personnel Committee

Council Member Moya reviewed the minutes of the May 4, 2021 meeting. Administrator Fragoso gave an update on the status of the Wage & Compensation Study. She reported that Evergreen is delayed in the completion of the study because more is being added to the scope of work. She said assessments for all positions have been completed, and HR Officer Ladd has met with department heads to discuss recommendations. She expressed appreciation to City Council for adding a placeholder in the budget for the results of the Wage & Compensation Study so that the recommendations can be thoroughly reviewed before implementation.

MOTION: Council Member Moya made a motion to appoint Ted McKnight to the Board of Zoning Appeals. Council Member Bell seconded the motion. The motion passed unanimously.

City Council members briefly discussed the wording of the referendum question. Administrator Fragoso explained that the referendum question can only be one question while the how-to of the possible outcome is explained in the ordinance attached to the question.

She also pointed out that MASC reports that two other communities have considered this same option and it has failed both times.

F. Real Property Committee

Council Member Streetman reviewed the minutes of the May 4, 2021 meeting. He said that discussion and consideration of the noise agreement between Marker 116, LLC and the City of Isle of Palms will come back at a later date. This item will return to the Real Property Committee for further review. Administrator Fragoso said she would have options regarding the Builder's Risk Policy at the next Real Property Committee.

Administrator Fragoso reported that the Insight Group is acting as the owner's representative for the City during the Marina Restaurant project. The first meeting with Insight, the restaurant tenants, and the City will be later this week.

5. Reports from City Officers, Boards, and Commissions

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

6. Reports from Special or Joint Committees – none

7. Petitions Received, Referred or Disposed of – none

8. Bills already in Possession of Council

A. Consideration of Ordinance 2021-05 – An Ordinance to Raise Revenue and Adopt a Budget for the City of Isle of Palms, South Carolina for the Fiscal Year Beginning July 1, 2021 and ending June 30, 2022

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

B. Consideration of Ordinance 2021-06 – An Ordinance Amending Title 7, Licensing and Regulation, Chapter 1, Business Licenses, Article A, General Provisions, Sections 7-1-3, 7-1-4, and 7-22-22, Classification and Rates, SIC 6513; NAICS 53111-Lessors of Residential Housing Units-Less than Ninety (90) Days

Director Kerr said this ordinance is to align the expiration dates of business licenses and short-term rental licenses as a result of the requirements of the State's Business License Standardization Act.

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

C. Consideration of Ordinance 2021-07 – An Ordinance Amending Title 5, Planning and Development, Chapter 4, Article 8, Flood Damage Prevention, Sections 5-4-152 through 5-4-171, of the City of Isle of Palms Code of Ordinance, to Chapter 4, Zoning, Article 2, District Regulations

This ordinance will return to the agenda following a Public Hearing.

9. Introduction of New Bills, Resolutions, and Proclamations

Consideration of a resolution to encourage unvaccinated people to use face coverings in public indoor areas within the city limits of Isle of Palms

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

Administrator Fragoso said the CDC has changed their face mask recommendations since the request for this resolution. Council Member Bell and Mayor Carroll withdrew their motion to approve and second, respectively.

10. **Miscellaneous Business**

A. **Consideration of application for commercial surf instruction permission from Kai Dilling**

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

Council Member Smith noted that this approval does not mean the City is in anyway endorsing or partnering with Mr. Dilling; only that he has met all the requirements to provide surfing instruction on the beach. Administrator Fragoso added that this is a pilot program that expires in October.

VOTE: The motion passed unanimously.

B. **Consideration of city-sanctioned event status for Darius Rucker Concert at Windjammer on June 9, 2021**

MOTION: Council Member Buckhannon made a motion to approve, and Council Member Pounds seconded the motion.

Administrator Fragoso said this concert is not being advertised. Most of 1000 tickets are being given to healthcare workers.

VOTE: The motion passed unanimously.

C. The next meeting of the City Council will be Tuesday, June 22, 2021 at 6pm.

11. **Adjournment**

Council Member Buckhannon made a motion to adjourn, and Council Member Moye seconded the motion. The meeting was adjourned at 7:34pm.

Respectfully submitted,

Nicole DeNeane
City Clerk



SPECIAL CITY COUNCIL MEETING
2:00pm, Wednesday, May 26 2021
Joseph P. Riley, Jr. Center for Livable Communities
176 Lockwood Drive, Charleston, SC

MINUTES

1. Call to order

Present: Council members Bell, Smith, Streetman, Buckhannon, Moye, Mayor Carroll

Absent: Council members Ward, Popson, and Pounds

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

Also Present: Bob O'Neill, Kendra Stewart

2. Purpose – review the priorities of the Strategic Plan; discuss strategic planning goals, strategies, and metrics; and discuss next steps with regards to strategic planning

Asst. Administrator Hanna presented a list of seven priorities with respective goals as developed through the Strategic Planning process:

- *Manage pressure from population growth in surrounding communities*
Goals: reduce the impact of tourism on quality of life for residents; maintain safe traffic patterns; have tourism-related costs covered by visitors
- *Need for improved communication*
Goals: increase resident satisfaction with City communication; increase trust levels; increase citizen engagement
- *Financial sustainability*
Goals: maintain revenue sources to support expenditures; have fair and sustainable balance between revenue sources and expenses; optimize operational expenses; diversify revenue
- *Balance of rental properties and residential homes*
Goal: maintain quality of life for residents while protecting and optimizing short-term rental revenue
- *Expansion of environmental protection efforts*
Goal: ensure healthy and protected waterways and beach area
- *Diversification of revenue generation and overall revenue growth*

Goals: expand sources of revenue; grow total revenue without raising taxes unnecessarily

- *Improve employee retention and succession planning*

Goals: valuing our employees; reducing employee turnover; provide upward mobility

Council members reviewed and discussed the metrics suggested by staff and by which these goals could be measured. Many requests were made for more specific, yet simple metrics and strategies. Mr. O'Neill pointed out that many measures of satisfaction and change would need benchmarks which are established over a few cycles of satisfaction surveys across the community.

Council members more specifically discussed garnering more positive press for the City; increased taxes as a means for increasing quality of life; what is in the City's best interest with regards to the balance of rental and residential homes; the possible establishment of the City's own DMO; the need to explore alternate funding sources; highlighting the City as a leader of enacting environmentally-friendly policies; and the acceptable rate of employee turnover.

The need to tie the priorities of the Strategic Plan to the budget and the Comprehensive Plan was briefly discussed.

City Council members will provide detailed feedback to Administrator Fragoso regarding these goals and metrics. That feedback will be incorporated into a final document to be presented at the June City Council meeting.

3. Adjournment

Council Member Buckhannon made a motion to adjourn and Council Member Moye seconded the motion. The meeting was adjourned at 3:39pm.

Respectfully submitted,

Nicole DeNeane
City Clerk



AXON

Isle Of Palm Police Dept - SC

AXON SALES REPRESENTATIVE

Carson Kluttz
(480) 502-6220
ckluttz@axon.com

ISSUED
5/18/2021



Axon Enterprise, Inc.
17800 N 85th St.
Scottsdale, Arizona 85255
United States
Phone: (800) 978-2737

Q-267864-44336.007CK

Issued: 05/18/2021

Quote Expiration: 06/15/2021

Account Number: 442309

Payment Terms: Net 30
Delivery Method: Fedex - Ground

SHIP TO

Matt Storen
Isle Of Palm Police Dept - SC
30 JC Long Blvd
Isle of Palms, SC 29451
US

BILL TO

Isle Of Palm Police Dept - SC
P.O. Box 508
Isle of Palms, SC 29451
US

SALES REPRESENTATIVE

Carson Kluttz
Phone: (480) 502-6220
Email: ckluttz@axon.com
Fax:

PRIMARY CONTACT

Matt Storen
Phone: (843) 886-6522
Email: mstoren@iop.net

Year 1

Item	Description	Term (Months)	Quantity	List Unit Price	Net Unit Price	Total (USD)
Axon Plans & Packages						
73683	10 GB EVIDENCE.COM A-LA-CART STORAGE	60	500	0.00	0.00	0.00
73683	10 GB EVIDENCE.COM A-LA-CART STORAGE	60	22	0.00	0.00	0.00
73840	EVIDENCE.COM BASIC ACCESS LICENSE	60	22	0.00	0.00	0.00
73683	10 GB EVIDENCE.COM A-LA-CART STORAGE	60	9	0.00	0.00	0.00
73746	PROFESSIONAL EVIDENCE.COM LICENSE	60	3	0.00	0.00	0.00
73449	RESPOND DEVICE LICENSE	60	25	0.00	0.00	0.00
Hardware						
73202	AXON BODY 3 - NA10		25	699.00	299.00	7,475.00
74210	AXON BODY 3 - 8 BAY DOCK		1	1,495.00	1,495.00	1,495.00
11507	MOLLE MOUNT, SINGLE, AXON RAPIDLOCK		30	0.00	0.00	0.00
11534	USB-C to USB-A CABLE FOR AB3 OR FLEX 2		25	0.00	0.00	0.00
87063	TECH ASSURANCE PLAN BODY 3 CAMERA PAYMENT	12	25	336.00	0.00	0.00
87062	TECH ASSURANCE PLAN 8-BAY BODY 3 DOCK PAYMENT	12	1	354.00	354.00	354.00
Other						
71019	NORTH AMER POWER CORD FOR AB3 8-BAY, AB2 1-BAY / 6-BAY DOCK		1	0.00	0.00	0.00
73831	10 GB EVIDENCE.COM A-LA-CART STORAGE PAYMENT	12	500	4.80	4.80	2,400.00

Year 1 (Continued)

Item	Description	Term (Months)	Quantity	List Unit Price	Net Unit Price	Total (USD)
Other (Continued)						
73841	EVIDENCE.COM BASIC LICENSE PAYMENT	12	22	180.00	180.00	3,960.00
73837	EVIDENCE.COM PROFESSIONAL LICENSE PAYMENT	12	3	468.00	468.00	1,404.00
73665	RESPOND DEVICE PAYMENT	12	25	108.00	67.08	1,677.00
73827	AB3 CAMERA TAP WARRANTY	60	25	0.00	0.00	0.00
73828	AB3 8 BAY DOCK TAP WARRANTY	60	1	0.00	0.00	0.00
Services						
85144	AXON STARTER		1	2,750.00	0.00	0.00
					Subtotal	18,765.00
					Estimated Shipping	0.00
					Estimated Tax	1,472.85
					Total	20,237.85

Year 2

Item	Description	Term (Months)	Quantity	List Unit Price	Net Unit Price	Total (USD)
Hardware						
87062	TECH ASSURANCE PLAN 8-BAY BODY 3 DOCK PAYMENT	12	1	354.00	354.00	354.00
87063	TECH ASSURANCE PLAN BODY 3 CAMERA PAYMENT	12	25	336.00	336.00	8,400.00
Other						
73831	10 GB EVIDENCE.COM A-LA-CART STORAGE PAYMENT	12	500	4.80	4.80	2,400.00
73841	EVIDENCE.COM BASIC LICENSE PAYMENT	12	22	180.00	180.00	3,960.00
73837	EVIDENCE.COM PROFESSIONAL LICENSE PAYMENT	12	3	468.00	317.00	951.00
73665	RESPOND DEVICE PAYMENT	12	25	108.00	108.00	2,700.00
					Subtotal	18,765.00
					Estimated Tax	1,472.85
					Total	20,237.85

Year 3

Item	Description	Term (Months)	Quantity	List Unit Price	Net Unit Price	Total (USD)
Hardware						
87062	TECH ASSURANCE PLAN 8-BAY BODY 3 DOCK PAYMENT	12	1	354.00	354.00	354.00
87063	TECH ASSURANCE PLAN BODY 3 CAMERA PAYMENT	12	25	336.00	336.00	8,400.00
Other						
73831	10 GB EVIDENCE.COM A-LA-CART STORAGE PAYMENT	12	500	4.80	4.80	2,400.00
73841	EVIDENCE.COM BASIC LICENSE PAYMENT	12	22	180.00	180.00	3,960.00
73837	EVIDENCE.COM PROFESSIONAL LICENSE PAYMENT	12	3	468.00	317.00	951.00
73665	RESPOND DEVICE PAYMENT	12	25	108.00	108.00	2,700.00
73689	MULTI-BAY BWC DOCK 1ST REFRESH		1	0.00	0.00	0.00
73309	AXON CAMERA REFRESH ONE		25	0.00	0.00	0.00
					Subtotal	18,765.00
					Estimated Tax	1,472.85
					Total	20,237.85

Year 4

Item	Description	Term (Months)	Quantity	List Unit Price	Net Unit Price	Total (USD)
Hardware						
87062	TECH ASSURANCE PLAN 8-BAY BODY 3 DOCK PAYMENT	12	1	354.00	354.00	354.00
87063	TECH ASSURANCE PLAN BODY 3 CAMERA PAYMENT	12	25	336.00	336.00	8,400.00
Other						
73831	10 GB EVIDENCE.COM A-LA-CART STORAGE PAYMENT	12	500	4.80	4.80	2,400.00
73841	EVIDENCE.COM BASIC LICENSE PAYMENT	12	22	180.00	180.00	3,960.00
73837	EVIDENCE.COM PROFESSIONAL LICENSE PAYMENT	12	3	468.00	317.00	951.00

Year 4 (Continued)

Item	Description	Term (Months)	Quantity	List Unit Price	Net Unit Price	Total (USD)
Other (Continued)						
73665	RESPOND DEVICE PAYMENT	12	25	108.00	108.00	2,700.00
					Subtotal	18,765.00
					Estimated Tax	1,472.85
					Total	20,237.85

Year 5

Item	Description	Term (Months)	Quantity	List Unit Price	Net Unit Price	Total (USD)
Hardware						
87062	TECH ASSURANCE PLAN 8-BAY BODY 3 DOCK PAYMENT	12	1	354.00	354.00	354.00
87063	TECH ASSURANCE PLAN BODY 3 CAMERA PAYMENT	12	25	336.00	336.00	8,400.00
Other						
73831	10 GB EVIDENCE.COM A-LA-CART STORAGE PAYMENT	12	500	4.80	4.80	2,400.00
73841	EVIDENCE.COM BASIC LICENSE PAYMENT	12	22	180.00	180.00	3,960.00
73837	EVIDENCE.COM PROFESSIONAL LICENSE PAYMENT	12	3	468.00	317.00	951.00
73665	RESPOND DEVICE PAYMENT	12	25	108.00	108.00	2,700.00
73688	MULTI-BAY BWC DOCK 2ND REFRESH		1	0.00	0.00	0.00
73310	AXON CAMERA REFRESH TWO		25	0.00	0.00	0.00
					Subtotal	18,765.00
					Estimated Tax	1,472.85
					Total	20,237.85

Year 6

Item	Description	Term (Months)	Quantity	List Unit Price	Net Unit Price	Total (USD)
Axon Plans & Packages						
73683	10 GB EVIDENCE.COM A-LA-CART STORAGE	12	9	0.00	0.00	0.00
73746	PROFESSIONAL EVIDENCE.COM LICENSE	12	3	0.00	0.00	0.00
73683	10 GB EVIDENCE.COM A-LA-CART STORAGE	12	22	0.00	0.00	0.00
73840	EVIDENCE.COM BASIC ACCESS LICENSE	12	22	0.00	0.00	0.00
73683	10 GB EVIDENCE.COM A-LA-CART STORAGE	12	500	0.00	0.00	0.00

Year 6 (Continued)

Item	Description	Term (Months)	Quantity	List Unit Price	Net Unit Price	Total (USD)
Hardware						
87063	TECH ASSURANCE PLAN BODY 3 CAMERA PAYMENT	12	25	336.00	336.00	8,400.00
87062	TECH ASSURANCE PLAN 8-BAY BODY 3 DOCK PAYMENT	12	1	354.00	354.00	354.00
Other						
73837	EVIDENCE.COM PROFESSIONAL LICENSE PAYMENT	12	3	468.00	1,217.00	3,651.00
73841	EVIDENCE.COM BASIC LICENSE PAYMENT	12	22	180.00	180.00	3,960.00
73831	10 GB EVIDENCE.COM A-LA-CART STORAGE PAYMENT	12	500	4.80	4.80	2,400.00
73827	AB3 CAMERA TAP WARRANTY	12	25	0.00	0.00	0.00
73828	AB3 8 BAY DOCK TAP WARRANTY	12	1	0.00	0.00	0.00
					Subtotal	18,765.00
					Estimated Tax	1,472.85
					Total	20,237.85

Year 7

Item	Description	Term (Months)	Quantity	List Unit Price	Net Unit Price	Total (USD)
Hardware						
87063	TECH ASSURANCE PLAN BODY 3 CAMERA PAYMENT	12	25	336.00	336.00	8,400.00
87062	TECH ASSURANCE PLAN 8-BAY BODY 3 DOCK PAYMENT	12	1	354.00	354.00	354.00
Other						
73837	EVIDENCE.COM PROFESSIONAL LICENSE PAYMENT	12	3	468.00	1,217.00	3,651.00
73841	EVIDENCE.COM BASIC LICENSE PAYMENT	12	22	180.00	180.00	3,960.00
73831	10 GB EVIDENCE.COM A-LA-CART STORAGE PAYMENT	12	500	4.80	4.80	2,400.00
					Subtotal	18,765.00
					Estimated Tax	1,472.85
					Total	20,237.85

Year 8

Item	Description	Term (Months)	Quantity	List Unit Price	Net Unit Price	Total (USD)
Hardware						
87063	TECH ASSURANCE PLAN BODY 3 CAMERA PAYMENT	12	25	336.00	336.00	8,400.00
87062	TECH ASSURANCE PLAN 8-BAY BODY 3 DOCK PAYMENT	12	1	354.00	354.00	354.00
Other						
73837	EVIDENCE.COM PROFESSIONAL LICENSE PAYMENT	12	3	468.00	1,217.00	3,651.00
73841	EVIDENCE.COM BASIC LICENSE PAYMENT	12	22	180.00	180.00	3,960.00
73831	10 GB EVIDENCE.COM A-LA-CART STORAGE PAYMENT	12	500	4.80	4.80	2,400.00
73309	AXON CAMERA REFRESH ONE		25	0.00	0.00	0.00
73689	MULTI-BAY BWC DOCK 1ST REFRESH		1	0.00	0.00	0.00
Subtotal						18,765.00
Estimated Tax						1,472.85
Total						20,237.85

Year 9

Item	Description	Term (Months)	Quantity	List Unit Price	Net Unit Price	Total (USD)
Hardware						
87063	TECH ASSURANCE PLAN BODY 3 CAMERA PAYMENT	12	25	336.00	336.00	8,400.00
87062	TECH ASSURANCE PLAN 8-BAY BODY 3 DOCK PAYMENT	12	1	354.00	354.00	354.00
Other						
73837	EVIDENCE.COM PROFESSIONAL LICENSE PAYMENT	12	3	468.00	1,217.00	3,651.00
73841	EVIDENCE.COM BASIC LICENSE PAYMENT	12	22	180.00	180.00	3,960.00
73831	10 GB EVIDENCE.COM A-LA-CART STORAGE PAYMENT	12	500	4.80	4.80	2,400.00
Subtotal						18,765.00
Estimated Tax						1,472.85
Total						20,237.85

Year 10

Item	Description	Term (Months)	Quantity	List Unit Price	Net Unit Price	Total (USD)
Hardware						
87063	TECH ASSURANCE PLAN BODY 3 CAMERA PAYMENT	12	25	336.00	336.00	8,400.00
87062	TECH ASSURANCE PLAN 8-BAY BODY 3 DOCK PAYMENT	12	1	354.00	354.00	354.00
Other						
73837	EVIDENCE.COM PROFESSIONAL LICENSE PAYMENT	12	3	468.00	1,217.00	3,651.00
73841	EVIDENCE.COM BASIC LICENSE PAYMENT	12	22	180.00	180.00	3,960.00
73831	10 GB EVIDENCE.COM A-LA-CART STORAGE PAYMENT	12	500	4.80	4.80	2,400.00
73310	AXON CAMERA REFRESH TWO		25	0.00	0.00	0.00
73688	MULTI-BAY BWC DOCK 2ND REFRESH		1	0.00	0.00	0.00
Subtotal						18,765.00
Estimated Tax						1,472.85
Total						20,237.85
Grand Total						202,378.50

Discounts (USD)

Quote Expiration: 06/15/2021

List Amount	200,400.00
Discounts	12,750.00
Total	187,650.00

**Total excludes applicable taxes*

Summary of Payments

Payment	Amount (USD)
Year 1	20,237.85
Year 2	20,237.85
Year 3	20,237.85
Year 4	20,237.85
Year 5	20,237.85
Year 6	20,237.85
Year 7	20,237.85
Year 8	20,237.85
Year 9	20,237.85
Year 10	20,237.85
Grand Total	202,378.50

Tax is subject to change at order processing with valid exemption.

Axon's Sales Terms and Conditions

This Quote is limited to and conditional upon your acceptance of the provisions set forth herein and Axon's Master Services and Purchasing Agreement (posted at www.axon.com/legal/sales-terms-and-conditions) and the **Axon Customer Experience Improvement Program Appendix, which includes the sharing of de-identified segments of Agency Content with Axon to develop new products and improve your product experience** (posted at www.axon.com/legal/sales-terms-and-conditions), as well as the attached Statement of Work (SOW) for Axon Fleet and/or Axon Interview Room purchase, if applicable. **The Axon Customer Experience Improvement Program Appendix ONLY applies to Customers in the USA.** In the event you and Axon have entered into a prior agreement to govern all future purchases, that agreement shall govern to the extent it contemplates the products and services being purchased and does not conflict with the Axon Customer Experience Improvement Program Appendix. Any purchase order issued in response to this Quote is subject solely to the above referenced terms and conditions. By signing below, you represent that you are lawfully able to enter into contracts. If you are signing on behalf of an entity (including but not limited to the company, municipality, or government agency for whom you work), you represent to Axon that you have legal authority to bind that entity. If you do not have this authority, please do not sign this Quote.

Signature:	_____	Date:	_____
Name (Print):	_____	Title:	_____
PO# (Or write N/A):	_____		

Please sign and email to Carson Kluttz at ckluttz@axon.com or fax to

Thank you for being a valued Axon customer. For your convenience on your next order, please check out our online store buy.axon.com

The trademarks referenced above are the property of their respective owners.

