



City Council

6:00 p.m., Tuesday, July 25, 2023

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. Citizen's Comments** – All comments will have a time limit of three (3) minutes. Public Comments submitted via online form [Pgs. 3-9]
- 3. Special Presentations**
- 4. Approval of previous meetings' minutes**
 - a. City Council Meeting – June 27, 2023 [Pgs. 10-31]
 - b. Special City Council Workshop – July 11, 2023 [Pgs. 32-37]
 - c. Special City Council Meeting, Executive Session – July 11, 2023 [Pg. 38]
 - d. Special City Council Meeting, STR Cap Petition – July 11, 2023 [Pgs. 39-46]
- 5. Old Business**
 - a. Presentation and consideration FY24 CARTA Budget [Pgs. 47-53]
 - b. Presentation of final Drainage Master Plan by Davis & Floyd [Pgs. 54-99]
- 6. New Business**
 - a. Approval of repairs to Caterpillar for debris collection in the amount of \$32,000 [FY24 Budget, General Fund, Public Works, Vehicle Maintenance – \$127,000] [Pg. 100-105]
 - b. Approval of replacement SUV for Recreation Department in the amount of \$47,573 [FY24 Budget, Recreation Department, Muni ATAX, \$36,000. Overbudget amount to be offset by sale of the vehicle] [Pg. 106]
 - c. Discussion of timing of special election for the short-term rental cap referendum
- 7. Boards and Commissions Report**
 - a. Board of Zoning Appeals – no meeting in July
 - b. Planning Commission – minutes attached [Pgs. 107-109]
 - c. Accommodations Tax Advisory Committee – no meeting July
 - d. Environmental Advisory Committee – minutes attached [Pgs. 110-112]



8. Ordinances, Resolutions and Petitions

a. Second Reading

Ordinance 2023 – 11 – To clarify that statements of candidacy for Mayor and Councilmembers can be filed at City Hall [Pgs. 113-114]

b. First Reading – None

c. Resolutions and Proclamations

Resolution 2023-07 – Safety Resolution [Pgs. 115]

- 9. Executive Session** – In accordance with S.C. Code Section 30-4-70 (a) (2) to receive legal advice protected by the attorney client privilege concerning proposed settlement of Case No. 2020-CP-10-04486.
Council may take action on matters discussed in Executive Session upon returning from Executive Session.

10. Adjournment

| <u>Date Submitted</u> | <u>Name</u> | <u>Address</u> | <u>Comments for Council Meeting</u> | <u>Meeting This Comment is Intended For:</u> |
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| 7/20/23 | Ms. Kristen L. Haynes | 25 Back Court, Isle of Palms, South Carolina 29451 | <p>Hello;</p> <p>I watched the meeting for the Short Term Rental Cap proposal and I am absolutely outraged at the vote.</p> <p>You are allowing a small, vocal MINORITY of residents to set a policy that restricts owner's property rights. Since you are putting it on the ballot in November, for only RESIDENTS to vote on, not ALL of your taxpayers, you are, in effect, performing taxation without representation- the MAJORITY of your taxpayers are NON-Residents, as you well know, yet we cannot VOTE for our own property rights, as the majority of your taxpayers reside in other areas and have to vote in that district. It is patently unfair to have a majority of your taxpayers, who pay MORE than residents in property taxes NOT have a say in this matter- (6 % versus 4 %- plus the rental tax accommodation that lines your coffers at 14%- which makes up 89% of the city's funding). How is the city going to make up for the 89% decrease in taxes and in rental accommodations, and still take care of the things that matter to residents? Also, to limit those rental licenses to less than what we already have? Non-resident owners ALSO pay taxes every year for the 'privilege' to rent their home, based on their rental income, on top of the higher tax and 14% rental accommodation taxes. Are residents who want to limit short term rental licenses willing to make up the difference in the lost tax revenue, in the form of higher taxes? I sincerely doubt that they would. Property owners will now be limited to selling ONLY to other full-time residents, which will take a thriving real estate market and, in effect, limit it so severely that it will kill our real estate values. I now cannot even sell my property to get away</p> | City Council |