Axon Internal Use Only

		SFDC Contract #:
		Order Type:
		RMA #:
		Address Used:
		SO #:
Review 1	Review 2	
Comments:		



AXON

Isle Of Palm Police Dept - SC

AXON SALES REPRESENTATIVE

Carson Kluttz
(480) 502-6220
ckluttz@axon.com

ISSUED
5/19/2021



Axon Enterprise, Inc.
17800 N 85th St.
Scottsdale, Arizona 85255
United States
Phone: (800) 978-2737

Q-298763-44336.006CK

Issued: 05/19/2021



Quote Expiration: 06/30/2021

Account Number: 442309

Payment Terms: Net 30
Delivery Method: Fedex - Ground

SALES REPRESENTATIVE

Carson Kluttz
Phone: (480) 502-6220
Email: ckluttz@axon.com
Fax:

PRIMARY CONTACT

Jeff Swain
Phone: (843) 886-6522
Email: jswain@iop.net

SHIP TO

Jeff Swain
Isle Of Palm Police Dept - SC
30 JC Long Blvd
Isle of Palms, SC 29451
US

BILL TO

Isle Of Palm Police Dept - SC
P.O. Box 508
Isle of Palms, SC 29451
US

Year 1 | Fleet 2

Item	Description	Term (Months)	Quantity	List Unit Price	Net Unit Price	Total (USD)
Axon Plans & Packages						
80217	FLEET 2 UNLIMITED WITH TAP PAYMENT	12	16	1,548.00	1,124.50	17,992.00
Hardware						
80214	FLEET EVIDENCE.COM UNLIMITED STORAGE	60	16	0.00	0.00	0.00
71088	AXON FLEET 2 KIT		16	0.00	0.00	0.00
87069	TECH ASSURANCE PLAN FLEET 2 KIT WARRANTY	60	16	0.00	0.00	0.00
11634	CRADLEPOINT IBR900-1200M-NPS+5 YEAR NETCLOUD ESSENT (PRIME)		16	1,509.00	0.00	0.00
71200	FLEET ROUTER ANTENNA, COMPACT 5-IN-1, BLACK		16	270.00	270.00	4,320.00
74110	CABLE, CAT6 ETHERNET 25 FT, FLEET		16	0.00	0.00	0.00
Other						
87050	FLEET VIEW XL ACCESS LICENSE	60	16	0.00	0.00	0.00
No Custom Triggers	No Custom Triggers (Declined)		16	0.00	0.00	0.00
Services						
74063	STANDARD FLEET INSTALLATION (PER VEHICLE)		16	1,200.00	0.00	0.00
WiFi Offload						
74074	WI-FI OFFLOAD SERVER HARDWARE		1	3,500.00	3,500.00	3,500.00
80218	WI-FI OFFLOAD, SOFTWARE LICENSE MAINTENANCE	60	1	0.00	0.00	0.00
80219	WI-FI OFFLOAD, SOFTWARE MAINTENANCE PAYMENT	12	1	600.00	600.00	600.00

Year 1 | Fleet 2 (Continued)

Item	Description	Term (Months)	Quantity	List Unit Price	Net Unit Price	Total (USD)
WiFi Offload (Continued)						
74066	FLEET INSTALLATION, WIRELESS NETWORK SERVICES		1	1,000.00	1,000.00	1,000.00
					Subtotal	27,412.00
					Estimated Shipping	0.00
					Estimated Tax	2,323.08
					Total	29,735.08

Year 2

Item	Description	Term (Months)	Quantity	List Unit Price	Net Unit Price	Total (USD)
Axon Plans & Packages						
80217	FLEET 2 UNLIMITED WITH TAP PAYMENT	12	16	1,548.00	1,697.74	27,163.84
					Subtotal	27,163.84
					Estimated Tax	2,444.75
					Total	29,608.59

Year 3

Item	Description	Term (Months)	Quantity	List Unit Price	Net Unit Price	Total (USD)
Axon Plans & Packages						
80217	FLEET 2 UNLIMITED WITH TAP PAYMENT	12	16	1,548.00	1,697.74	27,163.84
					Subtotal	27,163.84
					Estimated Tax	2,444.75
					Total	29,608.59

Year 4

Item	Description	Term (Months)	Quantity	List Unit Price	Net Unit Price	Total (USD)
Axon Plans & Packages						
80217	FLEET 2 UNLIMITED WITH TAP PAYMENT	12	16	1,548.00	1,697.74	27,163.84
					Subtotal	27,163.84
					Estimated Tax	2,444.75
					Total	29,608.59

Year 5

Item	Description	Term (Months)	Quantity	List Unit Price	Net Unit Price	Total (USD)
Axon Plans & Packages						
80217	FLEET 2 UNLIMITED WITH TAP PAYMENT	12	16	1,548.00	1,697.74	27,163.84

Year 5 (Continued)

Item	Description	Term (Months)	Quantity	List Unit Price	Net Unit Price	Total (USD)
Other						
73335	FLEET CAMERA REFRESH (ONE FRONT AND ONE REAR)		16	0.00	0.00	0.00
					Subtotal	27,163.84
					Estimated Tax	2,444.75
					Total	29,608.59

Year 6

Item	Description	Term (Months)	Quantity	List Unit Price	Net Unit Price	Total (USD)
Axon Plans & Packages						
80410	FLEET, EVIDENCE LICENSE, 1 CAMERA STORAGE, ACCESS	60	32	0.00	0.00	0.00
80400	FLEET, VEHICLE LICENSE, ACCESS	60	16	0.00	0.00	0.00
Hardware						
11641	ANNUAL RENEWAL, CRADLEPOINT ROUTER LICENSE, NETCLOUD MANAGER	12	16	180.00	180.00	2,880.00
Other						
80472	FLEET 3 RENEWAL WITH TAP	60	16	0.00	0.00	0.00
80425	TAP, FLEET 3, 2 CAMERA KIT, 1 REFRESH ACCESS		16	0.00	0.00	0.00
80475	FLEET 3 RENEWAL WITH TAP PAYMENT	12	16	1,308.00	1,518.10	24,289.60
					Subtotal	27,169.60
					Estimated Tax	2,445.28
					Total	29,614.88

Year 7

Item	Description	Term (Months)	Quantity	List Unit Price	Net Unit Price	Total (USD)
Hardware						
11641	ANNUAL RENEWAL, CRADLEPOINT ROUTER LICENSE, NETCLOUD MANAGER	12	16	180.00	180.00	2,880.00
Other						
80475	FLEET 3 RENEWAL WITH TAP PAYMENT	12	16	1,308.00	1,518.10	24,289.60
					Subtotal	27,169.60
					Estimated Tax	2,445.28
					Total	29,614.88

Year 8

Item	Description	Term (Months)	Quantity	List Unit Price	Net Unit Price	Total (USD)
Hardware						
11641	ANNUAL RENEWAL, CRADLEPOINT ROUTER LICENSE, NETCLOUD MANAGER	12	16	180.00	180.00	2,880.00
Other						
80475	FLEET 3 RENEWAL WITH TAP PAYMENT	12	16	1,308.00	1,518.10	24,289.60
					Subtotal	27,169.60
					Estimated Tax	2,445.28
					Total	29,614.88

Year 9

Item	Description	Term (Months)	Quantity	List Unit Price	Net Unit Price	Total (USD)
Hardware						
11641	ANNUAL RENEWAL, CRADLEPOINT ROUTER LICENSE, NETCLOUD MANAGER	12	16	180.00	180.00	2,880.00
Other						
80475	FLEET 3 RENEWAL WITH TAP PAYMENT	12	16	1,308.00	1,518.10	24,289.60
					Subtotal	27,169.60
					Estimated Tax	2,445.28
					Total	29,614.88

Year 10

Item	Description	Term (Months)	Quantity	List Unit Price	Net Unit Price	Total (USD)
Hardware						
11641	ANNUAL RENEWAL, CRADLEPOINT ROUTER LICENSE, NETCLOUD MANAGER	12	16	180.00	180.00	2,880.00
Other						
72040	FLEET REFRESH, 2 CAMERA KIT		16	0.00	0.00	0.00

Year 10 (Continued)

Item	Description	Term (Months)	Quantity	List Unit Price	Net Unit Price	Total (USD)
Other (Continued)						
80475	FLEET 3 RENEWAL WITH TAP PAYMENT	12	16	1,308.00	1,518.10	24,289.60
					Subtotal	27,169.60
					Estimated Tax	2,445.28
					Total	29,614.88
Grand Total						296,243.84

Discounts (USD)

Quote Expiration: 06/30/2021

List Amount	295,644.00
Discounts	23,728.64
Total	271,915.36

**Total excludes applicable taxes*

Summary of Payments

Payment	Amount (USD)
Year 1 Fleet 2	29,735.08
Year 2	29,608.59
Year 3	29,608.59
Year 4	29,608.59
Year 5	29,608.59
Year 6	29,614.88
Year 7	29,614.88
Year 8	29,614.88
Year 9	29,614.88
Year 10	29,614.88
Grand Total	296,243.84

STATEMENT OF WORK & CONFIGURATION DOCUMENT

Axon Fleet In-Car Recording Platform





This document details a proposed system design

Agency Created For: Isle Of Palm Police Dept - SC

Quote: Q-298763-44336.006CK

Sold By:	Carson Kluttz
Designed By:	Ashlyn Frahm
Installed By:	Axon
Target Install Date:	

VEHICLE OVERVIEW

SITE NAME	CUSTOMER NAME
Headquarters	Isle Of Palm Police Dept - SC
<div> <div> Total Configured Vehicles <ul style="list-style-type: none"> 16 Total Vehicles with this Configuration </div> <div> Video Capture Sources <ul style="list-style-type: none"> 32 Total Cameras Deployed 1 Axon Signal Unit(s) Per Vehicle </div> <div> Mobile Data Terminal Per Vehicle <ul style="list-style-type: none"> 1 Located In Each Vehicle </div> <div> Mobile Router Per Vehicle <ul style="list-style-type: none"> 1 Cradlepoint IBR900-1200 </div> <div> Offload Mechanism <ul style="list-style-type: none"> Wi-Fi </div> <div> Evidence Management System <ul style="list-style-type: none"> Evidence.com </div> </div> <div>  <p>Axon Camera</p>  <p>Signal Unit</p>  <p>In-Car Router</p>  <p>Battery Box</p> </div>	

SYSTEM CONFIGURATION DETAILS

The following sections detail the configuration of the Axon Fleet In-Car System

Vehicle Hardware

Vehicle Hardware	2	Axon Fleet Cameras will be installed in each vehicle
	2	Axon Fleet Battery Boxes will be installed in each vehicle
	1	Axon Signal Units will be installed in each vehicle
	1	Cradlepoint IBR900-1200 router will be installed in each vehicle
Axon Battery Boxes	The battery box provides power to its connected camera for up to 4 hours allowing for video offload while the vehicle ignition state is OFF and the MDT is connected and available.	
Signal Activation Methods	When triggered, the Axon Signal Vehicle (ASV) device will activate the recording mechanism for all configured Axon cameras within 30 feet of the vehicle.	
Mobile Data Terminal	Each vehicle will be equipped with a Mobile Data Terminal provided by the customer.	
Mobile Data Terminal Requirements	<p>Operating System: Windows 7 or Windows 10 - x32 or x64 with the most current service packs and updates</p> <p>Hard Drive: Must have 25GB+ of free disk space</p> <p>RAM/Memory: Windows 7 - 4GB or greater Windows 10 - 8GB or greater</p> <p>Ethernet Port: The system requires the MDT to have one dedicated and available Ethernet port reserved for an Ethernet cable from router. The Ethernet port can be located on an electronic and stationary mobile docking station. If a docking station is used, it is the preferred location for the Ethernet port.</p> <p>Wi-Fi Card: The system requires an 802.11n compatible Wi-Fi card using 5Ghz band.</p> <p>USB Ports: If the computer is assigned to the officer and does not remain with the vehicle, then the number dongles ordered should equal the number of officers or the number of computers assigned. At least one dedicated and available USB 2.0 port for the Fleet USB dongle USB Port on MDT or Dock.</p>	

Additional Considerations	If the customer has a MiFi hotspot, embedded cellular, or USB 4G, then the customer must purchase a Cradlepoint router with an external antenna and Cradlecare. For agencies that use NetMotion Mobility, Axon traffic must be passed through; such that it does not use the Mobility VPN tunnel. Customer must provide IT and / or Admin resources at time of installation to ensure data routing if functional for Axon Fleet operation.	
	In the event an Agency is unable to support the IT requirements associated with the installation, Axon reserves the right to charge the Agency for additional time associated with on-site work completed by an Axon Employee.	
Hardware Provisioning	Axon will provide the following router for all vehicles:	Cradlepoint IBR900-1200
	The customer will provide a MDT for each vehicle	

In-Car Network Considerations

Network Requirements	Cradlepoint IBR900-1200 will create a dedicated 5Ghz WiFi network within each vehicle. This network will join the Axon Fleet cameras and Mobile Data Terminal together.			
Network Addressing	IP Addressing		Total IPs Required	
	Axon Fleet Cameras	32	64	
	Mobile Data Terminal	16		
	Cradlepoint IBR900-1200	16		
Hardware Provisioning	Customer to provide all IP addressing and applicable network information			

Network Consideration Agreement

Network Consideration Agreement	Customer acknowledges the minimum requirements for the network to support this Statement of Work.
	All Axon employees performing services under this SOW are CJIS certified.
	If the network provided by Customer does not meet the minimum requirements, or in the event of a requested change in scope of the project, a Change Order will be required and additional fees may apply. Additional fees would also apply if Axon is required to extend the installation time for reasons caused by the customer or the customer network accessibility.

Professional Services & Training

Project Management	Axon will assign a Project Manager that will provide the expertise to execute a successful Fleet camera deployment and implementation. The Project Manager will have knowledge and experience with all phases of the project management lifecycle and with all application modules being implemented. He/she will work closely with the customer's project manager and project team members and will be responsible for completing the tasks required to meet all contract deliverables.
Vehicle Installation	<p>Axon will be performing the installation of all Axon Fleet vehicle hardware. Installation services purchased from Axon include a "clip" and removal of existing in-car system hardware. This does not include "full removal" of existing wiring. A "full removal" of all existing hardware and wiring is subject to additional fees. Axon provides basic Fleet operation overview to the customer lead and/or Admin at the time of install.</p> <p>Clip vs Rip installation removal:</p> <ul style="list-style-type: none"> ○ It is necessary to differentiate between the type of equipment removal to be provided by Axon. Standard Fleet Installation includes hardware removal in a fashion considered "Clip" which means Axon cuts the wires from the old system without removing multiple panels, removing all wiring and parts from the old system. In the case Axon removes the hardware Axon is not responsible for the surplus of hardware or any devices that may have been physically integrated with the removed system. In some situations, radar systems are integrated with the in-car video system and have a cable that connects to the system, if Axon removes the old in car system then Axon is not responsible for the radar system as part of the removal. ○ A "Rip" removal should be contracted through ProLogic directly. The Rip would be similar to a complete and full removal, which is more common when they retire a vehicle from service.
Custom Trigger Installation	Axon Signal Units have multiple trigger configuration options. Any trigger configurations that include a door or magnetic door switch are considered "custom" and may be subject to additional fees. An Axon representative has discussed with the Agency the standard triggers of the Fleet System. Those standard triggers include light-bar activation, speed, crash and gun-locks. The light-bar must have a controller to allow Axon to interface for the desired position, gun-locks must be installed with existing hardware in the vehicle. Doors are considered "CUSTOM" since they required additional hardware and time for installation, typically requiring the door may need to be taken apart for the installation.
Training	<p>End-user go-live training provides individual device set up and configuration assistance, training on device use, Evidence.com and AXON View XL.</p> <p>End-user go-live training and support is not included in the installation fee scope.</p>

WiFi Offload Considerations

WiFi Offload Standards	There will be a maximum of 0 concurrent vehicles offloading at any given time.
	1 servers are required to facilitate the offload of in-car data to Evidence.com
	1 wireless access point(s) are required to facilitate the offload of data to Evidence.com
	When in proximity, the Cradlepoint IBR900-1200 will connect to the agency's wireless access point(s) and initiate the upload of recorded video content
	Axon will not assume any responsibility for the management of/or configuration of an Axon Fleet compatible 3rd party router purchased by the Agency
	Upon completion of solution connectivity, meaning Axon Fleet is operational and appropriately connected to the Agency's WAP/Network Infrastructure, the Agency will then assume responsibility for their network workflow.
	In the event the Agency has a VPN/APN, Axon requires the appropriate Administrator of the Agency be present during the entire installation of Fleet.
	In the event the Agency is using Wi-Fi Offload and a WOS server is being used, Axon requires the appropriate Administrator of the Agency be present for the installation of Fleet in the initial vehicle.
	Axon will provide all wireless access points for installation.
	Axon will provide all server(s) for this installation.
	will provide the data switch for this installation.
	will provide the server rack for this installation.
	will provide the KVM, monitor and mouse for this installation.
	will provide the Uninterruptible Power Supply (UPS) for this installation.
	Servers will maintain a Sustained Disk Write Speed of Mbps.
	An Axon representative will provide the Agency detailed instructions for the WOS server setup and configuration (to include racking the server, setup of the server, and configuration of Axon WOS Software and Microsoft IIS Server). It is the responsibility of the Agency to ensure the WOS Server(s) are operational before the scheduled deployment date. Axon will provide remote assistance per the Agency's request.

Network Considerations

Agency Provided Metrics	Camera Bitrate (see Comments)		Mbps	
	Shifts per Day		Shifts	
	Maximum Offline Time	0	Days	
	Hours Of video Recorded Per Shift	0	Hours	
	Number of Vehicles per Shift at Site	0	Vehicles	
	Max Concurrent Vehicles Offloading	0	Vehicles	
	Available Internet Upload Bandwidth	0	Mbps	
Variables	Vehicle Offload Time	0	Minutes	
	Wi-Fi Overhead	0	Percent	
	Network Protocol Overhead	0	Percent	
	Max Storage Utilization %	0	Percent	
Results	Data Size per Vehicle / Shift	0	MB	

Network Considerations

Results	Required Throughput Per Verhicle	0	Mbps	
	Minimum Wi-Fi Speed	0	Mbps	
	Total Data per Shift	0	GB	
	Total Data per Day	0	GB	
	Total Offload Bandwidth	0	Mbps	
	Total Storage	0	GB	
	Required Sustained Network Bandwidth	0	Mbps	
	Sustained Disk Write Speed	0	Mbps	
	Min. Supportable Throughput to E.com	0	Mbps	
	E.com Throughput Difference	0	Mbps	

Notes

This is a budgetary quote only. This quote contains hardware, software, and estimated installation costs. A review by an Axon engineer and the creation of a Statement of Work must be completed to determine the exact requirements for the agency to implement a Fleet program. This quote is subject to change based on the information gathered from the review outlined above.

Tax is subject to change at order processing with valid exemption.

Axon's Sales Terms and Conditions

This Quote is limited to and conditional upon your acceptance of the provisions set forth herein and Axon's Master Services and Purchasing Agreement (posted at www.axon.com/legal/sales-terms-and-conditions) and the **Axon Customer Experience Improvement Program Appendix, which includes the sharing of de-identified segments of Agency Content with Axon to develop new products and improve your product experience** (posted at www.axon.com/legal/sales-terms-and-conditions), as well as the attached Statement of Work (SOW) for Axon Fleet and/or Axon Interview Room purchase, if applicable. **The Axon Customer Experience Improvement Program Appendix ONLY applies to Customers in the USA.** In the event you and Axon have entered into a prior agreement to govern all future purchases, that agreement shall govern to the extent it contemplates the products and services being purchased and does not conflict with the Axon Customer Experience Improvement Program Appendix. Any purchase order issued in response to this Quote is subject solely to the above referenced terms and conditions. By signing below, you represent that you are lawfully able to enter into contracts. If you are signing on behalf of an entity (including but not limited to the company, municipality, or government agency for whom you work), you represent to Axon that you have legal authority to bind that entity. If you do not have this authority, please do not sign this Quote.

Signature:

Date:

Name (Print):

Title:

PO# (Or write
N/A):

Please sign and email to Carson Kluttz at ckluttz@axon.com or fax to

Thank you for being a valued Axon customer. For your convenience on your next order, please check out our online store buy.axon.com

The trademarks referenced above are the property of their respective owners.

Axon Internal Use Only

		SFDC Contract #:
		Order Type:
		RMA #:
		Address Used:
		SO #:
Review 1	Review 2	
Comments:		

ATTENTION

This order may qualify for freight shipping, please fill out the following information.

What is the contact name and phone number for this shipment?	
What are your receiving hours? (Monday-Friday)	
Is a dock available for this incoming shipment?	
Are there any delivery restrictions? (no box trucks, etc.)	

State Accommodations Tax Advisory Committee
Isle of Palms, South Carolina

Application for City of Isle of Palms ATAX Grant

For Office Use Only

Date Received: _____	Total Project Cost: _____
Total Accommodations Tax Funds Requested: _____	
Recommendation by City of IOP Staff (yes and if so amount ; no; defer to committee; n/a) : _____	
Action Taken By Accommodations Tax Advisory Committee: _____	
Date _____ Approved _____ Denied _____ Amended _____ Other _____	

(Please Use Additional Paper and Include Pertinent Documentation as May Be Needed)

A. Project Name: **Turtle Trek**

B. Applicant Organization: **South Carolina Aquarium**

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

Telephone: **843-579-8540** Email: **sgabosch@scaquarium.org**

2. Project Director: **Stephanie Gabosch**

Telephone: **704-560-1778** Email: **sgabosch@scaquarium.org**

3. Description of Organization, Its Goals and Objectives:

Our mission is to inspire conservation of the natural world by exhibiting and caring for animals, by excelling in education and research and by providing an exceptional visitor experience.

We're committed to conserving water, wildlife and wild places.

With education, research and community engagement, the South Carolina Aquarium focuses on fostering positive change for the natural world surrounding us through our conservation efforts.

We're saving sea turtles.

All seven species of sea turtles are threatened or endangered. Habitat loss, marine pollution and human impacts are just some of the causes of illness or injury in the sea turtles we treat. Working with the South Carolina Department of Natural Resources (SCDNR), our Sea

Turtle Care Center™ helps rescue, rehabilitate and release sea turtles back to the wild.

We're reducing plastic pollution.

By 2050, the ocean is projected to contain more plastic than fish. Sea turtles, sea birds, marine mammals and fish can mistake it for food or become entangled in it by accident. As it breaks down and becomes microplastic, it enters our food chain and can harm us. With plastic pollution quickly inundating our beloved habitats and animals, we want to reduce and eliminate as much single-use plastic as we can and find solutions to this growing issue.

We're participating in research and fieldwork.

Aquarium staff give their skills and expertise to protect our states' animals and environments. We work alongside numerous agencies and organizations to assist with critical conservation projects in the field, working to ensure a healthy future for South Carolina's water, wildlife and wild places.

We're empowering citizen scientists.

Citizen science allows people of all ages and abilities to collaborate with professional researchers to make a difference. Citizens can help researchers collect and analyze data, while also learning more about the scientific process and getting involved in their communities. Our citizen science projects address important environmental issues like plastic pollution, sea level rise and invasive species.

We're choosing locally sourced seafood.