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| 7/11/23 | Mr. William T McCurry | 32 Pelican Reach, IOP, South Carolina 29451 | <p>Dear IOP Council Members,</p> <p>I have owned property on IOP for 34 years.I have never rented my property. I am completely surrounded on all sides by rental properties. While I believe this is a anomaly, I am against open ended issuance of short term rental licenses. It is an oxymoron to expect new individual or commercial interest driven by monetary gain to self discipline as regarding acquiring a short term rental license.</p> <p>In a little less than two hours you are going to have the opportunity to vote to cap short term rental licenses. If you continue to ignore the zeal of a large majority of register voters on this island from your bully pulpit and choose move this matter to a referendum; it may take longer than desired but the changes in makeup of this council will come sooner.</p> <p>Respectfully Submitted, Bill & Melba McCurry</p> | City Council |
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| 7/11/23 | Mrs. Heather Hodde Nigbor | 122 Carolina Blvd, Isle of Palms, South Carolina 29451 | <p>I have owned my home since 2013. My father always dreamed of having a beach house, and after he died, he left me enough money to make a downpayment on our home. Many homes on the island were still in foreclosure at the time but the market had started to rebound from its lows in 2011 and 2012. It was not thriving and full of restaurants, coffee shops, and vendors like it is now. My father's dream came true through me. The only way for us to afford to pay off the house and move to IOP permanently is to rent it to cover the mortgage, expenses, taxes (now in excess of \$11,500/ year because it's not our primary residence), maintenance, and improvements. My neighbors with STR licenses but do not rent their homes pay around \$3500/year in taxes.</p> <p>We chose to address the rotting siding of our home with a small renovation. That turned into an almost complete rebuild when we discovered rot throughout the structure. The expenditure more than doubled the budget, but we followed all the Isle of Palms Building Codes and permitting requirements. This required more time, and therefore money, to complete, but at least we know it was done to code which is helpful when ensuring the safety of any family that rents our home. If we cannot rent it, we will have to sell it.</p> <p>I began watching council meetings during Covid. Thank you for all your work! I have heard many arguments about why limiting STRs is a good idea. One objection was that STRs don't decorate for holidays. We decorate for holidays. Another was that there is a lack of community. I know almost all the homeowners on the 100 block of Carolina and many others on the Island. We communicate regularly and offer housing for family celebrations, emergencies, and in one case, accommodations for family attending the funeral</p> | City Council |
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| 7/11/23 | Dr John Ramey | 126 Grand Pavilion, Isle of Palms, South Carolina 29451 | <p>I am a local physician (allergist) who has served the Charleston area since 2006. Currently my primary residence is in Daniel Island, but I own rental properties in Hanahan, West Ashley, Mt Pleasant, North Charleston, and Wild Dunes. Currently, I own both 126 and 128 Grand Pavilion. The rental income from these units is used to help pay for my four children's college education. On both of my properties, I have paid the 6% tax rate for years since neither 126 or 128 Grand Pavilion are my primary residence. In addition, I have to pay for a business license yearly and pay accomodation taxes. I recently calculated that I pay eight times as much in property taxes than one single primary home owner in Isle of Palms. This doesn't include my business license and accomodation taxes. Despite paying more in property taxes than a primary home owner, I don't get to vote for any representation on IOP City Council. I get zero votes on any referendum despite paying eight times the property taxes as most single family property owners. I understand what the patriots felt like during the Boston Tea Party having taxation without representation. My only means of representation is emailing the council.</p> <p>I have owned 4 different short term rental properties in Wild Dunes over the last 13 years. During that time, I have received NO PHONE CALLS from the police or rental management companies about any of my rental guests. I have hosted over 1000 families during this time without any issues. I believe this short term rental issue is being magnified by a few dissatisfied primary home owners. Wild Dunes has always been a resort community and STR are necessary for guests to have a place to stay.</p> | City Council |
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| 7/11/23 | Glenda Nemes | 3006 Cameron Blvd., Iop, South Carolina 29451 | Caps are a good thing if you add clauses that grandfather in those who already have licenses. Also as an alternative way to protect people with huge investments and extended family members by letting them apply for licenses first before opening to general public. Folly Beach made the mistake of leaving this out of ordinance and just now added it. Don't make the same mistake. Thanks. | City Council |
| 7/11/23 | Ms. Kristen Haynes | 25 Back court, Isle of Palms, South Carolina 28277-1695 | Please do NOT take away our rental rights in Isle of Palms due to a small, vocal minority's wishes! Vacation rentals are the lifeblood of IOP's economy (and higher taxes being paid in both the Non-resident status of the majority of owners, PLUS the 14% accomodations tax- all of which would be lost if they get their way. Not to mention the devastation that this would do to our local restaurants, shops, grocery stores, and real estate market. I am the owner of a Real Estate firm (Realty Pros) and all of my clients who WERE looking on Folly Beach are now looking elsewhere, due to their unreasonable rental restrictions. This is something that I am asking to be addressed and overturned at the state level- it is nothing more than an unfair restriction on property owner's rights and it is unconstitutional and egregious. Please, council, stick to your guns, and don't destroy IOP's economy and thriving real estate market by limiting private property owners' rights! We bought in this community (two homes in IOP) knowing that we would not only have a short-term rental but retire here. If this passes, we will take our business elsewhere, and find another place to live that has no restrictions on our property rights. There are other cities that will begin benefitting from this bad policy if it passes and it will definitely decimate IOP's businesses that rely on tourism- restaurants, shops, property management firms, owners that rent their homes out, and other ancillary services like house cleaners, carpet cleaners, and other small businesses. Please stop this insanity and keep our local economy strong. Thank you! | City Council |