Consuming responsibly harvested seafood means you're taking into account the long-term viability of the species and the ocean's ecological balance as a whole. That's why our Good Catch program supports local restaurants, purveyors, caterers and collaborators who source their seafood from southeast regional fisheries, which adhere to some of the strongest regulations worldwide – a critical factor in maintaining a balanced ocean.

We're starting conversations about resilience.

The sea level is rising as a result of climate change, and it will have a significant effect on everybody who lives in coastal South Carolina. We have both an obligation and an opportunity to address sea level rise. By leading conversations and creating tools that are accessible to everyone, we provide people with the information they need to protect themselves, their communities and the natural world.

C. Description and Location of Project:

Run for the turtles! The South Carolina Aquarium Turtle Trek, a 5K sunset beach run/walk and kids' fun run will take place **Saturday, October 9** on the Isle of Palms beach. We expect 750 runners to join us for a beach sweep, run and celebration at the Isle of Palms County Park from 3-7pm. Proceeds from the Turtle Trek support the Sea Turtle Care Center™ and the Aquarium's conservation initiatives. We invite you to us before the run takes off for a beach sweep!

The Turtle Trek promotes sea turtle conservation, trash free beaches, and community wellness to all ages from across the US. The Turtle Trek raises awareness for the South Carolina Aquarium Sea Turtle Care Center™ and conservation initiatives. Worldwide, all seven species of sea turtles are listed as threatened or endangered, four of which are found locally: the loggerhead, the Kemp's ridley, the green and the leatherback. To help ensure that sea turtles have a future in our oceans, the South Carolina Aquarium Sea Turtle Care Center aids sick and injured sea turtles in partnership with the South Carolina Department of Natural Resources.

Sea turtles arrive at the Care Center suffering from bacterial or fungal infections, shock from

exposure to cold temperatures, injury from a boat strike or shark bite, or ingestion of plastic from the ocean. Our staff veterinarian diagnoses each turtle and works with Care Center staff and volunteers to provide treatment and rehabilitative care. The Sea Turtle Care Center has rehabilitated and released over 320 healthy sea turtle patients back into their natural habitats.

Our goal is to raise \$75,000, all proceeds from the Turtle Trek support the South Carolina Aquarium's sea turtle conservation and research initiatives. To date, we have rehabilitated and released more than 320 sea turtles back into their natural habitats. With your support, we can continue efforts to sustain these species into the next century and beyond.

X Single Event?

Ongoing Event/**Annual Need?**

1. Date(s): of project/ event or start date: **October 9th** Completion date:
October 9th

2. Impact on Tourism: What percentage of persons benefitting from this project are tourists, ie. those coming from more than 50 miles away and expected to spend the night on Isle of Palms (**30%**) compared to Isle of Palms residents (**3%**) vs. visitors from within 50 miles such as "day trippers" (**67%**)

**Source of tourist data Runsignup.com – registration website used for Turtle Trek runners. Data taken from 2020 runner registration report (website hits, surveys, ticket sale information, etc.)*

2. If this application is for an ongoing event, what is the percentage increase/decrease in tourist attendance compared to each of the past three years' events?

N/A

3. Is your event to be conducted entirely on Isle of Palms? **Yes, beach sweep, kids' fun run, 5K and awards celebration will take place on the Isle of Palms beach by the Isle of Palms County Park.**

If not, please set forth the percentage occurring on Isle of Palms, as well as the specific locations and the percentages occurring elsewhere.

4. To your knowledge, does anyone else promote projects similar to yours within the city limits of Isle of Palms? If so, how is your project similar and/or unique? Given the parameters, please explain why your project is entitled to City of Isle of Palms ATAX funding.

No. Our project is unique because it is the only sunset beach run in this area. This is the run is the only run that supports sea turtles and beach conservation. We have had tremendous support from runners all over the country who love supporting sea turtles. ATAX funding helps us reach out of state runners to bring them to Isle of Palms. We use this funding to support advertising, billboards, radio, tv, etc.

5. Set forth fully the successes and failures you have experienced for your proposed project for which you seek City of Isle of Palms ATAX funding for each of the past three years. Set forth the metrics by which you have measured success for the past three years, as well as the metrics by which you will measure success for the current year's project/event on the City of

Isle of Palms.

	2020	2019	2018
Revenue	\$65,724	\$71,117	\$76,085
# of runners	825	853	690

The City of Isle of Palms ATAX funding has been a major factor to the success of this event. Every year we are able to raise \$75,000 towards our Sea Turtle Care Center and engage more and more runners with this event. The ATAX funding is a critical component to the success and market reach of this event.

Last year we had to move the event to a virtual event due to covid and we have decided to continue with that format again this year. Safety for our staff and runners is our #1 priority. Last year, we were able to engage 825 runners from 32 different states in our virtual run and this year our goal is 1,000 runners!

Our run sells out every year, we would love to engage as many runners as possible but the capacity for the run has been set by the Isle of Palms County Park staff. They set a limited run capacity due to the parking restraints in their lot. In 2019, we encouraged runners to also park in the front beach parking lot and walk over.

6. Describe fully how and why your proposed project/event qualifies for City of Isle of Palms ATAX funding.

Our event supports sea turtle conservation and trash free beaches. This messaging is very important to keep the Isle of Palms beaches clean and align the city with our beloved Sea Turtle Care Center. We use the ATAX funding for out of state advertising and billboards to target runners in drive markets and out of state. Our goal is to engage runners from all over South Carolina and the US through various marketing channels.

Our race registration website receives ~20,000 views and our Facebook event receives ~100,000 views. We ran two weeks of digital billboards in 10 different locations that received 1,811,838 views. The Isle of Palms logo was added to websites, billboards and t-shirts. We run email campaigns that go to 30,000 subscribers.

7. If your project is granted City of Isle of Palms ATAX funding and realizes a profit, do you commit to returning the profit to the City of Isle of Palms?

No, the proceeds from this event support the South Carolina Aquarium Sea Turtle Care Center. Many turtles are rescued and rehabilitated from Isle of Palms each year and treated at our Sea Turtle Care Center.

If not, please explain fully, to include what you will do with the money. **Note:** It is impermissible to donate or “pass through” City of Isle of Palms ATAX grants to any other organization, except as authorized by City of Isle of Palms.

Further, the City of Isle of Palms does not approve of “carry forwards” of ATAX grants for use in ensuing years, absent extraordinary and compelling reasons in the sole discretion of the City of Isle of Palms. Excess funds must be returned to the City of Isle of Palms.

8. Please attach your budget reflecting the amounts and sources of all related income and donations from others for the project/event, as well as expenditures for each of the last three years. In addition, set forth projected income and expenses for this year’s project/event, as well as all expenses, both incurred and paid, as well as projected.

Revenues	2020	2019	2018
Sponsorship	\$ 27,000.00	\$ 37,000.00	\$ 45,900.00
Race Registrations	\$ 28,550.00	\$ 30,275.00	\$ 24,268.00
Donations/Fundraising	\$ 9,374.00	\$ 1,950.00	\$ 3,977.00
Day of \$\$\$ - donations, raffle, merch sales	\$ 800.00	\$ 1,892.00	\$ 1,940.00
Total Gross Revenue	\$ 65,724.00	\$ 71,117.00	\$ 76,085.00
Expenses	2020	2019	2018
Entertainment	\$ -	\$ 750.00	\$ 400.00
Race and t-shirts	\$ 13,344.00	\$ 9,003.00	\$ 7,778.00
Rentals	\$ -	\$ 2,681.00	\$ 2,784.00
Food/Bev	\$ -	\$ 5,482.00	\$ 4,914.00
Print and marketing	\$ 1,500.00	\$ 2,871.00	\$ 4,025.00
Total Expenses	\$ 14,844.00	\$ 20,787.00	\$ 19,901.00
Net Program Revenue	\$ 50,880.00	\$ 50,330.00	\$ 56,184.00

2021 Projected Revenue

- Sponsorship & ATAX funding: \$35,000
- Race entry registration fees: \$35,000
- Donations/merchandise purchases: \$5,000

2021 Projected Expenses

- Marketing: \$10,000 (billboards, digital ads, print ads, appearances, printing, press release, posters, postcards, etc)
- Race director/timing/mailling: \$2,000
- Rentals: \$2,000
- Food & Beverage: \$3,000
- T-shirts/prizes/giveaways: \$3,000

D. Financial Justification (“heads on beds” and ancillary benefits)

1. Describe fully and provide relevant documentation for each of the past three years reflecting:
 - Where, as a specific result of your project/event, have tourists spent the night on Isle of Palms, ie. those incurring accommodations taxes for lodging.

Include the lodging providers addresses phone numbers, rooms utilized, costs and nights stayed.

-Where do you project tourists for this year's project to spend the night (ie. lodging for those expected to pay accommodations taxes, to include hotels, condos, house rentals, etc.)? What is the basis for your projection? As an illustration, you may set forth blocks of rooms in hotels that have been reserved, private lodging that has been booked or are expected to be booked, etc.

We don't capture hotel accommodations for Turtle Trek participants. We do partner with Wild Dunes Resort on this event. Wild Dunes offers room discounts for Turtle Trek participants and a shuttle to the run location. Wild Dunes has sponsored the Turtle Trek for the past few years and enjoys sharing the event with their staff and guests.

2. Provide all additional economic and other relevant information justifying the grant of ATAX funding by City of Isle of Palms for your project/event, as well as your means of calculation.

Our race registration website receives ~20,000 views and our Facebook event receives ~100,000 views. We ran two weeks of digital billboards in 10 different locations that received 1,811,838 views. The Isle of Palms logo was added to websites, billboards and t-shirts.

3. Set forth the number of tourists attending your project/event on the Isle of Palms for each of the past three years. Include where applicable all relevant documentation along with the methodology by which you have done your calculations.

In 2018 we had 690 registered runners, in 2019 we had 853 and in 2020 we had 825. We estimate that we have around ~1,500 onsite for each event, which includes runners, family/friends and spectators.

4. Set forth the number of attendees projected for this year's project/event, and well as the means of calculation.

We are projecting 1,000 runners to participate this year. This number was calculated based on our participant growth from 2018 to 2019. We sell out every year !

5. Is the project/event for which you seek City of Isle of Palms ATAX funding during the “off season” or “shoulder season”? If not, please explain the justification. Are proposed dates flexible so as to be amenable to off-season and/or shoulder season scheduling? **This event is very close to the off-season/shoulder season with it being on Saturday, October 9th.**
6. Describe fully all potentially negative aspects of your project/event, if any. This would include, by way of illustration, the potential for overcrowding particularly during warm weather months, parking challenges, health and safety issues, added responsibilities and difficulties imposed on first responders, impact on peace and tranquility- especially in residential neighborhoods and for tourists and factors potentially impacting adversely on the character of the City of Isle of Palms.

There has never been negative aspects reported by beach goers or city officials the past 5 years. We moved the event from September to October so that there would be less beach goers during that time of year.

E. Marketing Plan

Describe fully your past three years marketing for your project/event, as well as your current year’s advertising and marketing plan, to include all means of broadcast. Please include and attach all applicable documentation and the projected costs involved.

Our marketing and communications plan runs from June 1-October 17th. It includes the following items:

- Website (Go Race Productions registration website and SCA website)
- Social Media via Instagram (31,000 followers) , Facebook (50,000 followers) and Twitter (20,000 followers)
- E-blasts and newsletters (38,000 email subscribers)
- Press release and media alert
- Online calendar listings
- On air news appearances
- Digital and print ads (Charleston City Paper, Charleston Magazine and Charleston Scene)
- Digital billboards across various locations in South Carolina
- Posters, postcards, t-shirts, race bibs, race bags

***** all items can include IOP City seal*****

F. Funding: Sources of Income for This Project/Event (Please attach all supporting documents)

1. Sponsorships or Fundraising: Amount **\$21,500** From **Crews Subaru of Charleston, Aardvark Straws, Ameriprise Financial and Publix Super Markets Charities**
2. Entry Fees : Amount **registration is not open yet TBD** From _____
3. Donations: Amount **registration is not open yet TBD** From _____

4. Accommodations Tax Funds Request: Amount **\$10,000**

Date(s) Required: **10/09/2021** Lump Sum **flexible** Installments **flexible**

5. Other:

6. Total Funding: Total Budget:

G. Financial Analysis

Please Provide a Line Item Budget for your project/event

Revenue Type	Goal	Actual
Sponsorship	\$35,000	\$22,000
Race Entry	\$35,000	
Online fundraising	\$2,500	
Merchandise purchases (online and onsite)	\$2,500	
	\$ 75,000	\$22,000

\$0 expenses to date but anticipating \$20,000 total for 2021.

If awarded, Isle of Palms ATAX funds are requested as follows:

Revised February 8, 2021

(1) Lump Sum(s): \$10,000 on 10/09/2021
\$ _____ on _____ (date),
\$ _____ on _____ (date).

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

H. Miscellaneous

1. In what category do you place your project/event and why?
 - Festival _____
 - Marketing _____
 - Other (Please Explain): **nonprofit run for adults and children that supports the Sea Turtle Care Center**
2. Have you affirmatively reached out to the City of Isle of Palms staff for initial review for your project/event and if not, please explain. If you have reached out, what feedback did you receive, both positive and negative and specifically from whom? **Yes, spoke with Ronald Hanna. He thought our request would be well received and the committee would be happy to have the event back on the island in an off-season.**
3. If applicable, explain why you have not sought funding from sources other than the City of Isle of Palms for the funding of your project/event. If you have sought alternate or additional funding, explain fully the results to include the source(s) for funding, from whom received and set forth all amounts received or expected to be received from other sources. **We have sought funding through sponsorships and have raised \$22,000 to date and we expect some additional to come in.**
4. Does your project/event have applicable liability insurance, to include the City of Isle of Palms, its employees and agents and if so, what are the liability limits? If not, please explain why not and explain who will agree to bear the costs, burdens, damages and legal fees for your project/event in case claims for damages are made against the City of Isle of Palms, its employees and agents as a result of your project/event. A minimum of \$300,000 of liability insurance is typically required unless that requirement is specifically waived in writing by the City of Isle of Palms in its sole discretion. If there is applicable insurance, do you commit to making the City of Isle of Palms, its employees and agents additional insured(s)? If not, explain fully the basis. If applicable, you must include a copy of the relevant insurance policy reflecting the City of Isle of Palms, its employees and agents are additional insured(s) for your project/event. Yes
5. Do you assert that the project/event for which you seek City of Isle of Palms ATAX funding is sustainable in the future? If so, please explain fully. If not, please explain fully. **Yes, it's annual event that has grown every year. We have had a wait list every year so that shows that this event is in demand.**
6. In the event City of Isle of Palms grants your project/event ATAX grant funding, do you acknowledge that no such funds can be spent for the purchase of alcohol or tobacco products? Yes If not, please explain your justification. _____

7. In the event your project/event is awarded City of Isle of Palms ATAX grant

funding, but is postponed for more than 180 days of receipt of funding, do you acknowledge that you must return to the City of Isle of Palms all ATAX grant money received from Isle of Palms absent extraordinary circumstances and within the sole discretion of the City of Isle of Palms? Do you agree? Yes If you do not agree, please set forth fully your reasons. _____

8. In the event your project/event is granted City of Isle of Palms ATAX grant funding, you must and do hereby agree by the filing your application personally to hold harmless and indemnify the City of Isle of Palms, its employees and agents from and against any claims for damages to include, *inter alia*, legal fees relative to your project/event. Do you agree? Yes. If not, please explain. _____
If not, please explain fully your basis. _____
9. In the event the City of Isle of Palms provides ATAX grant funding for your event/project, set forth in detail how you will acknowledge the City of Isle of Palms as a grantor of funding. **We will add the City of Isle of Palms logo to all of our marketing materials as a sponsor. We will send an acknowledgement letter to be used for tax purposes as well.**

**State Accommodations Tax Advisory Committee
Isle of Palms, South Carolina**

Application for City of Isle of Palms ATAX Grant

For Office Use Only

Date Received: _____		Total Project Cost: _____	
Total Accommodations Tax Funds Requested: _____			
Recommendation by City of IOP Staff (yes and if so amount ; no; defer to committee; n/a) : _____			
Action Taken By Accommodations Tax Advisory Committee:			
Date _____	Approved _____	Denied _____	Amended _____ Other _____

(Please Use Additional Paper and Include Pertinent Documentation as May Be Needed)

A. Project Name: VFW Post 3137

B. Applicant Organization: Same

1. Mailing Address: 1004 Ocean Blvd, IOP, 29451

Telephone: 843-886-6840 Email: vfwpost3137@gmail.com

2. Project Director: Dennis Hamilton, Quartermaster

Telephone: same Email vfwpost3137gm@gmail.com

3. Description of Organization, Its Goals and Objectives:

Support Veterans and their families Locally, Statewide and Nationally

C. Description and Location of Project:

VFW Posr 3137 needs assistance with building facilities ongoing mantianance

☐ Single Event?

☒ Ongoing Event/Annual Need?

1. Date(s) of project/ event or start date: immediate Completion date: ongoing

2. Impact on Tourism: What percentage of persons benefitting from this project are tourists, ie. those coming from more than 50 miles away and expected to spend the night on Isle of Palms (25 %) compared to Isle of Palms residents (25 %) vs. visitors from within 50 miles such as "day trippers" (50 %)

recor books, personal testimony and personal experiences

Daily Logbook, purchase records

*Source of tourist data (website tracking, surveys, lodging data, sales information, etc.)

3. If this application is for an ongoing event, what is the percentage increase/decrease in tourist attendance compared to each of the past three years' events? we have averaged over 14,000 people per year.

*Source of tourist data Putting IOP first with heads on beds, in restuarants, at cultural events and in retail es
(website tracking, surveys, lodging data, sales information, etc.)

4. Is your event to be conducted entirely on Isle of Palms? yes If not, please set forth the percentage occurring on Isle of Palms, as well as the specific locations and the percentages occurring elsewhere.

N/A

5. To your knowledge, does anyone else promote projects similar to yours within the city limits of Isle of Palms? If so, how is your project similar and/or unique? Given the parameters, please explain why your project is entitled to City of Isle of Palms ATAX funding.

No

6. Set forth fully the successes and failures you have experienced for your proposed project for which you seek City of Isle of Palms ATAX funding for each of the past three years. Set forth the metrics by which you have

Revised February 8, 2021

measured success for the past three years, as well as the metrics by which you will measure success for the current year's project/event on the City of Isle of Palms. Consistently top Post statewide and Nationally

7. Describe fully how and why your proposed project/event qualifies for City of Isle of Palms ATAX funding. Putting heads on beds, in restaurant, with rental companies and retail shops
8. If your project is granted City of Isle of Palms ATAX funding and realizes a profit, do you commit to returning the profit to the City of Isle of Palms? N/A
If not, please explain fully, to include what you will do with the money. **Note:** It is impermissible to donate or "pass through" City of Isle of Palms ATAX grants to any other organization, except as authorized by City of Isle of Palms. Further, the City of Isle of Palms does not approve of "carry forwards" of ATAX grants for use in ensuing years, absent extraordinary and compelling reasons in the sole discretion of the City of Isle of Palms. Excess funds must be returned to the City of Isle of Palms.
9. Please attach your budget reflecting the amounts and sources of all related income and donations from others for the project/event, as well as expenditures for each of the last three years. In addition, set forth projected income and expenses for this year's project/event, as well as all expenses, both incurred and paid, as well as projected.

D. Financial Justification ("heads on beds" and ancillary benefits)

1. Describe fully and provide relevant documentation for each of the past three years reflecting:
 - Where, as a specific result of your project/event, have tourists spent the night on Isle of Palms, ie. those incurring accommodations taxes for lodging. Include the lodging providers addresses phone numbers, rooms utilized, costs and nights stayed.
 - Where do you project tourists for this year's project to spend the night (ie. lodging for those expected to pay accommodations taxes, to include hotels, condos, house rentals, etc.)? What is the basis for your projection? As an illustration, you may set forth blocks of rooms in hotels that have been reserved, private lodging that has been booked or are expected to be booked, etc.See attached

2. Provide all additional economic and other relevant information justifying the grant of ATAX funding by City of Isle of Palms for your project/event, as well as your means of calculation. See attached
3. Set forth the number of tourists attending your project/event on the Isle of Palms for each of the past three years. Include where applicable all relevant documentation along with the methodology by which you have done your calculations.
14,000 per year visit our Post. This number is from purchase sales at the bar.
4. Set forth the number of attendees projected for this year's project/event, and well as the means of calculation. same: The above number only reflects paid tickets and not total in one's

5. Is the project/event for which you seek City of Isle of Palms ATAX funding during the "off season" or "shoulder season"? If not, please explain the justification. Are proposed dates flexible so as to be amenable to off-season and/or shoulder season scheduling? year round
6. Describe fully all potentially negative aspects of your project/event, if any. This would include, by way of illustration, the potential for overcrowding particularly during warm weather months, parking challenges, health and safety issues, added responsibilities and difficulties imposed on first responders, impact on peace and tranquility- especially in residential neighborhoods and for tourists and factors potentially impacting adversely on the character of the City of Isle of Palms.
none

E. Marketing Plan

Describe fully your past three years marketing for your project/event, as well as your current year's advertising and marketing plan, to include all means of broadcast. Please include and attach all applicable documentation and the projected costs involved.

Word of mouth, National VFW Magazine, Frontbeach Freedom Fest, membership drives

F. Funding: Sources of Income for This Project/Event (Please attach all supporting documents)

1. Sponsorships or Fundraising: Amount \$ \$50,000 From memberships, donations and fundraisers
2. Entry Fees : Amount \$ 23,000 From golf tournament
3. Donations: Amount \$ 7,000 From members
4. Accommodations Tax Funds Request: Amount \$ \$12,000
Date(s) Required: Lump Sum Installments quarterly
5. Other:
6. Total Funding: Total Budget:

G. Financial Analysis

Please Provide a Line Item Budget for your project/event

See attached

If awarded, Isle of Palms ATAX funds are requested as follows:

Revised February 8, 2021

(1) Lump Sum(s): \$ \$4000 on June 1,2021 (date),
\$ \$4000 on October 1, 2021 (date),
\$ \$4000 on February 1 2022 (date).