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| 7/7/23 | Me and Mrs Dennis J Frazier | 37 Fairway Oaks Lane, Isle Of Palms, South Carolina 29451 | We strongly say that the Council must pursue a balanced approach between residential and commercial interests on IOP! Don't take us for granted. Preserve IOP residential atmosphere while keeping but not expanding current commercial interests | City Council |
| 6/27/23 | Mr. Ellsworth Weatherby | 1470 Ben Sawyer Boulevard, STE 7, Mount Pleasant, South Carolina 29464 | IOP Council Ordinance 2023-02 conflicts with SC General Assembly LAW SECTION 56-1-10, CODE OF LAWS OF SOUTH CAROLINA. 1.) "But it is universally recognized, both by the general law and § 5-7-30, that a municipal ordinance cannot conflict with 'a state law of general character and statewide application . . .', 56 Am.Jur.2d, Municipal Corporation, § 374. However, it is also well established by our Supreme Court that where the state law is silent and the municipal law speaks, 'there can be no conflict between them.' Arnold v. City of Spartanburg, 201 S.C. 523, 536, 23 S.E.2d 735 (1943). See also, 62 C.J.S., Municipal Corporations, § 144." - See George L. Schroeder, Op. SC. Attny Gen. No. 84-66 (June 11, 1984). Accordingly, I will legally stop IOP Council Ordinance 2023-02 in SC court & hold the City Council & IOP Mayor responsible for any resulting associated injury if an eminently unlawful, discriminatory, and dangerous IOP Council Ordinance 2023-02 is passed at the City Council Meeting June 27. | City Council |

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| 6/26/23 | Mary B Pringle | 713 Ocean Blvd, Isle of Palms, South Carolina 29451 | <p>Dear Council,</p> <p>Thank you for allowing me to submit my comments regarding the situation at the south end of the island. Since my family has owned our property on the land side of Ocean Blvd for the last 45 years, we have seen great changes in the development of the lots and now houses built on the accreted sand south of the pier. It is unfortunate that these property owners are currently being threatened by the erosion there. Four days ago I responded to a call that a sea turtle had nested on a dune at the point of land about 3 or 4 lots from the Breach Inlet bridge. This is about the only dune left there. I knew that the 1B Access Path had become unusable, but I was surprised to see that the 1A Path is also now impassable due to a tall escarpment - even more damage than is shown in the most recent aerial photos. After parking at the inlet lot, I saw that this turtle made it through the heavy piles of spartina wrack and up onto about the only dunes left there. I could also see that she had encountered and pushed around old rusty debris from a deteriorating sand fence and had broken 6 of her eggs which were on the surface instead of buried. We relocated her remaining eggs from this threatened location to the 6th Ave path hoping for a more safe and stable incubation environment. There are no nests south of 6th Avenue. This part of the public beach has also become mostly unusable for humans as well as for nesting loggerheads due to loss of dry sand for nesting and debris falling onto the beach. I realize there is a risk of losing sand from a temporary project at this point. But from an environmentalist standpoint and as a resident of that neighborhood, I feel that trucking in sand as proposed by Coastal Environmental Engineering would greatly benefit wildlife and residents alike. Please consider this.</p> | City Council |
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CITY COUNCIL MEETING
6:00pm, Tuesday, June 27, 2023
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 Hahn, Bogosian, Ward, Streetman, Anderson, Popson (via phone), Miars, Pierce, and Mayor Pounds