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

H. Miscellaneous

1. In what category do you place your project/event and why?
 - Festival _____
 - Marketing _____
 - Other ~~x~~ (Please Explain): see attached list of ongoing needs
Maintenance Our primary cost go to maintain a safe family atmosphere
2. Have you affirmatively reached out to the City of Isle of Palms staff for initial review for your project/event and if not, please explain. If you have reached out, what feedback did you receive, both positive and negative and specifically from whom?
Yes, all positive
3. If applicable, explain why you have not sought funding from sources other than the City of Isle of Palms for the funding of your project/event. If you have sought alternate or additional funding, explain fully the results to include the source(s) for funding, from whom received and set forth all amounts received or expected to be received from other sources.
Memberships, fundraising and donations
4. Does your project/event have applicable liability insurance, to include the City of Isle of Palms, its employees and agents and if so, what are the liability limits? If not, please explain why not and explain who will agree to bear the costs, burdens, damages and legal fees for your project/event in case claims for damages are made against the City of Isle of Palms, its employees and agents as a result of your project/event. A minimum of \$300,000 of liability insurance is typically required unless that requirement is specifically waived in writing by the City of Isle of Palms in its sole discretion. If there is applicable insurance, do you commit to making the City of Isle of Palms, its employees and agents additional insured(s)? If not, explain fully the basis. If applicable, you must include a copy of the relevant insurance policy reflecting the City of Isle of Palms, its employees and agents are additional insured(s) for your project/event. We will comply and be responsible for our actions, or request a waiver
5. Do you assert that the project/event for which you seek City of Isle of Palms ATAX funding is sustainable in the future? If so, please explain fully. If not, please explain fully. Yes
6. In the event City of Isle of Palms grants your project/event ATAX grant funding, do you acknowledge that no such funds can be spent for the purchase of alcohol or tobacco products? Yes If not, please explain your justification. N/A
7. In the event your project/event is awarded City of Isle of Palms ATAX grant

funding, but is postponed for more than 180 days of receipt of funding, do you acknowledge that you must return to the City of Isle of Palms all ATAX grant money received from Isle of Palms absent extraordinary circumstances and within the sole discretion of the City of Isle of Palms? Do you agree? Yes If you do not agree, please set forth fully your reasons. _____

8. In the event your project/event is granted City of Isle of Palms ATAX grant funding, you must and do hereby agree by the filing your application personally to hold harmless and indemnify the City of Isle of Palms, its employees and agents from and against any claims for damages to include, *inter alia*, legal fees relative to your project/event. Do you agree? Yes If not, please explain. _____

If not, please explain fully your basis. _____

9. In the event the City of Isle of Palms provides ATAX grant funding for your event/project, set forth in detail how you will acknowledge the City of Isle of Palms as a grantor of funding.

In everything we do. We will promote all businesses, festivals and recognize Police and Fire Department achievements.

VFW GUEST REGISTRATION

2021

Date	Guest Name	VFW Member
4/10/21	Rodney Wise	Leslie M. Wise
4/10/21	Tom Lee	
4/10/21	Brue Ramona	Cyber Parlato
4/10/21	Tiffany McDowell	Matthew Heard
	Gen McDowell	"
4/10	Anna Linder + Taylor Vincent	Cindy Vincent
4/10	Kimberly Moore	Zach Moore
4/10	JEREMY KITCHENS ←	→ CHRIS KANE
4/10	Kelli Ross	William Ross
4/10	Mick + Robinson	William Ross
4/10	Sharon Robinson	William Ross
4/10	Carol Caliguri	
4/10	Frank & Laura Bickelato	
4/10	Brit + Tony	Kay Flemming
4/11	Scott McDonald / Carmel	Michael Allen
	Siara / Peyton Jammie	Liz Harris
4/13	Jane + Doug Carlson	Doug Carlson
4-13	Life Member	Bill Tyska Als G.A.
4/14	Kenzie Crawford	Peggy Herring
4/14	Jim & Lisa Jossi	Jan McNeely
04/15	Denise + Verna Osman	Jan McNeely
15 April 21	Cameron / Shelby (4)	
15 April 21	DRUID M. HICKLOCA	Concord, OH
4/16/21	TODD ALLEN	"
4/16/21	E. Tiedel	Todd + Melissa Allen

VFW GUEST REGISTRATION

2021

[illegible]

VFW GUEST REGISTRATION

2021

Date	Guest Name	VFW Member
4-11-21	Gina Collett + Jeff Swain	Joni Farn
4-17-21	Sloan & Lisa Kapina	BUTCH Sullivan
4-16-21	Joe & KATHY Miler	John Zithick
4/17	Anna Linder, Amy Moser, Donald Reynolds	Cindy Vincent
4/17	Josh Schatz	Rich Schatz
4/17	Riley Schatz	Rich Schatz
4/17	Rachel Baker	Jess Glasser
4/17	Slane & Kalina & Lisa Pele	Jess Glasser
4/17	Ginny & Savannah Bowley	David Bowley
	Kerri Hicks	
4/17	Dave and Matt	Matthew Pearce
4/18	Dana Sirk	Michael Sirk
4/19	Emerson Contreras	Matt Lindsey
4/19	Nate Kushner	Nate Kushner
4/19	Neil Kushner	Nate Kushner
4/19	DAN SLOTTEN	MARK LUTER
4/19	Mark Clutter	Mark Clutter
4/19	Billy & Anna	Lillian Rowland
4/19	Angela Sholler	Michelle Haley
4/19	JAMES GOODWIN	JOHN
4/19	Nanci McNew	Honore Johnson
4/20		Lillian Rowland
4/20	KAREN KIRG	DAVE KIRG
4/20	John & Anna	Lillian Rowland
"	John & Anna	Post 2889 RH, SC

VFW GUEST REGISTRATION

2021

Date	Guest Name	VFW Member
4/21	Jim Watson Rob Macgregor	Post 2889 RH, SC Jay McAllister
4/21	ANGEL KALLINS	Ryan Kallins
4/21	JENNIFER Smith	JAN GRANGER
	JANET Smith	
	MIKE LOEBS	MIKE LOEBS
	MAUREEN "	" "
4/21	MISS ASHLEY	JAN GRANGER
4/21	Chene Gordon	JANIS Gordon
4/21	GC FARLEY	Jay McAllister
4/21	ANTONIO HAMILTON	#129 Jay Farrah
4/23	Brittanie Raud	Post 2889 RH, SC
4/23	LAUREL TIPTON	Post 2889 RH SC
4/23	TAMMY ADAMS	Post 2889 RH SC
4/23	Stephanie ANNAN	Post 2889 RH SC
4/23	Bill Geager	6 Page
4/23	Neal Kusner	N. Kusner
4/23	Don Genny Baskby	David Baskby
4/23	Ray Kennedy Tricia More	Ray Kennedy
4/23	MARV AND SARTOR	JOE HOUDER
4/23	Jerrad Hepler	Lindsey Steh
4/23	Richard Dworschak	Saura Barrington
	Angie Gore	
	Derold Charpia	
	Gerri Charpia	
4/23	Justin McHale	Austin McHale
4/23	ANTHONY NIELOPOLO	Joe Dolce

VFW GUEST REGISTRATION

2021

Date	Guest Name	VFW Member
4/23/21	Janice Walters	Cary White
4/23/21	JULIE Anne Andrews	NOT REGISTERED 10 years before
4/24/21	LAUREL Tipton	POST 2889 RH SC
4/24/21	Tammy Adams	POST 2889 RH SC
4/24/21	BRIT RAND	POST 2889 RH SC
4/24/21	Stephanie ANNAN	POST 2889 RH SC
4/24/21	Eddie Spauld	Jim Capor Post 637 Hopewell
4/25/21	LAUREL	POST 2889 RH SC
4/25/21	Tammy	" " "
4/25/21	BRIT	" " "
4/25/21	Stephanie	" " "
4/25/21	Brian Reilly	
4/25/21	KIRSTEN EVANS	DRUGS AT HOME
4/25/21	RAY CARBONI	DAVE WALKER
4/25/21	SIRIWAN NUMDEE	DAVE WALKER
4/25/21	DOUG FRENCH	DAVE WALKER
		KEVIN SWICK
4/25/21	Tyler Kluck	
"	Anna Linder	Rep Brown
4/25	Taylor Vincent	Cindy Vincent
4/25	CHARLIE KIRK	Jeremy L.
4/25	TODD SILVER	James K.
4/25	SPENCER LONG	James K.
4/25	Margaret Lobbs	John J.
	Tom + Karen Jamrose	C Trustor
	Dolly Cannon	C Trustor
25 APR 21	Kristen Fischer	KITCHENS
4/25	C. J. M.	MARK AMES

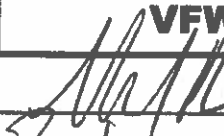
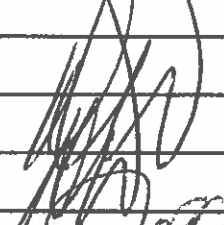
VFW GUEST REGISTRATION

2021

Date	Guest Name	VFW Member
26 APR 21		JERRITT LACY
26 APR 21	Chris Clay	
26 Apr.	Mayfield	Frank Vestal
26 APR	John Valentini	VFW POST 5941 N.W.
27 APR		F Blythe
27 APR	GEORGE LEFT FAMILY G. LEFT	
4/27/21	BRENDA TELLEFSEN	GOOSE CREEK VFW
4/27/21	Kyle Heroux	Matthew Modica
4-27-21	Mary Stover	" "
4-27/21	Betty ANTHONY RAVSA	ANTHONY RAVSA
4-28-21	Mike Young & Don A	
4-29	Sharon Ruest	Sharon Ruest / 7234
4/29	John Valentini	VFW POST 5941 N.W. N.S.
	PAST DIST 17 COMM CYPRESS COUNTY N.S.	
4/30	marquellen Cole	Monda Nole Boggs
4/30	Monda Boggs	Monda Boggs
4/30	Christy Prince	Mike Prince
4/30	florida	Marsha Prince
4/30	Kenny Ames	
30 APR	PUL & Deborah Luch	Walt Parker
30 APR	Jeff & Marie Pass Time	Ken Aven
4/30	Timmy & Kruth GARD	BRAD
5/1	Shealy Peaslee	John Borony
5/1	MARK & Lynn Croll	Rick Cutlip
5/1	CINDY FOLLEY	JACK FOLLEY


VFW GUEST REGISTRATION

2021

Date	Guest Name	VFW Member
05/01/2021	J. WATTEED / J. LEIGHT	
05/01/2021	Kate Petersen	Zachary Fitzgerald
5/1/21	Anna Linder	Cindy Vincent
5/1/21	Kris Kearns	
5/01/21	Gunny Beaulieu	Dana Beaulieu
5/1/21	Frank Key	Eric Luke
	Dave Pitt	
	Sherryl Key	
5/2	Michael Madefan	
5/2	Marin Eller	
5/2	Chloe Ball / Dave	
5/2	Mark Cordisew	Veron Cordisew
5/2	BOZENA WILDHART	Daniel J. Wildhart 2536
5/2	TIM, TIM Hoppe	Coe (SANTA) MARINO
5/2	RAY Martin	William Ross MTP
11	Jessad Hoppler	Jessad Hoppler
5/2/21	Carmel Viero	Sam
5/2/21	Kristen Fischer	Kitchens
5/3/21	JANET FOSER	SELF
5/3/21	PAUL FOSER	SELF
5/3/21	STEVEN ANDER	William Rawlens
5/4/21	Patricia O'Connell	William O'Connell
5/4/21	Sharon + Steve Huch	William O'Connell
5/4/21	BRUNDA PIRON / EUGENIA PIRON	BILL PIRON
5/4/21	Paul Farris	John Farris
	Paul Farris	
	Jim Farris	

VFW GUEST REGISTRATION

2021

Date	Guest Name	VFW Member
5-2-2021	Bob Patterson	
5/5/21	DAN MAYLAN	JACK FOLLEY
5/5/21	Robin Moore	Keith Moore
5/6/21	Michèle, M (3 GS)	MICHELLE 5633
5/6/21	WASHINGTON JARMILL (AC)	MARTHA & JULIO QUINANEZ
5/6/21	Cindy Bernick	Chad Heffner
5/6/21	Ronnie Bump	Chad Heffner
"	JOSH KAISER	ACTIVE DUTY
"	ROB LONGSWORTH	ACTIVE DUTY
5/6/21	Charlie Heffner	Chad Heffner
5/6/21	JERIS COX	JERIS COX
5/6/21	Marcella (M) BUDY	Marcella (2)
5/6/21	Valerie Bender	V. Bender
5/6/21	Tim (Kington) Ditcher	Friend JVB
5/7/21	John Sage	Charles Holbrook
5/7/21	RUSSELL & BURNETT	M. Michalik Post 5633
5/7/21	DENNIS EDD COOK	ACTIVE
5/7/21	Roxanne Hall	Clinton Foster aux
5/7/21	Dan Veneble	
5/8/21	Lurtis Perz	Lutson
5/8/21	Michael Smith	SIOUX FALLS SD #628
5/8/21	Eddie Cook	Vicenza, Italy
5/8/21	Mari DOLDICO	Jim Keating
5/8/21	Lynn Journell	Thomas Gooden
5/8/21	Gordon BARRINGHAM	Gordon BARRINGHAM
5/8/21	Brian Parker	
5/8/21		MALE 4/28

VFW GUEST REGISTRATION

2021

Date	Guest Name	VFW Member
5/11	Richard Bell	
	Kathy Shook	
	Virginia Bell	✓
	Emily Cox	
	SMITH PARKER	
5/11	MONICA REESE	
	Chas Schreiner	
	Terri Wheeler	Craig Wheeler
	Kate Wolf	
	Holly Burnett	
	Jack BENTLEY	Jeff Moore
	Bruce Wolfe	Nichelle Wolfe
	Jon Zuplo	
	Doug Linton	
	Diane Bates	Todd Forslund
	Butch Link	Gina Link
	Jeff Williams	Linda Forslund
	Melissa Fritz	Chelsee
	Steve Rogers	Elizabeth Putman
	Timothy Vaden	Rak Dea
	Chas Vaden	Rak Dea
	Joe Sarro	Danovan Powell
	Chris Sarro	Danovan Powell
	Schoma Yancey	Danovan Powell
	Jason Yancey	Danovan Powell
	John K	Jerry Henderson
	WAYNE MURPHY	JOE SPARK

VFW GUEST REGISTRATION

2021

Date	Guest Name	VFW Member
4/8/21	MARK AYER S	MARK AYER S
4/8/21	ART SPARKS	Ken Ayer
	Beth Magee	Ken Ayer
	Jan + Kirk Wurtzel	Carol Trustad
4-8-21	Bill Burke	Soon to be hopefully
4-8-21	Ronald Vreedy	Ronald Vreedy
	Loma?	
4/9/21	Ethan Burd	Mik Caple
	Jack Roberge	"
	Jacob Bruno	"
	Cal Archdeacon	"
4-9-21	Blake & Katie Walker	Ethie Walker
4-9-21	Beth + Lance Redden	
	Jessica + Jamie Walter	
4-9-21	Benjamin Listis	Benjamin Listis
	Karna Popok	
	Danielle Poole	
	Kristi Brogan	
4-9-21	Katie Payne	Corey Payne
	Jimmy Sapp	" "
	Jim Sapp	" "
	Terri Sapp	" "
	Tommy Gambino	" "
	Pam Gambino	Corey Payne
4-9-21	Beth Jose	Belva Leigh
4-9-21	Tina + Thomas Blodget	
4-9-21	Aimee Smith	



**Ways & Means Committee Meeting
6:00pm, Tuesday, June 15, 2021
1207 Palm Boulevard, Isle of Palms, SC 29451
and broadcasted live on YouTube: <https://www.youtube.com/user/cityofisleofpalms>**

MINUTES

1. Call to Order

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

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

2. Approval of previous meeting's minutes

Council Member Buckhannon made a motion to approve the minutes of the May 18, 2021 meeting, and Council Member Popson seconded the motion. The motion passed unanimously.

3. Citizen's Comments

Mr. George Page came before the Ways & Means Committee on behalf of VFW Post 3137 asking for their approval of a request for funding through the ATAX Committee. The \$12,000 requested will be used to support the maintenance needs of their facility. Mr. Page also detailed the many ways in which the VFW supports veterans, their families, and the Isle of Palms.

Ms. Stephane Gabosh came before the Ways & Means Committee on behalf of the South Carolina Aquarium asking for their approval of a request for funding through the ATAX Committee. The \$10,000 requested will be used to support the Turtle Trek 5K to be held on the Isle of Palms on October 9, 2021. This event, made up of a 5K run, a children's Fun Run, awards ceremony, and beach sweep, is expected to bring approximately over 1,000 runners and attendants to the island. This will be the 6th year the event has been held on the Isle of Palms.

4. Financial Statements – Treasurer Suggs

Treasurer Suggs reviewed the financial reports with Committee members. As previously reported, the forecast for FY21 is better than expected. Forecasts predict the General Fund will end the year \$1.6M over budget. Business licenses, rental license, and building permits are all ahead of budget. She also now anticipates parking incomes to meet the budget. She expects some larger payments for FY21, such as Dominion Energy franchise fees, to come in at fiscal year's end. Expenditures are also "looking better" for May. She noted that no tourism funds have been transferred into the General Fund as of yet.

All tourism-related revenues except Hospitality Tax remain ahead of budget and ahead of FY20 and FY19. May is the first month that the Hospitality Tax revenue has returned to "normal." She

pointed out that the Beach Preservation Fee fund has \$4M in it for future preservation efforts. No further word has been received from Charleston County regarding the distribution of the County ATAX pass through.

Treasurer Suggs presented a detailed listing of legal expenses. This will be a monthly report moving forward.

She then reviewed the project worksheets. Payments were made out to Salmon's Dredging in May for the Marina Dock Rehabilitation project. Payments were made out to Gulfstream for work on the Phase III Drainage project. There has been no change to the Public Safety Building Rehabilitation worksheet since April's report. She noted the recapturing of the contingency funds from a materials savings of over \$881,000. This will be the last month for this worksheet.

Council Member Pounds noted the General Fund overage does not include any monies anticipated from the American Rescue Plan.

5. Capital Projects Report

A. Marina Restaurant Renovation

Administrator Fragoso gave an overview of the work that has been completed at the Marina restaurant. A slide detailing all of the work done there can be seen in the YouTube recording of this meeting linked on the City's website. Some of the renovation activities mentioned include the relocation of the transformer box, the completion of demolition on the Intracoastal Waterway side and outside bar area, completion of footers and steel columns at the New Boat Ramp Bar, and meetings with the restaurant owners and the Owner's Representative from Insight. The City is in receipt of a proposal from Salmon's Dredging for the work the City is contractually obligated to perform at the Marina. Staff is in the process of securing additional proposals. The work on the parking lot improvements is expected to begin July 12.

MOTION: Council Member Ward made a motion to suspend the rules of order and move Item E under New Business to this point in the agenda. Council Member Bell seconded the motion. The motion passed unanimously.

7. New Business

E. Consideration of recommendation from the ATAX Committee for funding in the amount of \$10,000 for the Turtle Trek 5K project.

MOTION: Council Member Buckhannon made a motion to approve the recommendation from the ATAX Committee to fund the South Carolina Aquarium's Turtle Trek 5K project in the amount of \$10,000.

Council members Smith and Moyer spoke in favor of the event and its funding. Council Member Moyer said he would like for events such as these to lead people to the lodging section of the City's website to make it easier for the visitors to find appropriate rentals on the island.

VOTE: The motion passed unanimously.

5. Capital Projects Report

B. Marina Docks Rehabilitation

Administrator Fragoso gave an overview of the work being done on the Marina Docks Rehabilitation Project. A slide detailing all of the work done there can be seen in the YouTube recording of this meeting linked on the City's website. The docks and pilings have been installed in Dock Area C. Power pedestals and fire suppression cabinets are expected to be installed shortly. Materials shortages have caused delays in the delivery of the gangways. ATM, Salmon's Dredging, Evans & Schmidt, and EPIC continue to work on the finalization of the fuel hut design for submitting for building permits.

She added that next week's City Council agenda will include consideration of the extension of the Builder's Risk insurance coverage through December 1, 2021. She also shared that she is anticipating change orders from the contractors regarding increased materials costs.

C. Phase III Drainage

Administrator Fragoso gave an overview of the work being done on the Phase III Drainage Project. A slide detailing all of the work done on this project can be seen in the YouTube recording of this meeting linked on the City's website. The permitting for this project is vast and in various stages of completion. The goal remains to begin work on the 30th and 36th avenues outfalls in the Fall of 2021 and at the 41st Avenue outfall in the Fall of 2022. City Council will be considering an amendment to the contract with Thomas & Hutton to include bidding and construction oversight for these projects as well as approval of an easement agreement with Wild Dunes.

D. Phase III Drainage Small Internal Projects

Administrator Fragoso gave an overview of the work being done on the Phase III Drainage Small Internal Projects. A slide detailing all of the work done on this project can be seen in the YouTube recording of this meeting linked on the City's website. She said that all projects are expected to be complete by July 2 except for the one at 41st Avenue. This work requires extensive road closures and will be completed after Labor Day.

6. Old Business

Update on the American Rescue Plan and the City's funding allocation

Council Member Pounds reported that the State has not yet received its share of the American Rescue Plan. Once the State is in receipt of the funds, they will disperse it according to the law. The City anticipates two payments totaling approximately \$2.2M. This money must be used on certain types of projects within two years of receipt.

7. New Business

A. Report of purchase of John Deere Gator UTV for Fire Department in an amount not to exceed \$20,000 [State contract purchase, FY21 Budget, State ATAX]

B. Report of approval of purchase of jet ski for Fire Department in an amount not to exceed \$14,000 [FY21 Budget, State ATAX]

C. Report of repairs to the Public Safety Building gate in the amount of \$12,167 [FY21 Budget, Capital Projects]

Council Member Pounds reported that all three of the above items have been purchased as stated within the FY21 Budget.

D. Consideration of approval of the Axon body camera, in-car camera video software and data storage [State contract purchase, FY22 budget]

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

Chief Cornett said this new system completely replaces the current system. It will help the department stay in compliance better with FOIA requests and Brady rulings. He said the contract includes replacement of in-car cameras every five years and body cameras every three years with the newest technology.

VOTE: The motion passed unanimously.

F. Consideration of recommendation from the ATAX Committee of an application by Veterans of Foreign Wars Post 3137 for funding in the amount of \$12,000 for facilities maintenance

MOTION: Council Member Ward made a motion to approve, and Council Member Buckhannon seconded the motion.

MOTION: Council Member Ward made a motion to amend the amount to be awarded from \$12,000 to \$15,000. Council Member Moye seconded the motion. The motion to amend passed unanimously.

VOTE: The vote on the motion as amended passed unanimously.

G. Consideration of approval of an amount not to exceed \$65,000 for audio/visual improvements for Council Chambers [FY22 Budget, Capital Projects Fund]

H. Consideration of approval of an amount not to exceed \$34,000 for new agenda and video software [FY22 Budget, General Fund]

Council Member Pounds said further discussion and consideration of the above two items will appear on a future agenda. Staff is vetting vendors and securing bids. He said these upgrades are in the budget and will increase efficiency in meetings and agenda preparation. Council Member

Bell expressed the need to be clear about what is a capital expense and what is an operating expense.