Staff Present: Administrator Fragoso, Director Kerr, City Attorney McQuillin, various department heads

2. Citizen's Comments

Randy Bell, referencing Terri Haack's submitted Citizen's Comment regarding the Sweetgrass Inn's contribution to the City's ATAX funds, reminded Council that Dan Battista and Frank Fredericks said at the May 22, 2018 City Council meeting that Wild Dunes would follow the noise ordinance. He said residents did not want the hotel. He said Wild Dunes was aware of the City's noise ordinance when the hotel was built. He believes no exceptions should be made in the noise ordinance for Wild Dunes. He believes maintaining the residents' quality of life should remain a top priority of the City Council.

Christine Donovan's comments are attached to these minutes. She presented a petition to City Council.

Laura Lovins shared information about the geology of the South Carolina coastline. She said, "I would like to strongly recommend that the IOP City Council develop a plan to implement a beach renourishment project for the current affected area between 100 and 500 Ocean Boulevard." She believes hard erosion control structures "exacerbate erosion and contribute to the loss of public access and wildlife habitat" as well as negatively impact adjacent properties.

Meredith Jorgensen, 116 Ocean Boulevard, spoke to the erosion concerns at the south end of the island near her home. She said help is needed as soon as possible. She also mentioned her concern about Coastal Science & Engineering regarding a lawsuit with Pawley's Island. She encouraged City Council to vote yes to save the beach.

Brian Duffy's comments are attached to these minutes.

Al Clouse's comments are attached to these minutes.

Glenda Nemes spoke about residents' needs, ATAX money, and beach management. She supports a beach renourishment program and gave five reasons supporting beach renourishment. She asked Council to vote to put a berm in place between 100 and 500 Ocean Boulevard.

MOTION: Mayor Pounds made a motion to extend the time allotted for Citizen's Comments beyond 30 minutes. Council Member Pierce seconded the motion. The motion passed unanimously.

Renee Reddy, 118 Ocean Boulevard, said City Council's vote regarding the beach erosion will show the residents they can be decisive when action is needed. She said the coastline, dunes, homes, and wildlife need to be protected at all costs.

Cindi Solomon, 130 Ocean Boulevard, said the erosion concerns are not limited to a small number of homes and the only solution is a contiguous wall of sand from the first to the sixth block of Ocean Boulevard. She shared the significant changes to the beach near her home. She encouraged City Council to vote in favor of placing sand on the beach.

Les Kutcher, 9 Ocean Pointe Drive, said he is disappointed to see City Council in a reactive position regarding beach management. He said there needs to be standard operating procedures in place for this sort of need. He said the beach must be protected and defended "at all costs."

3. Special Presentations

Mayor Pounds presented the Spirit of the Island Award to Ted Kinghorn and to Bobby Simons and a business associate of the ACME Lowcountry Kitchen.

4. Approval of previous meetings' minutes

- A. Public Hearing FY24 Budget – May 23, 2023
- B. City Council Meeting – May 23, 2023
- C. Special City Council Meeting – June 13, 2023
- D. Special City Council Workshop – June 13, 2023

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

MOTION: Council Member Bogosian made a motion to suspend the rules of order for City Council to discuss the petition presented to them. Council Member Pierce seconded the motion.

City Attorney McQuillin said, "I don't know if that complies with FOIA. There has got to be an emergency situation, one, and approved by two-thirds vote. So I think we can address it at the next meeting or call a special meeting when it's been advertised and the media has been given proper notice, and it was on the agenda."

Council Member Bogosian withdrew his motion and Council Member Pierce withdrew his second.

A Special Meeting of City Council will be held on Tuesday, July 11, 2023 at 3pm to discuss the petition.