I. Consideration of providing free parking in the Municipal Parking Lots from 5:00-8:00pm to members of the IOP Cleanup Crew who participate in the beach sweeps on Monday afternoons

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

Council Member Smith said this is a good way to thank the people who volunteer their time to clean up the beach. Participants will be provided a magnet to affix to their car so they are not ticketed during this time period only. She said 30-50 people regularly participate in these efforts during the summer.

VOTE: The motion passed unanimously.

J. Discussion related to the 42nd Avenue ADA boardwalk

Administrator Fragoso reviewed the timeline of events regarding this proposed project. She is looking to the Committee for guidance on moving forward with the project. Committee members discussed pros and cons of beach walkovers and or boardwalks at 42nd Avenue and the 34A Beach Access. The issue has been remanded back to the Real Property Committee for further exploration and consideration.

8. Miscellaneous Business

The next meeting of the Ways & Means Committee will be Tuesday, July 20, 2021 at 6pm.

Administrator Fragoso said the first Farmer's Market of the summer will be held on Thursday, June 17, 2021 at the Recreation Center from 4-7pm.

9. Adjournment

Council Member Buckhannon made a motion to adjourn and Council Member Pounds seconded the motion. The meeting was adjourned at 7:20pm.

Respectfully submitted,

Nicole DeNeane
City Clerk

City of Isle of Palms
Financial Summary as of May 31, 2021
(Dollars in Thousands)

	REVENUES			
	YTD Actual	Annual Budget	Remaining to Collect	YTD Actual as a % of Budget
General	\$ 10,515	\$ 10,663	\$ 148	99%
Capital Projects	3,534	3,280	(254)	108%
Muni Accom Tax	786	829	43	95%
Hospitality Tax	480	640	160	75%
State Accom Tax	1,374	1,460	86	94%
Beach Prserv Fee	790	832	42	95%
Marina	323	297	(26)	109%
Disaster Recovery	5	52	47	10%
All Other	171	165	(6)	104%
Total All Funds	\$ 17,978	\$ 18,218	\$ 240	99%

	EXPENDITURES			
	YTD Actual	Annual Budget	Remaining to Spend	YTD Actual as a % of Budget
	\$ 9,787	\$ 11,356	\$ 1,569	86%
	2,974	7,535	4,561	39%
	1,010	1,384	374	73%
	584	1,058	474	55%
	1,159	1,655	496	70%
	9	294	285	3%
	543	1,105	562	49%
	-	10	10	0%
	158	162	4	98%
	\$ 16,224	\$ 24,559	\$ 8,335	66%

General Fund Revenues					
	FY21 YTD Actual	FY21 Budget	% of FY21 Budget	FY20 YTD Actual	% of Prior YTD
Prop Tax	\$ 4,703	\$ 4,757	99%	\$ 4,414	107%
LO Sales Tax	651	641	102%	534	122%
Business Lic	1,519	1,012	150%	1,308	116%
Rental Lic	920	750	123%	983	94%
Other Lic	204	1,281	16%	227	90%
Build Pmts	661	338	196%	389	170%
From State	179	215	83%	205	87%
Parking	1,024	1,211	85%	707	145%
All Other	654	458	143%	533	123%
Total	\$ 10,515	\$ 10,663	99%	\$ 9,300	113%

General Fund Expenditures (YTD target = 92%)					
	FY21 YTD Actual	FY21 Budget	% of FY21 Budget	FY20 YTD Actual	% of Prior YTD
Mayor/Council	\$ 115	\$ 145	79%	\$ 124	93%
General Govt	1,631	2,041	80%	1,421	115%
Police	2,315	2,707	86%	2,117	109%
Fire	2,975	3,286	91%	3,071	97%
Public Works	1,265	1,391	91%	1,182	107%
Build & Lic	363	422	86%	370	98%
Recreation	833	1,038	80%	818	102%
Judicial	221	224	99%	181	122%
BSOs	69	102	68%	60	115%
Total	\$ 9,787	\$ 11,356	86%	\$ 9,344	105%

May Notes:

- Total City YTD revenues are \$17,978,000 or 99% of the FY21 budget of \$18,218,000. The current forecast estimates that the City will end the year with total revenues of \$21,279,000, which is \$3,061,000 or 17% ahead of budget.
- Total City YTD expenditures are \$16,224,000 which is 66% of the FY21 budget of \$24,559,000. The current forecast projects total FY21 expenditures of approximately \$19,911,000. Projects budgeted for FY21 that have been moved to FY22 include Drainage Phase (\$3,375,000) and the replacement of a Fire Engine (\$300,000). FY21 spending on the Public Safety Building is \$2.9 million.
- The current forecast predicts General Fund revenues will exceed General Fund expenditures by approximately \$1,611,000 for the fiscal year ending 6/30/21. The forecast assumes the \$1,611,000 will be transferred to the Capital Projects Fund, but this treatment won't be finalized by City Council until the year-end audit is completed.
- General Fund expenditures are forecast to end the year approximately \$55,000 higher than the budget (significantly less than forecasted earlier). The primary drivers of this increase are all payroll related and include 1) higher than budgeted overtime in the Fire Dept due to several medical leaves of absence, 2) higher than budgeted wages in Public Works due to a CDL position that was filled earlier than expected, 3) unbudgeted part-time wages in Public Works for a public restroom attendant (budgeted as contract svcs in State Atax Fund) and 4) the re-instatement of the FY20 merit pool that was deferred due to Covid-19.
- The City has \$25.5 million in cash deposits. Approximately \$5.9 million of this total represents unspent bond proceeds and \$8.3 million is restricted for tourism related expenditures or beach preservation.

IOP MARINA RESTAURANT RENOVATION

- **Building Update**
 - Dominion Energy relocated transformer box
 - Upstairs roof strapping secured and inspected
 - Demo complete on Intracoastal Waterway side and the outside bar
 - Footers and steel columns complete at New Boat Ramp Bar
 - Footers complete for new rear deck
 - Construction materials (wood framing materials) ordered for bar and rear deck
 - Mechanical, Electrical & Plumbing plans completed for team review. Final stamped plans received.
 - Mechanical, Electrical & Plumbing plans sent out for subcontractor pricing
 - Plumbing work expected to start this week
 - Framing at deck and bar to begin when materials are delivered—expected week June 21st
- **Owner's Representative**
 - City held an on-site kick-off meeting with Insight Group, Restaurant Tenant and Contractor, Building Director & City Administrator
 - Insight Group reviewed design plans and specs provided by Tenant
 - Next Steps: Weekly Update Meeting on 6/17
- **Restaurant Dock Improvements**
 - City is in receipt of proposal from Salmons Dredging for work City is contractually obligated to perform (replacement of damaged/missing dock bumpers and boat fenders). In process of securing an additional proposal.
- **Parking Lot Improvements**
 - City executed contract with BlueTide Construction.
 - Work scheduled for the week of July 12th.



IOP MARINA DOCK REHABILITATION

- Dock Area C – (Restaurant and Face Dock)
 - Docks and anchor pilings have been installed. No pile driving issues were encountered.
 - ATM, EPIC, Salmons, Transworld, and the Marina Manager walked the docks last week and sited all power pedestals and fire suppression cabinets. These will be installed in the coming days/weeks.
 - Cleats and bollards have been installed
- Gangways are on order from the manufacturer
 - ATM followed up with the manufacturer last week to obtain update on shipping/delivery.
 - Drastic materials shortages have caused unforeseen production delays, however the two gangways serving Dock Area C should arrive to the site at the end of the month or early July.
 - Salmons will coordinate installation and will turn this dock over to the marina manager prior to demolishing Dock Area B (the Charter Docks behind the store)
- ATM, Salmons, Evans & Schmidt and EPIC continue working on finalization of fuel hut design for submittal for building permit.
 - Final structural connections to floating dock remain as do final electrical engineering for the interior of the hut.
 - ATM in receipt of submittal package for the fuel docks and fuel platform from Structurmarine
 - City & Salmons to execute change order for time in accordance with revised completion schedule
- Builder's Risk – Proposal received 6/14 to extend coverage through 12/1 (excludes wind/flood/named storm peril) \$27,602.39





PHASE 3 DRAINAGE 30TH, 36TH & 41ST AVENUE OUTFALLS

- Permitting
 - 14 permits required
 - 12 submitted (remaining two hinge on 41st Avenue critical area permit)
 - 2 permits fully approved (Forest Trail and 30th Ave Infrastructure Critical Area Permits), 4 permits conditionally approved, and 6 are being processed.
- Construction
 - Goal is to begin work on 30th and 36th Avenue outfalls in the fall of 2021, and 41st Avenue in the fall of 2022
- Next Steps
 - Amend Thomas & Hutton contract to include bidding and construction oversight for the outfall projects
 - City Council consider approval of easement agreement with Wild Dunes 6/22

PHASE 3 DRAINAGE INTERNAL PROJECTS

All portions of these projects are expected to be complete by July 2nd, except for 41st Avenue

Sparrow Drive

- Completed, waiting on sod (expected by June 19)

Forest Trail

- Complete, except final clean up

Cross Lane

- Complete, except final clean up

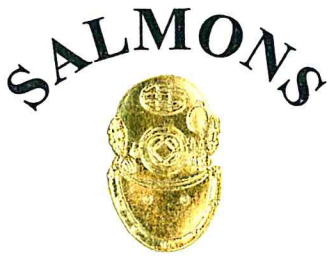
32nd Avenue

- Need to relocate force main on east side of the road
- Waiting on sod (expected June 19)

41st Avenue

- 2 out of 3 projects - Complete
- 41st Avenue & Forest Trail - Work delayed until after Labor Day due to road closure





SALMONS DREDGING CORPORATION
Marine Contractors Since 1919

Post Office Box 42
Charleston, SC 29402
Tel: (843) 722-2921
Fax: (843) 723-4630
www.salmonsdredging.com

June 14, 2021

City of Isle of Palms
Attn: Desiree Fragoso, City Administrator
1207 Palm Blvd.
Isle of Palms, SC 29451

Re: IOP Marina – Builders Risk Insurance Reinstatement

Subject: Change Order Proposal 009

Dear Ms. Fragoso,

Pursuant to our recent discussion, Salmons offers the following information for the City's review and consideration:

Salmons proposes to furnish Builders Risk Insurance coverage from date of acceptance and reinstatement of coverage, to December 1, 2021. The coverage will exclude Wind/Flood/Named Storms perils coverage due to the Atlantic Hurricane Season, but will include all other perils such as Fire, Lightning, Theft, etc....

The fee for this coverage is \$27,602.39

Please feel free to revert back with any questions or concerns.

Best regards,
Salmons Dredging Corporation



Jack C. Harrelson, Jr.
Business Development / P Mgr.



**Public Safety Committee
10:00am, Thursday, June 10, 2021
1207 Palm Boulevard, Isle of Palms, SC
and broadcasted live on YouTube: <https://www.youtube.com/user/cityofisleofpalms>**

MINUTES

1. Call to order

Present: Council members Bell, Pounds, and Ward

Staff Present: Administrator Fragoso, Chief Cornett, Deputy Chief Hathaway, Lieutenant Forsythe

2. Approval of previous meeting's minutes

MOTION: Council Member Pounds made a motion to approve the minutes of the May 6, 2021 meeting, and Council Member Ward seconded the motion. The minutes passed unanimously.

3. Citizens' Comments

Jennie Pierce of 9th Avenue spoke in support of the CARTA Beach Shuttle but asked if the drop-off point could be moved elsewhere. She spoke of the bus blocking a pedestrian's view of oncoming traffic and fears there will be an incident in the area. She suggested moving the stop to someplace where there are facilities.

Carly David, 709 Palm Boulevard and property owner at 9th Avenue, also spoke with concern about the CARTA Beach Shuttle stop in that area. She noted there is no covered area for riders to stand if it is raining. She also mentioned moving the bus stop to an area where there are facilities.

4. Old Business

A. Discussion of golf cart and low speed vehicle regulations and enforcement

Chief Cornett reported that the Police Department continues to enforce the golf cart and low speed vehicle regulations. Two tickets and multiple issues have been issued. He is working to create something that short-term rental owners can post in their homes to make renters aware of the rules.

B. Update on CARTA's Beach Shuttle between Isle of Palms and Mt. Pleasant

Committee members held a lengthy discussion about the CARTA Beach Shuttle. Administrator Fragoso explained the reason 9th Avenue was chosen as the bus's stop was due to its handicapped accessibility, the closure of 14th Avenue to summer traffic, and concerns about

traffic backup on Ocean and Palm boulevards. She has submitted the concerns she has received to CARTA. The Police Department will monitor the stop throughout the summer to note any safety concerns. Chief Hathaway stated that while turning the fire trucks onto Ocean Boulevard is not impossible, it does present challenges that could become issues while responding to a call.

Council Member Bell said he would like to see the bus drop people off in the commercial district. He encouraged City Administration to work with CARTA on how to make the beach shuttle work best for all involved. He asked if CARTA had smaller buses that could be used for the beach shuttle. Council Member Bell expressed the importance of defining what success looked like with regards to the beach shuttle initiative. He said there are potential public safety issues of a bus in a residential area and expressed concern of the lack of facilities at 9th Avenue for riders. He also noted there have been complaints about the MobiMat at that access.

Council Member Ward said he would voice these issues at the CARTA Board meeting next week.

5. New Business

A. Discussion of dog leash rules

Chief Cornett said there have been five documented dog incidents so far this year across the island. He spoke about the difficulty of enforcing the current city ordinance since officers are rarely present to observe any lack of command over a dog by its owner. Police are usually called to a dog incident after it has happened and after people have dispersed from the scene. He said clear, defined leash laws are easier to enforce.

Committee members would like to look at the locations of the recent incidents as well as the fine structure as it relates to animal violations at the next meeting.

B. Discussion of preparations for the July 4th holiday weekend

Chief Cornett stated that the incident action plan for the holiday weekend is in the works. The Golf Cart Parade has been approved. He has asked the Sheriff's Department and Highway Patrol for extra help that weekend.

C. Discussion of additional golf cart parking areas

Administrator Fragoso said staff is discussing with SCDOT ways to make golf cart crossings safer. Staff has identified 46th Avenue as a space that may be suitable for golf cart parking. They will bring a plan to the Committee for consideration.

D. Consideration of approval of purchase of John Deere Gator UTV for Fire Department in an amount not to exceed \$20,000 [State contract purchase, FY21 Budget, State ATAX]

MOTION: Council Member Ward made a motion to approve and Council Member Pounds seconded the motion.

Administrator Fragoso said this item and Item E were meant to be more of a report of the purchase rather than needing Committee approval. Council members Ward and Pounds withdrew the motion.

E. Consideration of approval of purchase of jet ski for Fire Department in an amount not to exceed \$14,000 [FY21 Budget, State ATAX]

Administrator Fragoso said the jet ski has been purchased.

F. Consideration of approval of the Axon body camera, in-car camera video software and data storage [State contract purchase, FY22 budget]

Administrator Fragoso said this item is in the FY22 budget and they are seeking approval now so that it can be purchased as soon as FY22 begins. Chief Cornett said that Axon is booked out through August/September and he would like to get on their calendar as soon as possible. This purchase will replace the entire system currently in place. It will be purchased at the State contract price.

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

6. Highlights of Departmental Reports

A. Fire Department – Deputy Chief Hathaway

Deputy Chief Hathaway reported that there were 136 calls for service in the month of May, which is a 74% increase over 2020 and is also still higher than calls in May 2019. Notable Fire Department events in May include a dumpster fire, a motor vehicle accident on the Connector, an outdoor fire due to yard lighting, and a fuel spill.

B. Police Department – Lieutenant Forsythe

Lt. Forsythe said the Police and Fire Departments enjoyed an Employee Appreciation Luncheon at Wild Dunes. He also shared that Sgt. Storen was recognized as First Responder of the Month by the Mt. Pleasant Chamber of Commerce.

The May incidents report included 25 drug charges, 12 DUIs, and 1,206 parking tickets. There were 1,379 calls for service resulting in 113 incident reports compared to 133 incident reports in May 2020. There were 8 traffic collisions. Chief Cornett said the drug concerns are being addressed.

There were 24 coyote sightings in May, and Chief Cornett said they are working with the property owner and the trapping company involved in these sightings.

Chief Cornett spoke about the recent purchase of 5 BOLA Wraps for the Police Department. The IOP Police Department is the second agency in the Lowcountry to have these. They are meant to assist in taking people safely into custody without having to use force. Training on these devices will be forthcoming.

7. Miscellaneous Business

The next meeting of the Public Safety Committee will be on Thursday, July 1, 2021 at 3:00pm.

Council Member Ward would like for the departmental reports to appear after Citizen's Comments in the meeting agendas moving forward.

Council Member Bell encouraged citizens to review the reports provided by the Fire and Police Departments in the meeting packets.

8. 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 11:29am.

Respectfully submitted,

Nicole DeNeane
City Clerk



PUBLIC WORKS COMMITTEE
5:00pm, Thursday, June 3, 2021
1207 Palm Boulevard, Isle of Palms, SC
and broadcasted live on YouTube: <https://www.youtube.com/user/cityofisleofpalms>

MINUTES

1. Call to order

Present: Council members Smith, Ward

Absent: Council Member Streetman

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

2. Approval of previous meeting's minutes – May 5, 2021

Council Member Smith made a motion to approve the minutes of the May 5, 2021 meeting, and Council Member Ward seconded the motion. The motion passed unanimously.

3. Citizens' Comments -- none

4. Department Reports – Director Pitts and Assistant Director Asero

Director Pitts reported that garbage collection totals were lower for May, but he anticipates they will rebound in June. Yard debris collection is average and there were 45 tons of miscellaneous garbage collected.

Director Pitts also shared that two large vehicle maintenance issues recently consumed one-third of his vehicle maintenance budget. He did not see this as a trend but noted that the costs of repairs are increasing.

As a reminder, twice weekly garbage and one weekly recycle collections begin next week.

Asst. Director Asero stated that the 25th Avenue drainage repair has been completed by Charleston County. He reported on a recent meeting with Truluck Construction regarding the drainage repair at 34th and Hartnett Boulevard. Eadies has completed a comprehensive cleaning of the Forest Trail basin drainage culverts and cleared vegetation at Lauden Street, 41st and 45th avenues.

SCDOT is scheduled to clean drainage ditches at 25th and Palm & 4th Avenue at the end of June.

Facilities maintenance projects included: repair of broken irrigation main wires and vales at Front Beach, the servicing of the generator at City Hall, painting at City Hall, roof repair at

Station 2, air conditioning replacement at Station 2, painting of wayfinding and city parking signs, and light repair at City Hall.

Work on the front beach included the cleaning up of the parking lot, restroom electrical repair, and the installation of a bike rack and the removal of heavy vegetation at the 14th Avenue beach path.

He also reported on the removal, releveling, and replacement of the Mobi mat at 9th Avenue. SCDOT is also scheduled for the repair of the concrete divider at 41st Avenue and Palm Boulevard.

Committee members and staff discussed the increase in the amount of trash along Palm Boulevard. The addition of trash cans on the land side of Palm Boulevard will increase the need for service by the trash collection company. Asst. Director Asero has assigned a temporary employee to pick up garbage on that side of the road and BSOs have been equipped with trash grabbers so they can pick up trash as they patrol the area.

Administrator Fragoso said that additional trash cans have been added at heavily used beach access paths. Asst. Director Asero said that 20 new barrels were put out for the holiday weekend. Administrator Fragoso will speak to the trash removal contractor for some insight into the issue. She also reported that the messaging campaign with Sullivan's Island the CVB, paused last year due to COVID, will include Folly Beach this year. A kickoff messaging event is in the planning stages. Council Member Smith said suggested the messaging encourage people to take their trash with them.

5. Old Business

A. Update on Phase III Drainage Project, small internal projects, and Waterway Boulevard path elevation

Administrator Fragoso reported that applications for the Waterway Boulevard path elevation and the Forest Trail outfall have been submitted to CTC. She anticipates an answer in a few months.

She shared that Thomas & Hutton has updated the cost estimates for those projects. The Forest Trail outfall originally estimated to cost about \$800,000 is now expected to cost \$1.4M. The Waterway Boulevard project originally estimated to cost just over \$600,000 is now expected to cost \$900,000. Both estimates include a 25% contingency. The \$3.5M borrowed for the outfalls project may not be enough. She said there is the possibility of being able to use funds from the American Rescue Act to pay for the drainage projects. The City anticipates receiving approximately \$2.3M from that stimulus.

Director Kerr reported that 14 permits are needed for the outfall projects. To date, one has been fully approved, 4 have been conditionally approved, and the remaining 7 are in various stages of approval. Easements are still being finalized. Work at 41st Avenue will be completed after Labor Day.

B. Update on island-wide Drainage Master Plan RFP

Director Kerr said the Planning Commission will hold a Special Meeting on June 9 to interview three of the five companies who submitted bid proposals for the Drainage Master Plan. Their recommendation will go to the Ways & Means Committee on June 15.

C. Discussion of potential solutions to drainage ditch erosion issues

Administrator Fragoso reported that staff is developing draft guidelines she expects the Committee to be able to review next month. These guidelines will include an agreement between the City and the homeowner that would delineate the criteria that the homeowner would need to follow with the installation of materials to shore up ditches as well as give perpetual maintenance responsibility to the property owner. The agreement would also allow the City to remove any materials they deemed to be harmful to the overall drainage system.

Director Kerr added they are working with Thomas & Hutton to make the process as easy as possible to follow and execute.

Committee members and staff agreed the use of sandbags in the drainage ditches is a bad idea.

D. Discussion of the creation of an Environmental Advisory Committee

Administrator Fragoso reported that a page has been created to on the City's website inviting interested citizens to apply for membership on the Environmental Advisory Committee. Notification about the application process has also been shared in the local paper and on social media. No applications have been received yet. The deadline is June 30.

Administrator Fragoso expressed concern about the size of the group and recommends that it only be 7 members instead of 9. It will be important to stress meeting attendance to all members.

6. New Business

7. Miscellaneous Business

The next meeting of the Public Works Committee will be Wednesday, August 4, 2021 at 4:30pm unless action is needed by the Committee in July.

8. Adjournment

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

Respectfully submitted,

Nicole DeNeane
City Clerk

DRAINAGE EASEMENT and MAINTENANCE AGREEMENT

THIS AGREEMENT IS SUBJECT TO BINDING ARBITRATION UNDER THE UNIFORM ARBITRATION ACT, TITLE 15, CHAPTER 48, SOUTH CAROLINA CODE OF LAWS

THIS DRAINAGE EASEMENT (“Easement”) is granted this ____ day of June, 2021, by WILD DUNES LLC, a Delaware limited liability company, whose address is _____, hereinafter referred to as “Grantor” to City of Isle of Palms, a political subdivision of the State of South Carolina, located at 1207 Palm Boulevard, Isle of Palms, South Carolina 29451, hereinafter referred to as “City”.

W I T N E S S E T H:

That the Grantor, owner in fee simple of the real property located in the City of Isle of Palms, State of South Carolina described on Exhibit “A” (“Grantor’s Property”), for and in consideration of the sum of ten dollars (\$10.00) and other good and valuable consideration, the receipt whereof is hereby acknowledged, does hereby grant and convey:

To City, its successors and assigns, a perpetual and non-exclusive easement for the relocation, construction, inspection, and maintenance of stormwater drainage facilities for collection and transfer of stormwater, together with any appurtenances incidental and necessary thereto, over, across, upon and through the portion of Grantor’s Property described in Exhibit “B” (“Drainage Easement Area”) together with the right to construct, reconstruct, remove, maintain, operate, improve, add to, inspect, and repair the drainage system and appurtenances contained therein.

TO HAVE AND TO HOLD, all and singular, the Easement unto the City, its successors and assigns forever, subject to the following terms, conditions, and covenants:

1. Although the Easement granted to the City herein is non-exclusive, Grantor shall notify the City of any easements for the use of the Drainage Easement Area granted over the Drainage Easement Area subsequent to the date of this Easement.
2. City acknowledges that the Drainage Easement Area will be used for drainage facilities for collection and transfer of stormwater from Grantor’s Property and property adjacent thereto.
3. No improvements, trees, landscaping, or encroachments, including utilities, not existing on the date of this Agreement shall be placed within the Drainage Easement Area without the approval of and a permit (if required) from the City, which approval shall not be unreasonably withheld, conditioned, denied, or delayed.
4. The rights granted herein to the City may be released or modified by a written, recordable release or modification approved by the Grantor and executed by the City.
5. City shall be responsible for construction, inspection, maintenance, and repair of all drainage facilities constructed within the Drainage Easement Area at its sole expense other than any repairs to the drainage facilities if they are determined to be caused by Grantor’s activities within the Easement Area.

6. City agrees to restore to the same condition and level of appearance and functionality to Grantor's reasonable satisfaction at the City's sole expense, any land which is disturbed as a result of City's construction, repair, maintenance, or relocation of infrastructure within the Drainage Easement Area.
7. City will, in non-emergency instances, provide Grantor thirty (30) days advanced, written notice of work within the Drainage Easement Area other than routine maintenance and inspections unless otherwise agreed by Grantor and City. This notice shall include a description of the scope of the work and the duration of the project. Grantor shall have, in non-emergency instances, seven (7) days from the receipt of the notice to arrange with the City for alternative dates or scope of work. City and Grantor shall meet and discuss any noticed work within ten (10) business days from the date of the notice.
8. City agrees to operate and maintain the City System in accordance with all applicable local, state and federal laws, rules, and regulations.
9. Prior to entering Grantor's Property, City shall cause its contractors to obtain and maintain liability insurance naming Grantor as additional insured, in amount, form and content reasonably satisfactory to Grantor, and upon request by Grantor, provide evidence of same.
10. Grantor and the City agree to attempt resolution of all disputes or disagreements involving sums in dispute of less than \$300,000, first through mediation and if unsuccessful, by binding arbitration before a single arbitrator selected by the parties in accordance with the commercial arbitration rules of the American Arbitration Association. Each party shall be responsible for its own costs and an equal share of the mediator's or arbitrator's costs, fees, and expenses.

[remainder of page intentionally left blank]

IN WITNESS WHEREOF, the said Grantor has caused these presents to be signed in its name by its proper officer, the day and year above written.

SIGNED, sealed and delivered
in the presence of:

WILD DUNES LLC,
a Delaware limited liability company

By: Destination Wild Dunes, Inc.,
a South Carolina corporation,
its Manager

Witness #1

By: _____
Name: Matthew H. Walker
Title: Executive Vice President

Witness #2

Witness #1

By: _____
Name: Dan Battista
Title: Senior Vice President

Witness #2

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA

COUNTY OF _____ SS.

On June __, 2021 before me, _____, personally appeared Matthew H. Walker, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

Signature _____

Name of Notary _____

My commission expires _____

South Carolina Acknowledgment

I, _____, a Notary Public for South Carolina do hereby certify that Dan Battista, as Senior Vice President of Destination Wild Dunes, Inc., as Manager of Wild Dunes LLC personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and seal this _____ day of June, 2021.

_____(SEAL)

Notary Public for _____

Name of Notary _____

My commission expires _____

Exhibit A
Grantor's Property
[T&H drawing]

Exhibit B
Easement Area
[T&H drawing]

CART PATH

EXISTING 30' DRAINAGE EASEMENT

EXISTING 30' DRAINAGE EASEMENT

45-TREE

MATCH LINE THIS SHEET

LEGEND:

EXISTING EASEMENTS

PROPOSED EASEMENTS

 EXISTING EASEMENTS TO BE ABANDONED

TMS# 571-00-00-001
WILD DUNES LLC
WILD DUNES HARBOR COURSE

GRAPHIC SCALE

$$\boxed{\begin{array}{c} \text{(IN FEET)} \\ 1 \text{ inch} = 10 \text{ ft.} \end{array}}$$

TMS# 571-00-00-001
WILD DUNES LLC
WILD DUNES HARBOR COURSE

FAIRWAY

TMS# 571-00-00-001
WILD DUNES LLC
WILD DUNES HARBOR COURSE

CART PATH

MATCH LINE - SEE SHEET NO. G1.2

EXISTING 30' DRAINAGE EASEMENT

FAIRWAY

TMS# 571-00-00-001
WILD DUNES LLC
WILD DUNES HARBOR COURSE

TMS# 571-00-00-001
WILD DUNES LLC
WILD DUNES HARBOR COURSE

LEGEND:

EXISTING EASEMENTS

PROPOSED EASEMENTS

 EXISTING EASEMENTS TO BE ABANDONED

GRAPHIC SCALE

(IN FEET)
1 inch = 10 ft.

[illegible]

THOMAS & HUTTON
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CITY OF ISLE OF PALMS
OF PALMS, CHARLESTON COUNTY, SOUTH CAROL

ISLE OF PALMS, CHARLESTON COUNTY, SOUTH CAROLINA

PHASE 3 DRAINAGE IMPROVEMENTS

PROPERTY STRIP MAP

3 NO:	J- 27670.0004
TE:	12/26/19
AWN:	HEA
SIGNED:	HEA
VIEWED:	RPK
PROVED:	RPK
ALE:	AS NOTED

G1.1



Personnel Committee
9:00am, Wednesday, June 9, 2021
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 Bell, Buckhannon, and Moye

Staff Present: Administrator Fragoso, HR Officer Ladd

2. Approval of previous meeting's minutes

MOTION: Council Member Bell made a motion to approve the minutes of the May 4, 2021 meeting. Council Member Buckhannon seconded the motion. The motion passed unanimously.

3. Citizens' Comments – none

4. Old Business

A. Update on Wage and Compensation Analysis project

HR Officer Ladd reported that she has met with all department heads to review current classification job titles and Class Adjustment Scores. Two positions were moved from non-exempt to exempt. Some job title changes were recommended to be more in line with the industry standards.

City staff is to provide Evergreen with feedback on the pay scale layout for the Fire and Police departments. Evergreen is still slightly behind the work schedule they presented in April, mostly due to staff input and changes.

B. Discussion of referendum question on reducing the size of City Council

Administrator Fragoso reminded committee members that the referendum question must be one question on one issue. The deadline to submit the question to the Board of Elections is mid-August, so City Council will need to approve by its July meeting. Options for how to reduce the size of City Council have been reviewed by the City Attorney and were included in the meeting packet.

Committee members expressed preference for a hybrid of the two options presented. For two election cycles, the candidate receiving the least amount of votes for the open seats would serve a two-year term. Committee members stressed the importance of all winning candidates to

understand the length of their term from the beginning of the term. Administrator Fragoso will have Attorney Hinchey draft something for City Council to have for First Reading at the end of the month.

5. New Business

A. Interview of candidate for City Attorney

Council Member Bell said it is important to understand the future legal strategy of the City when hiring a City Attorney.

MOTION: Council Member Moye made a motion to enter into Executive Session according to §30-4-70(a)(1) to discuss personnel matters with regards to interviewing a candidate for City Attorney. Council Member Bell seconded the motion. The motion passed unanimously.

The Personnel Committee went into Executive Session at 9:17am.

The Personnel Committee returned from Executive Session at 9:37am. Council Member Moye said no decisions had been made.

B. Discussion of altering the hiring process to fill department head vacancies

Council Member Moye questioned the Personnel Committee's place in the hiring of department heads. He believes that while the City Council should hire the City Administrator, the City Administrator should be the one filling department head vacancies. Council Member Bell agreed that City Council members have no long-term accountability for these hires and often no expertise in the working of an individual government department. Council Member Buckhannon supported the idea as well, adding that City Council does not need to micromanage the process and should support the City Administrator's decisions.

Administrator Fragoso said a proposed change in the language will be on the City Council agenda for June.

C. Discussion and consideration of nomination of Howard Hogue "Beach Santa" for a Signal 30 award

MOTION: Council Member Bell made a motion to recommend to City Council the Signal 30 Award be given to Howard "Beach Santa" Hogue. Council Member Buckhannon seconded the motion.

Council Member Moye thanked Council Member Smith for the well-deserved recognition. Administrator Fragoso describe the award.

VOTE: The motion passed unanimously.

D. Consideration of applications for ATAX vacancy ending 12/31/2023

Administrator Fragoso said one of three applicants for the opening on ATAX will fill the term vacated by Julise Spell. The term will end 12/31/2023. The opening must be filled with someone

with experience in the lodging industry. Committee members interviewed two of three candidates, Dudley Spangler and Glenda Nemes. Both Mr. Spangler and Ms. Nemes are short-term rental owners on the island.

6. Miscellaneous Business

The next regular meeting of the Personnel Committee will be Tuesday, July 6, 2021 at 9am.

7. Adjournment

Council Member Buckhannon made a motion to adjourn, and Council Member Bell seconded the motion. The motion passed unanimously. The meeting was adjourned at 10:06am.

Respectfully submitted,

Nicole DeNeane
City Clerk

From: [Susan Hill Smith](#)
To: [Desiree Fragoso](#)
Subject: Please share with the Personnel Committee
Date: Thursday, June 3, 2021 2:16:32 PM

To the Personnel Committee,
I would like to nominate Howard Hogue, aka Beach Santa, for a Signal 30 award for special citizen service.

From the summer of 2018 through the end of May 2021, Howard has picked up more than 55,000 litter and debris items from the Isle of Palms Beach and more than 75,000 items from the streetscape and parking lots in the island's Front Beach commercial district.

That's more than 130,000 items of litter that he's collected on Isle of Palms and doesn't count the litter he collected the year before he began officially recording catalogued statistics with the assistance of the South Carolina Aquarium's conservation team and its Litter-free Digital Journal.

While some of those items were collected as part of sweeps with Isle of Palms Cleanup Crew, Howard often works on his own or with aquarium conservation volunteer Linda Rowe, who helps him record the data. In fact, Howard has expanded to do sweeps around the tri-county Charleston region, including many of the area's boat landings.

His astounding total litter collection count for the Lowcountry at the start of summer 2021 is 425,445, and he has done it all with a twinkle in his eye.

This kind crusader gladly talks with those on the beach who ask about what he's doing, ready to share a message for all who will listen about the importance of doing our part to protect the environment and shared public spaces. While he makes his home in Moncks Corner, he has become something of a goodwill beach ambassador and local celebrity on Isle of Palms and has done many interviews with local and state media. Plus, he has joined the Isle of Palms Holiday Street Festival more than once as our Santa, donating his appearance pay to charity, as is his typical practice.

I could go on but instead encourage you to watch this SCETV report that came out during the holidays so that you can hear more from Howard himself.

<https://www.scetv.org/stories/2020/beach-santa-encourages-south-carolinians-protect-future>

I expect that you will all agree that Howard is more than deserving of the Signal 30 Award.

Sincerely,
Susan

Susan Hill Smith
Isle of Palms City Council Member
shsmith@iop.net



REAL PROPERTY COMMITTEE

1:30pm, Monday, June 7, 2021

1207 Palm Boulevard, Isle of Palms, SC 29451

and broadcasted live on YouTube: <https://www.youtube.com/user/cityofisleofpalms>

MINUTES

1. Call to order

Present: Council members Moye, Popson, and Streetman

Staff Present: Administrator Fragoso, Director Kerr

2. Approval of previous meeting's minutes – May 4, 2021

MOTION: Council Member Moye made a motion to approve the minutes of the May 4, 2021 meeting and Council Member Popson seconded the motion. The motion passed unanimously.

3. Citizens' Comments -- none

4. Marina Tenant Comments -- none

5. Old business

A. Update on marina dock rehabilitation project

Administrator Fragoso reported that the restaurant face dock and the anchor pilings have been installed. The Marina Manager met recently with ATM, Epic Engineering, Salmons, and TransWorld to discuss the installation of the utilities.

She said the gangways are on order and they are awaiting a shipping and delivery update for those. While material shortages have caused unforeseen production delays, the two gangways serving the Dock Area C should arrive on site by the end of June. The goal remains to have the area serviceable and usable for the 4th of July weekend. Should the utilities not be completely installed by that weekend, the docks can still be used.

Regarding the fuel hut, the Marina Manager, Epic, ATM, Salmons, and Evans & Schmidt met last week to finalize some questions about the design. They anticipate being ready to submit for the building permit shortly. Administrator Fragoso said, "The final structural connections to the floating dock remain to be done as far as the final electrical engineering before the engineering of the hut is finalized. Salmons is coordinating directly with Structure Marine on the fuel hut platform. The drawings calculations have not yet been received and originally promised to be provided by Structure Marine in mid-May so they are running a little bit of a delay. However, the updated schedule that has us finalizing the fuel hut installation after Labor Day."

Administrator Fragoso said the broken piling has been raised and was broken down by the pluff mud.

B. Update on marina restaurant renovation by Marker 116, LLC

Administrator Fragoso reported that she and Director Kerr met with Dave Lorenz, Jon Bushnell, and James Frank, the City's representative from Insight Group, last week. Weekly meetings will begin next week. Demolition of the restaurant is complete. Once the mechanical drawings have been completed, renovation progress should move quickly.

Administrator Fragoso said that Attorney Hinchey is drafting the final contract for the parking lot improvements.

C. Update on proposed ADA-compliant dual-purpose beach boardwalk at 42nd Avenue

A lengthy discussion ensued regarding the scope of the proposed boardwalk at 42nd Avenue. Director Kerr said that further investigation into the Mr. Boardwalk product gave City staff pause about moving forward with them. The overall goal of the path is to enhance ADA-accessibility to the beach. Options for the path include continued use of the MobiMat, installation of Mr. Boardwalk, or a raised boardwalk.

MOTION: Council Member Popson made a motion to recommend to City Council further discussion about the next steps with the 42nd Avenue improvements for ADA accessibility. Council Member Moye seconded the motion. The motion passed unanimously.

D. Update the proposed public dock and greenspace at the IOP Marina

Administrator Fragoso said there are no updates to this project as they are still awaiting the outcome of the eviction proceedings with the former tenant. Staff has reached out to potential vendors for design and construction once the case has been adjudicated.

E. Discussion and consideration of noise agreement with Marker116, LLC

Administrator Fragoso said they are awaiting feedback from Marker116 on the new language in the noise agreement. It will be on July agenda.

6. New Business

A. Discussion of changes to the zoning ordinance to permanently allow outdoor dining at restaurants

Director Kerr explained the current process for such a request by a restaurant takes the application through BOZA who reviews each request on a case-by-case basis and applies appropriate conditions. He does not encourage a change to the City code allowing for blanket approval of outdoor dining. If there were to be any changes to the ordinance, he suggested amending the ordinance to remove the language that required restaurants to operate within the footprint of their building. Committee members expressed support of allowing outdoor dining.

Administrator Fragoso suggested a sunset provision for this change so that it could be evaluated. She said the change could be presented to City Council for First Reading in June, which would

make it a pending ordinance. She will send the proposed language to Committee members ahead of the City Council meeting.

B. Consideration of allowing new marina restaurant tenants to operate a food truck at the IOP Marina prior to opening the restaurant as a City-sanctioned activity

Administrator Fragoso said this request could be approved as a City-sanctioned event. She is waiting for a proposed schedule from Jon Bushnell that City Council could consider at the June meeting.

7. Miscellaneous Business

The next meeting of the Real Property Committee will be held on Monday, July 12, 2021 at 1:30pm.

8. Adjournment

Council Member Moye made a motion to adjourn and Council Member Popson seconded the motion. The meeting was adjourned at 2:26pm.

Respectfully submitted,

Nicole DeNeane
City Clerk



BOARD OF ZONING APPEALS

4:30pm, Tuesday, June 16, 2021

1207 Palm Boulevard, Isle of Palms, SC and

broadcasted live on YouTube: <https://www.youtube.com/user/cityofisleofpalms>

MINUTES

1. Call to order

Present: Glenn Thornburg, Elizabeth Campsen, Brian Abel, Arnold Karig, Brian McKnight, and Douglas Kerr, Director of Planning

2. Approval of Previous Meeting's Minutes

Mr. Thornburg made a motion to approve the minutes of the May 4, 2021 meeting as presented, and Ms. Campsen seconded the motion. The motion passed unanimously.

3. Swearing in of applicants

Ms. Campsen swore in the applicants.

4. Home Occupations

A. 122 Ocean Boulevard

Director Kerr stated Kristen Stein, the applicant, is requesting a special exception to allow the establishment of an interior design business in her home. Ms. Stein has indicated that the home will be used for office work only and there would be no business-related traffic coming to the house or exterior evidence of a business. Ms. Meredith Maxwell, Ms. Stein's attorney, said the only materials on the property would be sample design boards or pipe materials. They are mostly stored in her car. Sample materials may occasionally be delivered to her home.

MOTION: Mr. Thornburg made a motion to approve the request as submitted, and Ms. Campsen seconded the motion. The motion passed unanimously.

B. 10 Fairway Oaks Lane

C. 10 Fairway Oaks Lane

Director Kerr said both applications for 10 Fairway Oaks Lane have been withdrawn as the applicants have located the businesses to a physical location off the island.

5. **Special Exceptions**

A. **1012 Ocean Boulevard**

Director Kerr said that Papi's Taquiera is requesting a special exception to allow for outdoor sales of food and drink. They are requesting service on a ground-level deck to adjacent to the restaurant.

He reported to the Board that Papi's was granted permission for the outdoor sale of food and drink in 2017 on an elevated deck under the following conditions: sales were limited to occur between 11am and 10pm Sunday through Thursday and 11am-11pm on Friday and Saturday. Additionally, no live music including acoustic or amplified performances would be permitted and no electronic or other devices were to be used to play music.

City code requires that the outdoor sale of food in this district be more than 200' away from the Ocean Boulevard right of way, and this deck area is within that 200'. The request also is seeking permission to construct the deck on which the food and drink will be served.

MOTION: Ms. Campsen made a motion to open discussion for the application from 1012 Ocean Boulevard. Mr. McKnight seconded the motion.

The applicant explained that the space where they were permitted to put picnic tables during the shutdown is a heavily trafficked area, so they would like to move these tables to the proposed deck area. Director Kerr pointed out that the proposed deck area will actually cross over the property line into the adjacent property at 1016 Ocean Boulevard which is owned by the same person owning 1012 Ocean Boulevard. He said this portion of the request still has to be reviewed by the City's Building Official who is not obligated to approve anything that does not comply with the code. The applicant explained there would be a fenced area that would provide coverage of trash bins and cleaning supplies. A cantilever roof to cover that utility area is also proposed.

Director Kerr suggested that the owner might just move the property line so that the proposed deck is part of the 1012 Ocean Boulevard property. Ms. Campsen said there are a number of options available to the owner who should probably take time to discuss those options with a real estate attorney. Director Kerr said that the current section of the Emergency Ordinance allowing the outdoor sale of food and drink could be extended by City Council for up to a year.

MOTION: Ms. Campsen made a motion to defer the application at 1012 Ocean Boulevard until the July BOZA meeting. Mr. McKnight seconded the motion. The motion passed unanimously.

B. **1120 Ocean Boulevard**

Director Kerr said that Perry Freeman of Coconut Joe's is requesting a special exception to allow for outdoor sales of food and drink. A ground-level deck has been recently constructed in that area for that purpose. The deck is on the roadside of Coconut Joe's and backs up to Smuggler's.

Director Kerr pointed out that the Building Official may have concerns about the fire separation at the property lines. He said that approval of this request by the Board is not an indication that the deck is in compliance with the building code.

MOTION: Ms. Campsen made a motion to open the application up for discussion, and Mr. Thornburg seconded the motion.

Mr. Freeman indicated the intent of this area is for drink and cocktail service while customers are waiting for their tables. They have built in countertop seating and may eventually add plumbing and electrical to allow for an outdoor bar service area.

A resident expressed concern about underground propane tanks in the area. Mr. Freeman said, according to AmeriGas, early next week all the tanks will be completely inactive and irrelevant to the area. Mr. Freeman also said he would need to get confirmation from his general contractor to verify if the deck was professionally designed and properly permitted. Director Kerr expressed concern about the possible fire separation issues.

Board members expressed concerns about safety issues with regards to the propane tanks and would like more information about how those will be dealt with safely.

MOTION: Mr. McKnight made a motion to defer further discussion on the application until the July BOZA meeting. Mr. Thornburg seconded the motion. The motion passed unanimously.

6. Miscellaneous Business

The next meeting of the Board of Zoning Appeals will be on Tuesday, July 13, 2021 at 4:30pm.

7. Adjournment

Mr. Thorburg made a motion to adjourn, and Ms. Campsen seconded the motion. The meeting was adjourned at approximately 5:21pm.

Respectfully submitted,

Nicole DeNeane
City Clerk



**Special Planning Commission Meeting
9:00am, Thursday, May 27, 2021
1207 Palm Boulevard, Isle of Palms, South Carolina**

MINUTES

1. Call to Order

Present: Scott Pierce, Ron Denton, Steven Corney, David Cohen, Sandy Stone, Marty Brown, Lisa Safford, and Douglas Kerr, Director of Planning

2. New Business

Review Drainage Master Plan submittals

Commissioners reviewed the submittals for the Drainage Master Plan to determine who they would like to interview. The structure of the interviews and scoring process were also discussed. Director Kerr said he would align the scorecard with the scope of the RFP.

Interviews with Thomas & Hutton, Stantec, and Davis & Floyd will be setup for Tuesday, June 8, 2021 beginning at 9am.

The next regular meeting of the Planning Commission will be held Tuesday, June 15, 2021 at 4:30pm.

3. Adjournment

Mr. Pierce made a motion to adjourn, and Mr. Stone seconded the motion. The meeting was adjourned at approximately 10:15am.