5. **Old Business -- none**

6. **New Business**

A. **Consideration of recommendation from the Public Safety Committee to defer action on a new noise ordinance until the City receives noise study report from Wild Dunes Resort and to consider hiring a noise consultant and/or city planner to advise the City on noise policy**

Referring to a letter she received from the State Ethics Commission (that is attached to these minutes), Council Member Anderson said, “I am just going to read one sentence from it at this point. ‘Even assuming one of these entities had an ‘economic interest’ in the noise ordinance, recusal is not required.’ So there is no reason for me to require [recuse], and I will continue to participate actively in our deliberations.”

MOTION: Council Member Streetman made a motion to follow the recommendation of the Public Safety Committee and defer the vote on Ordinance 2023-08, and Council Member Hahn seconded the motion.

Council Member Bogosian does not support the idea of hiring a noise consultant. He would like to have the Public Safety Committee review the sound engineer’s report from Wild Dunes and continue to work on the noise ordinance. Council Member Miars agreed that a noise consultant would not be good use of City funds.

Council Member Anderson believes the City needs expert advice on crafting a noise ordinance with acceptable decibel levels.

MOTION: Council Member Streetman made a motion to discuss the hiring of a noise consultant. Council Member Miars seconded the motion.

Council Member Bogosian said he does not see value in additional noise readings from a consultant. Council Member Hahn believes the City needs guidance on the proper noise levels. Council Member Streetman said he favors hiring a noise consultant if it will help guide the City in managing the three different areas of the island – residential, Front Beach, and Sweetgrass Inn – with regards to noise levels.

Council Member Pierce expressed concern about changing the noise ordinance in response to the situation with the Sweetgrass Inn.

Administrator Frago reported that she has reached out to noise consultants, noting there are not many and they are very busy. She estimates their cost to conduct a full study would be between \$20,000-\$40,000. She said the current draft noise ordinance is modeled after those in other communities. She reminded Council that Wild Dunes will only provide an executive summary of their noise study and not the full report. Council Member Streetman expressed concern about the perceived credibility of the report.

Administrator Fragoso said the Police Department will continue to collect noise level data. Council Member Anderson said she would prefer uniform data collection and expert advice.

MOTION: Mayor Pounds made a motion to refer the noise ordinance back to the Public Safety Committee for continued consideration and review of the noise report from Wild Dunes. Council Member Pierce seconded the motion. The motion passed unanimously.

B. Consideration of options for a dune restoration project along the southern portion of the island as outlines by Coastal Science & Engineering and approval of an amount not to exceed \$232,000 for design, coordination, monitoring, and construction of the chose project

MOTION: Council Member Pierce made a motion to “adopt the full 1500-foot berm at the price not to exceed \$232,000 and concurrently to seek the 50% funding from the State.” Council Member Miars seconded the motion.

Steven Traynum of Coastal Science & Engineering said, “There is not really a great option here. These are all kind of less-than-ideal solutions for some episodic erosion that is occurring.” He added that they are seeing “a good bit of recovery of the dry sand berm now. We are at a high tide condition this week, so next week we will have a little bit higher tide. So I suspect the water line could come up a little further next week.”

He clarified that all the alternatives are considered minor dune restoration and not beach renourishment. He reminded Council that the Army Corps of Engineers will be completing a beach nourishment project in this same area at little cost to the City.

He reviewed the options available to help restore the dunes including the construction of a 1500-foot berm, which would involve 50-100 trucks per day coming on the island for 2-3 weeks, causing the beach to be closed during the busiest season. He said it will cause a huge impact to traffic and beachgoers. He expressed concern about the longevity of any of these projects. He said, “There is nothing we can do to design a dune to make it last longer than nature wants it to last, so if the waves come up and get it, it could be a short-term fix.”

A smaller scale project would address the most severely eroded properties where the waterline is within 20 feet of a pool or house. This scale project would take about half of the time of the larger-scale project.

Mr. Traynum explained the option of scraping the sand, but said “We don’t recommend scraping because you are just kind of pushing it up the hill for it to fall right back in.”

Council Member Streetman said he would like the City to consider the scraping project for now and wait for the Army Corps of Engineer’s beneficial use project.

Council Member Bogosian would like to see the full berm installed and for the City to pursue the monies promised by Senator Campsen. He said it is Council’s job to protect the beach.

Mr. Traynum noted that the City is in a “gray area right now on what the best approach is” since none of the properties currently meet OCRM’s definition of an emergency.

Mayor Pounds said, “There is some precedent and consistency that we need to be aware of because there are other areas on this island either that are probably 40 and 50 feet from the line.” He questioned when is the proper time to act in these sorts of situations.