Respectfully submitted,

Nicole DeNeane
City Clerk



**Special Planning Commission Meeting
9:00am, Tuesday, June 8, 2021
1207 Palm Boulevard, Isle of Palms, South Carolina**

MINUTES

1. Call to Order

Present: Scott Pierce, Ron Denton, Steven Corney, David Cohen, Sandy Stone, Lisa Safford, and Douglas Kerr, Director of Planning

Absent: Marty Brown

2. New Business

Interviews of Companies who made Drainage Master Plan submittals

Commissioners listened to presentations by and interviewed representatives of Thomas & Hutton, Davis & Floyd, and Stantec regarding their response to the RFP for the Master Drainage Plan.

Rick Karkowski and Hilary Aton of Thomas & Hutton gave a background of the company and reviewed local projects they have recently completed. They spoke of their knowledge of the current state of the island's drainage system, detailed the Phase 4 study area, and their goals and objectives of the Master Drainage Plan.

Katherine DeMoura, Ryne Phillips, and Chris Haynes of Davis & Floyd reviewed their plans for data collection and augmentation, detailed how they will perform a watershed flood-risk assessment, how they intend to prioritize drainage projects, assess system management, and create a GIS-based maintenance plan.

Brian Kaiser, Marshal Lynn, and Josh Lilly from Stantec detailed the members of the project team and their areas of expertise. After reviewing related experience on similar projects, they presented their proposed scope of work for the Master Drainage Plan, including creating an inventory of areas lacking infrastructure, completing a drainage analysis, creating a prioritized list of improvement options with corresponding costs, submitting permitting, pursuing grant funding, and creating a GIS-based maintenance plan.

Commissioners scored each company upon completion of their interview. Following the interview process, scores were tabulated and Commissioners discussed the results.

MOTION: Mr. Pierce made a motion to request pricing from Davis & Floyd. Mr. Stone seconded the motion. The motion passed unanimously.

3. **Adjournment**

Mr. Denton made a motion to adjourn, and Mr. Corney seconded the motion. The meeting was adjourned at approximately 11:24am.

Respectfully submitted,

Nicole DeNeane
City Clerk



**Planning Commission Meeting
4:30pm, Tuesday, June 15, 2021
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: Scott Pierce, Steven Corney, Sandy Stone, Marty Brown, Lisa Safford,
and Douglas Kerr, Director of Planning

Absent: Ron Denton, David Cohen

2. Approval of minutes

Mr. Stone made a motion to approve the minutes of the May 12, 2021 regular meeting, and Mr. Corney seconded the motion. The motion passed unanimously.

3. New Business

Discuss housing data from Assessor

Director Kerr reported that the additional data fields requested from the Assessor's Office will be available at the end of this week or the beginning of next week.

4. Old Business

A. Review of the Priority Investment Element of the Comprehensive Plan

Director Kerr reminded the Commissioners that the goal of this element is to identify priority investment projects, match them with possible funding sources, and note what projects may need some coordination with surrounding communities. Commissioners felt it was important that the Planning Commission conduct an annual review of the 10-year capital plan to ensure the identified priorities are included and being actualized through time. Director Kerr pointed out that the Master Drainage Plan will prioritize the drainage projects the Comprehensive Plan will need to refer to. He also reminded the Commissioners of the need to create a working strategic plan with the Water & Sewer Commission on the future of sewerage the island as part of the recently-executed MOU.

Commissioners discussed the possibility of including traffic mitigation strategies on the priority investment project list. Other suggested priorities discussed included beach walkovers, a new gym at the Recreation Center, and the City's IT infrastructure.

Director Kerr will draft the Priority Investment Element to include a description of the process of developing and prioritizing priority investments and the annual review of those priorities, a listing of priority investment projects, potential funding sources, and strategies associated with each priority.

5. Miscellaneous Business

Director Kerr reported that the pricing information for the Master Drainage Plan from Davis & Floyd is expected soon. The pricing and the Planning Commission's recommendation to City Council will be discussed at the next regular meeting.

The next regular meeting of the Planning Commission will be Wednesday, July 14, 2021 at 4:30pm.

6. Adjournment

Mr. Pierce made a motion to adjourn, and Ms. Safford seconded the motion. The meeting was adjourned at approximately 5:32pm.

Respectfully submitted,

Nicole DeNeane
City Clerk



ACCOMMODATIONS TAX ADVISORY COMMITTEE

8:30am, Friday, May 28, 2021

1207 Palm Boulevard, Isle of Palms, SC and

broadcasted live on YouTube: <https://www.youtube.com/user/cityofisleofpalms>

MINUTES

1. Call to order

Present: Rusty Williamson, Malcolm Burgiss, Sally Muhlig, Doug Truslow, Ray Burns

Absent: Julise Spell, David Nelson

Staff Present: Asst. Administrator Hanna, Treasurer Suggs

2. Approval of the previous meetings' minutes – March 19, 2021

MOTION: Ms. Muhlig made a motion to approve the minutes of the March 19, 2021 meeting. Mr. Williamson seconded the motion.

Mr. Burns noted that Ms. Muhlig was absent from that meeting.

Mr. Truslow clarified his request and concerns relative to financial matters, taxpayer funds, and transparency was not intended to be limited to one future year only. He also said he did not believe the presentation given by Mr. Perrin Lawson of the Charleston Visitor's Bureau was reflective of how the monies the CVB receives from the Isle of Palms are used to support the tax revenues created by visitors to the island.

VOTE: The amended minutes passed unanimously.

3. Financial Statements – Treasurer Suggs

Treasurer Suggs stated the total ATAX fund balance is just over \$1.9M as of 4/30/2021. She noted that the quarterly payments received in December and March were much higher than projected. She expects the actuals for FY21 to be in excess of the budget and more inline with pre-COVID levels. She anticipates a "very good FY22" as far as accommodations and local option sales taxes.

She reviewed the year-to-date expenditures. The budget is "way below" through April. She stated that the expense of the City's website will be paid through the General Fund next year as it is more integral to the operations of the City as a whole rather than just tourism focused.

4. **Old Business -- none**

5. **New Business**

MOTION: Mr. Truslow made a motion to reorder the items under New Business such that the presenters could go ahead of the discussion items. Mr. Williamson seconded the motion. The motion passed unanimously.

A. Consideration of an application by the South Carolina Aquarium for funding in the amount of \$10,000 for the Turtle Trek 5K Project

Ms. Stephanie Gabash, Strategic Partnership Officer for the South Carolina Aquarium, came before the ATAX Committee to request funding for the Turtle Trek 5K to be held on Saturday, October 9, 2021. She said this is a city-sponsored run in its 6th year. The event expects to bring approximately 800 runners of all ages to the island and proceeds benefit the South Carolina Aquarium's Sea Turtle Care Center. She said nearly all participants come from off the island and there is an educational component to the event.

Noting an error in the application, Mr. Burns clarified that this event is an in-person event and not a virtual one. Ms. Gabash confirmed that it is an in-person event with a virtual component. Asst. Administrator Hanna added that City Council will be considering the city-sponsored status request at their June meeting.

MOTION: Ms. Muhlig made a motion to approve, and Mr. Williamson seconded the motion. The motion passed unanimously.

B. Consideration of an application by Veterans of Foreign Wars Post 3137 for funding in the amount of \$12,000 facilities maintenance

Mr. George Page of VFW Post 3137 came before the ATAX Committee to request funding to support the facilities maintenance of the post. He explained that 50% of its membership are residents of the Isle of Palms and Mt. Pleasant and 50% are from outside the area. This post draws people from all over the country. He reviewed a lengthy list of activities and events hosted by the VFW and highlighted the work they do in support of veterans. He explained the many needs the post has to keep the facility well-maintained.

MOTION: Mr. Truslow made a motion to approve, and Mr. Williamson seconded the motion. The motion passed unanimously.

C. Presentation by Charles Barrineau of the Municipal Association of South Carolina regarding the requirements for disbursement of Accommodations Tax Funds and the Freedom of Information Act

Mr. Barrineau gave a presentation to the ATAX Committee regarding the disbursement of Accommodations Tax Funds and the Freedom of Information Act as it relates to their work and membership on the Committee.

D. Discussion of the Charleston Visitor's Bureau's funding from the City of Isle of Palms

Mr. Burns spoke at length about his concerns regarding the City's Accommodations Tax funds being paid to the Charleston Visitor's Bureau. He noted the CVB has received \$2.9M from the City of Isle of Palms over the past 5 years, adding that the City of Folly Beach and the Town of Sullivan's Island pay significantly less. He said that State law requires DMOs to provide an accounting of the funds given to them and what the City has received from the CVB is not detailed.

He said, "I have a problem when 96% of the Accommodations tax that we are responsible for which represents the 30%, 96% of the 30% goes to the DMO CVB. I have a hard time approving that budget when I have no idea what I am approving."

He volunteered the ATAX Committee to research what other cities are doing with these same funds. He noted that while the CVB's efforts have been "extraordinarily successful," he was unsure if the success of the Isle of Palms is entirely due to the activities of the CVB.

Ms. Muhlig stated that many on City Council are also frustrated with this situation, but the creation of an internal DMO is a large undertaking. Mr. Truslow would like to see the formation of an internal DMO.

6. Miscellaneous Business

The next meeting of the ATAX Committee will be Wednesday, July 14, 2021 at 11am.

7. Adjournment

Mr. Burgiss made a motion to adjourn, and Mr. Williamson seconded the motion. The meeting was adjourned at 10:00am.

Respectfully submitted,

Nicole DeNeane
City Clerk

ORDINANCE 2021-07

AN ORDINANCE AMENDING TITLE 5, PLANNING AND DEVELOPMENT, CHAPTER 4, ARTICLE 8, FLOOD DAMAGE PREVENTION, SECTIONS 5-4-152 THROUGH 5-4-171, OF THE CITY OF ISLE OF PALMS CODE OF ORDINANCES, TO CHAPTER 4, ZONING, ARTICLE 2, DISTRICT REGULATIONS.

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

WHEREAS, the City of Isle of Palms, like most municipalities in the Lowcountry, participates in the Community Rating System (CRS) and the National Flood Insurance Program (NFIP) and has been notified by CRS that in order for the City to remain a Class 8 community or better, the City is required to incorporate at least a one-foot freeboard requirement into the local Flood Damage Prevention ordinance;

WHEREAS, the Isle of Palms Council now desires to amend Chapter 4, Zoning of the Isle of Palms Code of Ordinances, specifically Article 8, Sections 5-4-152 through 5-4-171 (Flood Damage Prevention).

BE IT ORDAINED AND ENACTED BY THE MAYOR AND COUNCIL MEMBERS OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, IN CITY COUNCIL ASSEMBLED THAT TITLE 5, PLANNING AND DEVELOPMENT, CHAPTER 4, ZONING, ARTICLE 8, BE REPLACED ENTIRELY TO READ AS FOLLOWS:

Sec. 5-4-151. - Statutory authorization.

Pursuant to S.C. Code 1976, § 6-29-710, as amended, the Legislature of the State has delegated the authority to local governments to adopt regulations designed to protect against and secure safety from floods. Therefore, the City Council hereby adopts the provisions set forth in this article.

Sec. 5-4-152. - Findings of fact.

- (a) The flood hazard areas of the City are subject to periodic inundation which can result in loss of life, property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affects the public health, safety and general welfare.
- (b) These flood losses are caused by the cumulative effect of obstructions in floodplains causing increases in flood heights and velocities, and by the occupancy in flood hazard areas by uses vulnerable to floods or hazardous to other lands which are inadequately elevated, floodproofed, or otherwise unprotected from flood damages.

Sec. 5-4-153. - Statement of purpose.

It is the purpose of this article to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- (1) Restrict or prohibit uses which are dangerous to health, safety and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- (2) Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- (3) Control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of floodwaters; and
- (4) Regulate developments which may increase erosion or flood damage; and, regulate the construction of structures which will unnaturally divert floodwaters which may increase flood hazards to other lands.

Sec. 5-4-154. - Objectives.

The objectives of this article are:

- (1) To protect human life and health;
- (2) To minimize expenditure of public money for costly flood control projects;
- (3) To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- (4) To minimize prolonged business interruptions;
- (5) To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;
- (6) To help maintain a stable tax base by providing for the sound use and development of floodprone areas in such a manner as to minimize future flood blight areas;
- (7) To encourage notification to potential real property buyers that a property is located in a special flood hazard area.

Sec. 5-4-155. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Appeal means a request for a review of the Building Official's interpretation of any provisions of this chapter or a request for a variance.

Area of shallow flooding means a designated AO or VO Zone on a community's Flood Insurance Rate Map (FIRM) with base flood depths of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident.

Area of special flood hazard means the land in the floodplain within a community subject to a one percent (1%) or greater chance of flooding in any given year.

Base flood means the flood having a one percent (1%) chance of being equaled or exceeded in any given year.

Base flood elevation means the water surface elevations of the base flood as determined by the Federal Insurance Administrator of the National Flood Insurance Program (NFIP).

Basement means any area of the building having its floor subgrade (below ground level) on all sides.

Building means any structure built for support, shelter, or enclosure for any occupancy or storage.

Coastal high hazard area means an area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources.

Development means any manmade change to improved or unimproved real estate, including, but not limited to, building or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

Existing construction means, for the purposes of determining rates, structures for which the start of construction commenced before January 1, 1975.

Expansion to an existing manufactured home park or manufactured home subdivision means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, either final site grading or pouring of concrete pads, or the construction of streets). Any expansion is considered new construction.

Fair market value of a structure means:

- (1) The appraised value of the structure prior to the start of the initial repair or improvement; or
- (2) In the case of damage, the appraised value of the structure prior to the damage occurring.

Flood or flooding means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) The overflow of inland or tidal waters;
- (2) The unusual and rapid accumulation of runoff of surface waters from any source.

Flood Hazard Boundary Map (FHBM) means an official map of a community, issued by the Federal Emergency Management Agency (FEMA), where the boundaries of the areas of special flood hazard have been defined as Zone A.

Flood Insurance Rate Map (FIRM) means an official map of a community, on which the Federal Emergency Management Agency (FEMA) has delineated both the special flood hazard areas and the risk premium zones applicable to the community.

Flood Insurance Study means the official report provided by the Federal Emergency Management Agency (FEMA). The report contains flood profiles, as well as the Flood Boundary-Floodway Map and the water surface elevation of the base flood.

Freeboard means a factor of safety usually expressed in feet above a flood level for purposes of flood plain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.

Functionally dependent use means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term "functionally dependent use" includes only docking or port facilities necessary for the loading and unloading of cargo or passengers, shipbuilding and ship repair facilities. The term "functionally dependent use" does not include long-term storage, manufacture, sales, or service facilities.

Highest adjacent grade means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

Historic structure means any structure that is:

- (a) Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of the Interior (DOI)) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (c) Individually listed on a state inventory of historic places;
- (d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified:
 - (1) By an approved state program as determined by the Secretary of Interior, or
 - (2) Directly by the Secretary of Interior in states without approved programs.

Some structures or districts listed on the state or local inventories MAY NOT be "Historic" as cited above, but have been included on the inventories because it was believed that the structures or districts have the potential for meeting the "Historic" structure criteria of the DOI. In order for these structures to meet NFIP historic structure criteria, it must be demonstrated and evidenced that the South Carolina Department of Archives and History has individually determined that the structure or district meets DOI historic structure criteria.

Lowest floor means the lowest floor of the lowest enclosed area, including basement. Any unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area, is not considered a building's lowest floor provided that such enclosure is not built so as to render the structure in violation of other provisions of this article.

Manufactured home means a structure, transportable in one (1) or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. It does not include recreational vehicles or travel trailers.

Mean sea level means the average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the floodplain. For purposes of this article, the term is synonymous with the National Geodetic Vertical Datum (NGVD) of 1929, North American Vertical Datum (NAVD 88) of 1988, or other datum, to which the base flood elevations shown on a community's Flood Insurance Rate Maps (FIRM) are shown.

National Geodetic Vertical Datum (NGVD), as corrected in 1929, means elevation reference points set by National Geodetic Survey based on mean sea level.

New construction means structures for which the start of construction commenced on or after the effective date of the ordinance from which this article is derived.

New manufactured home park or manufactured home subdivision means a parcel or contiguous parcels of land divided into two (2) or more manufactured home lots for rent or sale for which the construction of facilities for servicing the lot on which the manufactured home is to be affixed (including, at a minimum, the installation of utilities, either final site grading or the pouring of concrete pads, and the construction of streets) is completed on or after the effective date of the ordinance from which this article is derived.

North American Vertical Datum of 1988 (NAVD 88), means a vertical control used as the reference datum on new flood insurance rate maps.

Primary frontal dune means a continuous or nearly continuous mound or ridge of sand with relatively steep seaward and landward slopes immediately landward and subject to erosion and overtopping from high tides and waves during coastal storms. The inland limit of the primary frontal dune occurs at the point where there is a distinct change from a relatively steep slope to a relatively mild slope.

Recreational vehicle means a vehicle which is:

- (1) Built on a single chassis;
- (2) Four hundred (400) square feet or less when measured at the largest horizontal projection;
- (3) Designed to be self-propelled or permanently towable by a light duty truck; and
- (4) Designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel or seasonal use.

Sand dunes means naturally occurring or manmade accumulations of sand in ridges or mounds landward of the active beach.

Start of construction, for other than new construction and substantial improvements under the Coastal Barrier Resources Act, includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, or improvement was within one hundred eighty (180) days of the permit date. The actual start means the first placement of permanent construction of a structure on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation, or the placement of a manufactured home on a foundation.

Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of

accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main building. For substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimension of the building.

Structure means a walled and roofed building that is principally above ground, a manufactured home or a gas or liquid storage tank.

Substantial damage means damage of any origin sustained by a structure whereby the cost of restoring the structure to its pre-damaged condition equals or exceeds fifty percent (50%) of the fair market value of the structure before the damage occurred.

Substantial improvement means any combination of repairs, reconstruction, alteration, additions or improvements to a structure in which the total cost equals or exceeds fifty percent (50%) of the fair market value of the structure before the start of construction. The term "substantial improvement" does not, however, include either:

- (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications identified by the Building Official which are the minimum necessary to ensure safe living conditions; or
- (2) Any alteration of a structure listed on a National Register of Historic Places or a State Inventory of Historic Places, provided that the alteration will not preclude the structure's continued designation as a historic structure.

Variance means a grant of relief to a property owner from the requirements of this article which permits construction in a manner otherwise prohibited by this article where specific enforcement would result in unnecessary hardship to the owner.

Violation means the failure of a structure or other development to be fully compliant with this article.

Sec. 5-4-156. - Areas in which this article applies.

This article applies to all property in the City identified as areas of special flood hazard by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study dated January 29, 2021 with accompanying maps and other supporting data.

Sec. 5-4-157. - Basis for establishing the areas of special flood hazard.

The special flood hazard areas identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Rate Map (FIRM) and Flood Insurance Study dated January 29, 2021, with all attachments thereto, are hereby adopted by reference and made a part of this article as fully and completely as if set forth herein verbatim.

Sec. 5-4-158. - Establishment of building and/or zoning permit.

A building/zoning permit shall be required in conformance with the provisions of this article prior to the commencement of any development activities.

Sec. 5-4-159. - Compliance.

No structure or land shall hereafter be located, extended, converted, or structurally altered without full compliance with the terms of this article and other applicable regulations.

Sec. 5-4-160. - Abrogation and greater restrictions.

Where this article and any other provision of this Code conflict or overlap, whichever provision imposes the more stringent restrictions shall prevail. If two (2) or more flood zones or base flood elevations transect a structure, the structure shall conform to the most stringent zone and the highest base flood elevation.

Sec. 5-4-161. - Interpretation.

In the interpretation and application of this article, all provisions shall be:

- (1) Considered a minimum requirement;
- (2) Liberally construed in favor of the City Council; and
- (3) Deemed neither to limit nor repeal any other powers granted under state statutes.

Sec. 5-4-162. - Partial invalidity and severability.

In the event any section, subsection, sentence, clause or phrase contained in this article shall be declared or adjudicated to be invalid or unconstitutional by a court of competent jurisdiction, all the remaining provisions of this article shall be and remain in full force and effect.

Sec. 5-4-163. - Warning and disclaimer of liability.

The degree of flood protection required by this article is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur. Flood heights may be increased by manmade or natural causes. This article does not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damage. This article shall not create liability on the part of the City or by any officer or employee thereof for any flood damage that results from reliance on or compliance with this article or any administrative decision made hereunder.

Sec. 5-4-164. - Penalties for violation.

Violation of the provisions of this article or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance or special exceptions, shall constitute a misdemeanor. Any person who violates this article or fails to comply with any of its requirements shall, upon conviction thereof, be punished as provided in section 1-3-66, and in addition shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the City from taking such other lawful action as is necessary to prevent, enjoin or remedy any violation.

Sec. 5-4-165. - Administration; designation of Building Official.

The Building Official is hereby appointed to administer and implement the provisions of this article.

Sec. 5-4-166. - Adoption of letter of map revision (LOMR).

All LOMRs that are issued in the areas identified in section 5-4-156 are hereby adopted.

Sec. 5-4-167. - Permit procedures and certification requirements.

- (a) *Permit:* Application for a building/zoning permit shall be made to the Building Official on forms provided by him, prior to any development activities, and may include, but not be limited to, the following plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials; drainage facilities, and the location of the foregoing. Specifically, the following information is required:
 - (1) Elevation in relation to mean sea level of the proposed lowest floor (including basement) of all structures.
 - (2) Elevation in relation to mean sea level to which any nonresidential structure will be floodproofed.
 - (3) A certificate from a registered professional engineer or architect that the nonresidential floodproofed structure meets the floodproofing criteria in section 5-4-171(c).
 - (4) Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.
- (b) *Certifications:*
 - (1) *During construction.* A floor elevation or floodproofing certification is required after the lowest floor is completed, or in instances where the structure is subject to the regulations applicable to coastal high hazard areas, after placement of the horizontal structural members of the lowest floor. Within twenty-one (21) calendar days of establishment of the lowest floor elevation, or floodproofing by whatever construction means, or upon placement of the horizontal structural members of the lowest floor, whichever is applicable, it shall be the duty of the permit holder to submit to the Building Official a certification of the elevation of the lowest floor, floodproofed elevation, or the elevation of the lowest habitable floor, whichever is applicable, as built, in relation to the mean sea level. Said certification shall be prepared by or under the direct supervision of a

registered land surveyor or professional engineer and certified by same. When floodproofing is utilized for a particular building, said certification shall be prepared by or under the direct supervision of a professional engineer or architect and certified by same. Any work done within the twenty-one (21) calendar day period and prior to submission of the certification shall be at the permit holder's risk. The Building Official shall review the floor elevation survey date submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further progressive work being permitted to proceed. Failure to submit the survey or failure to make said corrections required hereby may result in the issuance of a stop work order for the project from the Building Official.

- (2) *As-built certification.* Upon completion of the development a registered professional engineer, land surveyor or architect, in accordance with state law, shall certify according to the requirements section that the development is built in accordance with the submitted plans and previous pre-development certifications.

Sec. 5-4-168. - Duties and responsibilities of the Building Official.

Duties of the Building Official shall include, but not be limited to, the following:

- (1) Review all building and zoning permits to ensure compliance with this article.
- (2) Advise permittees that additional federal or state or city permits may be required, and, if specific federal or state or city permits are known to the Building Official, require that copies of such be provided and maintained on file with the building/zoning permit.
- (3) Notify adjacent communities and the State Coordinator, Flood Mitigation Program, S.C. Land, Water and Conservation Division of the South Carolina Department of Natural Resources prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency (FEMA).
- (4) Ensure that maintenance is provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is not diminished.
- (4) Verify and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, in accordance with section 5-4-167(b).
- (5) Verify and record the actual elevation, in relation to mean sea level, to which the new or substantially improved structures have been floodproofed, in accordance with section 5-4-171(c).
- (6) In coastal high hazard areas, certification shall be obtained from a registered professional engineer or architect that the structure is securely anchored to adequately anchored pilings or columns in order to withstand the effects of wind and water loads acting simultaneously on the building.
- (7) In coastal high hazard areas, the Building Official shall review plans for adequacy of breakaway walls in accordance with section 5-4-171(h)(9).

- (8) When floodproofing is utilized for a particular structure, require certification from a registered professional engineer or architect.
- (9) Where interpretation is needed as to the exact location of boundaries of the areas of special flood hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions), make the necessary interpretation.
- (10) When base flood elevation data has not been provided in accordance with section 5-4-157, then the Building Official shall either:
 - a. Obtain, review, and utilize any base flood elevation data available from a federal, state or other source, in order to administer the provisions of sections 5-4-170 and 5-4-171; or
 - b. Require the applicant to obtain and reasonably utilize any base flood elevation data available from a federal, state or other source, and to determine the base flood elevation in accordance with accepted hydrologic and hydraulic engineering practices.
- (11) Before a certificate of occupancy is issued for a structure, inspect the premises to ensure that the requirements of this article have been met.
- (12) All records pertaining to the provisions of this article shall be maintained in the Office of the City Clerk and shall be made available for public inspection.

Sec. 5-4-169. - Variance procedures.

- (a) The City's Board of Zoning Appeals shall hear and decide appeals and requests for variances hereunder.
- (b) The Board of Zoning Appeals shall hear and decide appeals when it is alleged that there is an error in any requirements, decisions, or determinations made by the Building Official in the enforcement or administration of this article.
- (c) Any person aggrieved by the decision of the Board may appeal such decision to a court of competent jurisdiction as provided by law.
- (d) Notwithstanding any other provision in this article to the contrary, variances may be issued for repair or rehabilitation of historic structures listed on the National Register of Historic Places or the State Inventory of Historic Places upon a finding by the Board that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
- (e) In considering appeals or request for variances, the Board shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this article and:
 - (1) The danger that materials may be swept onto other lands to the injury of others;
 - (2) The danger to life and property due to flooding or erosion damage;
 - (3) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
 - (4) The importance to the community of the services provided by the proposed facility;

- (5) The necessity to the facility of a waterfront location, where applicable;
 - (6) The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
 - (7) The compatibility of the proposed use with existing and anticipated development;
 - (8) The relationship of the proposed use to the comprehensive plan and flood plan management program for that area;
 - (9) The safety of access to the property during floods for emergency and nonemergency vehicles;
 - (10) The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and
 - (11) The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.
- (f) The Board may attach such conditions to the granting of a variance hereunder as it deems necessary to further the purposes of this article.
- (g) Variances shall not be issued within any designated regulatory floodway if any increase in flood levels during the base flood discharge would result.
- (h) Requirements for variances:
- (1) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
 - (2) Variances shall only be issued upon:
 - a. A showing of good and sufficient cause;
 - b. A determination that failure to grant the variance would result in exceptional hardship to the applicant; and
 - c. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
 - (3) Any applicant to whom a variance is granted shall be given written notice by the Board that the issuance of a variance to construct a structure below the base flood level will result in substantially increased premium rates for the flood insurance as specified by the Federal law.
 - (4) The City Clerk shall maintain the records of all appeal actions.

Sec. 5-4-170. - General standards.

- (a) In all areas of the City the following provisions are required: - all permit applications shall be reviewed to determine whether proposed building sites will be reasonably safe from flooding.
- (b) All new construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure.

- (c) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
- (d) All new construction and substantial improvements shall be constructed by methods and practices that minimize flood damage.
- (e) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system.
- (f) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into floodwaters.
- (g) On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.
- (h) Any alteration, repair, reconstruction, or improvements to an existing structure which has the lowest floor, including basement, elevated to one foot above the base flood elevation or fourteen (14) feet NGVD (thirteen (13) feet NAVD 88), whichever is higher, shall meet the requirements of new construction as contained in sections 5-4-171(a) and (c) of this article.
- (i) Any alteration, repair, reconstruction, or improvements to an existing structure which has the lowest floor, including basement, below one foot above the base flood elevation or fourteen (14) feet NGVD (thirteen (13) feet NAVD 88), whichever is higher, shall meet the requirements contained in sections 5-4-171(b) and (d) of this article, provided that no new floor elevation shall be lower than the existing floor elevation.
- (j) Electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be elevated to no lower than one foot above the base flood elevation or designed and/or located so as to prevent water from entering or accumulating within the components during flooding.
- (k) Public utilities and facilities are constructed so as to minimize flood damage and provide adequate drainage.

Sec. 5-4-171. - Specific standards.

In all areas of the City where base flood elevation data has been provided as set forth in section 5-4-157, or section 5-4-168(10), the following provisions are required:

- (a) *Residential new construction.* New construction, of any residential structure shall have the lowest floor, including basement, elevated no lower than one foot above the base flood elevation or fourteen (14) feet NGVD (thirteen (13) feet NAVD 88), whichever is higher. Where permitted, solid foundation perimeter walls used to elevate a structure shall have openings sufficient to facilitate the unimpeded movements of floodwater. The elevation of the lowest floor shall be documented and provided to the Building Official using an elevation certificate in accordance with section 5-4-167(b).
- (b) *Residential substantial improvement or the repair of substantial damage.* Substantial improvement or the repair of substantial damage of any residential structure shall have the lowest floor, including basement, elevated no lower than one foot above the base flood elevation. Where permitted, solid foundation perimeter walls used to elevate a structure shall have openings sufficient to facilitate the

unimpeded movements of floodwater. The elevation of the lowest floor shall be documented and provided to the Building Official using an elevation certificate in accordance with section 5-4-167(b).

- (c) *Nonresidential new construction.* New construction, of any commercial, industrial, or nonresidential structure shall have the lowest floor, including basement, elevated no lower than one foot above the level of the base flood elevation or fourteen (14) feet NGVD (thirteen (13) feet NAVD 88), whichever is higher. Structures may be floodproofed in lieu of elevation, provided that all areas of the structure below the required elevation are watertight with walls substantially impermeable to the passage of water, using structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered professional engineer or architect shall document and certify to the Building Official that the standards of this subsection are satisfied, using a certificate in accordance with section 5-4-167(b).
- (d) *Nonresidential substantial improvement or the repair of substantial damage.* Substantial improvement or the repair of substantial damage of any commercial, industrial, or nonresidential structure shall have the lowest floor, including basement, elevated no lower than one foot above the level of the base flood elevation. Structures located in A zones may be floodproofed in lieu of elevation, provided that all areas of the structure below the required elevation are watertight with walls substantially impermeable to the passage of water, using structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered professional engineer or architect shall document and certify to the Building Official that the standards of this subsection are satisfied, using a certificate in accordance with section 5-4-167(b).
- (e) *Enclosed areas below the one foot above base flood elevation or fourteen (14) feet NGVD (thirteen (13) feet NAVD 88), whichever is higher.* New construction and substantial improvements of elevated buildings that include fully enclosed areas formed by foundation and other exterior walls below one foot above the base flood elevation that are usable solely for the parking of vehicles, building access, or storage shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for complying with this requirement must either be certified by a professional engineer or architect or meet the following minimum criteria:
 - (1) A minimum of two (2) openings having a total net area of not less than one (1) square inch per square foot of enclosed area subject to flooding shall be provided. For the purpose of compliance with this article, windows are not included.
 - (2) The bottom of all opening shall be no higher than one foot (1') above grade.
 - (3) Openings may be equipped with screens, louvers, valves or other coverings or devices, provided they permit the unimpeded entry and exit of floodwaters.
 - (4) The interior portion of such enclosed area shall not be partitioned or finished into separate rooms.
 - (5) Only the portions of openings that are below the base flood elevation (BFE) can be counted towards the required net open area.
 - (6) Fill placed around foundation walls must be graded so that the grade inside the enclosed area is equal to or higher than the adjacent grade outside the building on at least one (1) side of the building.

- (f) *Temporary structure.* No temporary structures shall be placed in a floodway or coastal high hazard area, or in any area of special flood hazard within the corporate limits of the City unless a permit is obtained from the Zoning Administrator. No such permit shall be issued unless the latest FEMA guidelines regarding such structures are met.

(g) *Shallow Flooding (AO Zones)* - Located within the areas of special flood hazard established in Article 1.D, are areas designated as shallow flooding. The following provisions shall apply within such areas:

(1) All new construction and substantial improvements of residential structures shall have the lowest floor elevated to at least as high as the depth number specified on the Flood Insurance Rate Map, in feet, above the highest adjacent grade. If no depth number is specified, the lowest floor shall be elevated at least three (3) feet above the highest adjacent grade.

(2) All new construction and substantial improvements of non-residential structures shall:

(i) Have the lowest floor elevated to at least one foot above the depth number specified on the Flood Insurance Rate Map, in feet, above the highest adjacent grade. If no depth number is specified, the lowest floor shall be elevated at least three (3) feet above the highest adjacent grade; or,

(ii) Be completely flood-proofed together with attendant utility and sanitary facilities to or above that level so that any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. Certification is required as stated in Article III.D.

(3) All structures on slopes must have drainage paths around them to guide water away from the structures.

- (h) *Coastal high hazard areas (V zones).* Located within the areas of special flood hazard established in section 5-4-157 are areas designated as coastal high hazard areas. These areas have special flood hazards associated with wave-wash; therefore, the following provisions shall apply:

(1) All new construction and substantial improvement shall be located landward of the reach of the mean high tide, first line of stable natural vegetation, and comply with all applicable Department of Health and Environmental Control (DHEC) Ocean and Coastal Resource Management (OCRM) setback requirements.

(2) All new construction shall be elevated so that the bottom of the lowest horizontal structural member supporting the lowest floor (excluding pilings or columns) is located no lower than one foot above the base flood elevation level or fourteen (14) feet NGVD (thirteen (13) feet NAVD 88), whichever is higher, with all space below the lowest supporting member open so as not to impede the flow of water. Open lattice work or decorative screening may be permitted for aesthetic purposes only and must be designed to wash away in the event of flood and wave action and in accordance with subsection (e)(9) of this section.

- (3) All substantial improvements and repairs to substantial damage of any structure shall be elevated so that the bottom of the lowest horizontal structural member supporting the lowest floor (excluding pilings or columns) is located no lower than one foot above the base flood elevation with all space below the lowest supporting member open so as not to impede the flow of water. Open lattice work or decorative screening may be permitted for aesthetic purposes only and must be designed to wash away in the event of flood and wave action and in accordance with subsection (e)(9) of this section.
 - (4) All new construction and substantial improvement shall be securely anchored on pilings or columns.
 - (5) All pile and column foundations and structures attached thereto shall be anchored to resist flotation, collapse, and lateral movement due to the effect of wind and water loads acting simultaneously on all building components. Water loading values shall equal or exceed the base flood. Wind loading values shall be in accordance with the latest edition of the building code or One- and Two-Family Dwelling Code adopted by the City.
 - (6) Compliance with provisions contained in subsection (e)(2), (3) and (5) of this section shall be certified by a licensed professional engineer or architect.
 - (7) There shall be no fill used as structural support.
 - (8) There shall be no alteration of sand dunes, which would increase potential flood damage.
 - (9) Lattice work or decorative screening shall be allowed below the base flood elevation provided they are not part of the structural support of the building and are designed so as to break away, under base flood or lesser conditions, without causing collapse, displacement or other structural damage to the elevated portion of the building or supporting foundation system and provided the following design specifications are met:
 - a. No solid walls are allowed; and
 - b. Materials shall consist of open wooden lattice or insect screening.
 - (10) Space enclosed by lattice or screening shall not be used for human habitation.
 - (11) Prior to construction, plans for any structure that will have lattice work or decorative screening must be submitted to the Building Official for approval.
 - (12) Any alteration, repair, reconstruction or improvement to a structure shall not enclose the space below the lowest floor except for lattice work or decorative screening, as provided for in subsection (e)(9) and (10) of this section.
- (i) *Recreational vehicles.* Recreational vehicles placed on lots shall be fully licensed and ready for highway use. A recreational vehicle is ready for highway use if it is on wheels or jacking system, attached to the site only by quick-disconnect-type utilities and security devices, and has no permanently attached additions.

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

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

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

PASSED AND APPROVED BY THE CITY COUNCIL FOR THE CITY OF ISLE OF PALMS, ON THE _____ DAY OF _____, 2021.

Jimmy Carroll, Mayor

(Seal)

Attest:

Nicole DeNeane, City Clerk

First Reading: _____

Public Hearing: _____

Second Reading: _____

Ratification: _____

ORDINANCE 2021-08

AN ORDINANCE AMENDING TITLE 7, LICENSING AND REGULATION, CHAPTER 1, BUSINESS LICENSES, ARTICLE A, GENERAL PROVISIONS, SECTION 7-1-3, 7-1-4, AND SECTION 7-22-22, CLASSIFICATION AND RATES, SIC 6513; NAICS 53111- LESSORS OF RESIDENTIAL HOUSING UNITS- LESS THAN NINETY (90) DAYS, OF THE CITY OF ISLE OF PALMS CODE OF ORDINANCES.

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

SECTION 1. That Section 7-1-15 is hereby amended in its entirety as follows:

“ Sec. 7-1-3. Purpose and duration.

The business license levied by this chapter is for the purpose of providing such regulation as may be required by the businesses subject thereto and for the purpose of raising revenue for the general fund through a privilege tax. Each license shall be issued for one (1) year and shall expire on December 31, except for lessors of residential housing units which shall expire on April 30. The provisions of this chapter and the rates herein shall remain in effect from year to year as amended by the City Council.

Sec. 7-1-4. License fee.

- (a) The required license fee shall be paid for each business subject hereto according to the applicable rate classification on or before April 1 of each year, except for those businesses in Rate Class 8 for which a different due date is specified.
- (b) A separate license shall be required for each place of business and for each classification or business conducted at one place. Each housing unit shall be deemed to be a separate place of business for purposes of determining the number of different licenses required by lessors of residential housing units. If gross income cannot be separated for classifications at one location, the license fee shall be computed on the combined gross income for the classification requiring the highest rate. A license fee based on gross income shall be computed on the gross income for the preceding calendar or fiscal year, and on a twelve (12) month projected income based on the monthly average for a business in operation for less than one (1) year; except for lessors of residential housing units which shall have a license fee based on gross income for the period of July 1, 2020 to December 31, 2020. The fee for a new business shall be computed on the estimated probable gross income stated in the license application for the balance of the license year. The initial fee for an annexed business shall be prorated for the number of months remaining in the license year. No refund shall be made for

a business which is discontinued.”

SECTION 2. That Section 7-1-22 is hereby amended to change the rate of SIC 6513; NAICS 53111—Lessors of Residential Housing Units—Less than Ninety (90) Days as follows:

Sec. 7-1-22. Classification and rates.

SIC 6513; NAICS 53111—Lessors of Residential Housing Units—Less than Ninety (90) Days (Non-resident rates do not apply):

Minimum on first \$2,000: \$175.00 PLUS
Per \$1,000, or fraction, over \$2,000: \$4.60

The application shall require a written acknowledgment by the licensee that a violation of this Code, either by the licensee, the licensee's property manager, or the licensee's rental guests, may result in the suspension or revocation of the license.

The licensee shall maintain on file with the City Business License Office the current telephone number, if any, of the residence and current twenty-four (24) hour per day telephone numbers at which the City may contact the licensee and, if applicable, the licensee's property manager.

Notwithstanding any other provision of this chapter, license taxes for lessors of residential housing units-less than ninety (90) days shall be payable on or before September 1 in each year without penalty.

SECTION 3. That should any part of this Ordinance be held invalid by a Court of competent jurisdiction, the remaining parts shall be severable therefrom and shall continue to be in full force and effect.

SECTION 4. That all ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as the same affect this Ordinance.

SECTION 5. That this Ordinance take effect and be in full force immediately.

PASSED AND APPROVED BY THE CITY COUNCIL FOR THE CITY OF ISLE OF
PALMS, ON THE _____ DAY OF _____, 2021.

Jimmy Carroll, Mayor

(Seal)

Attest:

City Clerk

First Reading: _____

Public Hearing: _____

Second Reading: _____

Ratification: _____

ORDINANCE 2021-09

ORDINANCE TO PRESENT A NON-BINDING REFERRENDUM QUESTION TO THE CITIZENS OF THE ISLE OF PALMS CONCERNING THE WISDOM OF REDUCING THE SIZE OF THE CITY COUNCIL.

WHEREAS, The City of Isle of Palms was incorporated in 1953 and operates under a City Council form of government consisting of the Mayor and eight Council Members;

WHEREAS, Candidates for City Council run in non-partisan, at-large elections for staggered, four-year terms;

WHEREAS, City Council has debated and considered whether the reduction of the number of City Council members will create a more efficient legislative body while remaining accessible to the public, representative of the citizens of this City, and sufficiently diverse to continue providing exceptional governance in the public's interest; and,

WHEREAS, City Council believes that the public's interests will be well served by presenting a referendum question to the Citizens of the City of Isle of Palms concerning their preference as to reducing the size of City Council;

WHEREAS, the referendum question will be placed on the ballot for the Municipal Elections on November 2, 2021; and

WHEREAS, the Referendum question shall state the following:

Question: Should the Isle of Palms City Council consider a reduction in the number of Council to a Mayor and six (6) Council members?

The office of Council members will be for the term of 4 years staggered.

To affect the staggered terms of the Council members, for two election cycles, the candidate receiving the least amount of votes for the open seats would serve a 2-year term.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council this ____ Day of June, 2021 that the aforementioned referendum question be placed on the ballot for the Municipal Elections scheduled for November 2, 2021.

Jimmy Carroll, Mayor

ORDINANCE 2021-10

AN ORDINANCE AMENDING TITLE 5, PLANNING AND DEVELOPMENT, CHAPTER 4. ZONING, ARTICLE 2. DISTRICT REGULATIONS, SECTION 5-4-38. TABLE OF PERMITTED USES IN COMMERCIAL DISTRICTS, SUBSECTION 5. OUTDOOR SALE OR RENTAL OF PERSONAL PROPERTY, INCLUDING FOOD AND BEVERAGE; PUBLIC EVENTS TO AUTHORIZE THE TEMPORARY USE OF NEW OR ADDITIONAL SPACE FOR OUTDOOR DINING SERVICES.

WHEREAS, a full recovery of the City's food and beverage industry after the demise of the current pandemic is critical to the full recovery of the health, welfare, culture and economy of the City and its residents;

WHEREAS, the City should maximize outdoor dining opportunities by food and beverage establishments, while minimizing adverse impacts from, among other things, overcrowding, noise and traffic.

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

SECTION 1: That Title 5, Planning and Development, Chapter 4 Zoning, Article 2 District Regulations, Section 5-4-38 (5) be amended by adding subsection (e) to read as follows:

(e) Temporary Suspension of Regulations Governing Outdoor Dining Areas: Restaurants are authorized to offer outdoor dining services dining on site. The temporary suspension shall expire on _____.

- i. The restaurant shall be properly licensed by appropriate state and local agencies to perform any activities, sales, and services.
- ii. The restaurant shall comply with all applicable laws relating to litter, noise, and other livability matters.
- iii. Outdoor dining areas shall not be located more than two hundred feet (200') seaward of the right-of-way of Ocean Boulevard or within one hundred sixty feet of the OCRM baseline established along the beach of the Atlantic Ocean.
- iv. Outdoor dining areas shall not encroach within any public rights-of-way.
- v. Outdoor dining areas shall not encroach into or interfere with required handicapped parking spaces.
- vi. Outdoor dining areas shall not interfere with safe pedestrian and vehicular access or access required to be maintained under the Americans with Disabilities Act.
- vii. Outdoor dining areas shall not encroach within or interfere with fire and other emergency access.
- viii. Any sales and/or consumption of food and/or alcoholic beverages shall be in compliance with the provisions of any federal, state, and/or local laws and regulations governing same.

- ix. Outdoor dining areas shall comply with all applicable occupancy requirements and other provisions of the fire code.

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

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

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

PASSED AND APPROVED BY THE CITY COUNCIL FOR THE CITY OF ISLE OF PALMS, ON THE ____ DAY OF _____, 2021.

Jimmy Carroll, Mayor

(Seal)

Attest:

Nicole DeNeane, City Clerk

First Reading: _____

Public Hearing: _____

Second Reading: _____

Ratification: _____

A PROCLAMATION IN SUPPORT OF NATIONAL SAFE BOATING WEEK

WHEREAS, recreational boating is fun and enjoyable and the citizens and visitors of the Isle of Palms are fortunate that we have sufficient resources to accommodate the wide variety of pleasure boating demands; and,

WHEREAS, at times our waterways can become crowded and boating, to the unprepared, can be a risky activity; and,

WHEREAS, not knowing or obeying the Navigation Rules or the nautical "Rules of the Road" or drinking alcohol or taking drugs while operating a boat or choosing not to wear life jackets are examples of human error or a lack of proper judgment; and,

WHEREAS, on average, more than six hundred (600+) people die each year in boating- related accidents in the U.S.; approximately seventy percent (70%) of these are fatalities caused by drowning; and,

WHEREAS, the vast majority of these accidents are caused by human error or poor judgment and not by the boat, equipment, or environmental factors; and,

WHEREAS, a significant number of boaters who lose their lives by drowning each year would be alive today had they worn their life jackets; and,

WHEREAS, today's life jackets are more comfortable, more attractive, and more wearable than styles of years past and deserve a fresh look by today's boating public,

So, THEREFORE BE IT PROCLAIMED on this day, June 22, 2021, that the Mayor and City Council of the Isle of Palms, on behalf of the City, do urge all those who boat to wear a life jacket and practice safe boating habits.