Discussion ensued about the logistics of closing and monitoring the beach if the City moves forward with the installation of the berm. Administrator Fragoso said project costs do not include the additional police support needed to close the beach while sand is being placed.

Council Member Pierce said installing the full berm is a “no brainer.” He said the City has the money for the project and reminded Council of their commitment to protect the beach. Council Member Miars agreed it is the City’s duty to protect the beach.

MOTION: Council Member Hahn made a motion to enter into Executive Session to receive legal advice. Mayor Pounds seconded the motion. The motion passed unanimously.

City Council entered into Executive Session at 7:53pm.

City Council returned from Executive Session at 8:27pm. Mayor Pounds said no decisions were made.

City Attorney McQuillin said, “Depending on what Council does, let’s assume something gets approved tonight. That does not mean it is going to happen tomorrow. We have obviously got to wait for the permit to be issued as we did with Wild Dunes and other renourishment projects. There will be some paperwork that we will have to get the affected homeowners to sign, easement agreements, etc. So it would be realistically probably be a month, I would say, until there is any real action or anyone sees any action depending on how Council votes.”

Council Member Streetman asked, “When we say affected homeowners, are we talking just about the ones that were mapped on the chart or are we talking about everybody that lives on Ocean?”

City Attorney McQuillin responded, “Well, it depends on the nature and the scope of the project. But to the extent that a dune is being renourished in front of that homeowner’s house, we would ask that they sign the agreement.”

He continued, “The idea is we got to get the trucks on the beach. There is going to be heavy equipment, pushing stuff up on to what is currently their property. So we need to make sure we button up all that stuff.

Director Kerr clarified, “The permit distance is different than the 1500-foot distance as suggested by CSE. So it is two different reaches of the beach.”

Speaking about the Public Trust Doctrine, City Attorney McQuillin said, “The law is essentially if you get a permitted structure and build it and it accretes, in other words creates additional land, think of the Sullivan’s Island Maritime Forest, for example, that property after you would renourish the beach, it becomes the property of the State under the Public Trust Doctrine per statute.”

Council Member Hahn asked, “So each homeowner who currently owns to the high water marks, their land would stop at the built berm?”

City Attorney McQuillin answered, “Correct, and the City would have an easement over that dune. It wouldn’t be like the City could put it up and the landowner could just decide to dig it up two weeks later.” He added that homeowners could not put landscaping or structures, such as a pool, on that area either.

Administrator Fragoso said, “I just want to clarify the original motion that it included the approve the project for the \$232,000 and pursue grant monies to cover 50%.” Council Member Pierce agreed that is the proper wording for the motion, noting that the project’s implementation should not be contingent upon the award of a grant.

Council Member Streetman asked, “I’ve got one other point to make before we make a vote. It just seems to me there were the properties we’re talking about that are close to the critical area here. It would be much more beneficial to a homeowner to have sand scraping done in the interim to replenish this without having the risk of losing their rights to the high tide mark, to the mean high tide mark in the future. So I mean if it comes in, the Army Corps of Engineers comes in and replenishes the beach in 9-12 months, nothing changes for those homeowners over and above what it, right? Is that correct? The Army Corps of Engineers’ replenishment project, when they come in and do that nothing changes for the homeowner. They have the same property rights they’ve always had to the high tide mark.”

Mr. Traynum answered, “As far as I understand, the project as they have discussed it, they would only place sand in the intertidal area. It would be up to the City to decide whether to take some of that sand and restore the dune should it be needed at that point. If you do restore the dune, at that point two potential things could happen, and this isn’t legal advice, but it is if that is a constructed project, then that landward end of the at dune where it was built now becomes the public trust as far as I understand that. However, if that dune becomes the new primary dune, then OCRM will likely set the new baseline and setback lines based off of that new dune’s positions, which they are going to do anyway. They update that every 8-10 years.”

Administrator Fragoso added, “So I think we would be in the same position, Councilman Streetman if we decide to take advantage of that large project from the Corps and push sand to restore the dune at that time. We’d be facing the same need” to have easements.

Speaking to the Army Corps of Engineers’ project, Mr. Traynum said, “As they discussed it with me, it would just be a beach fill, which eventually that sand would work itself up to the dune but to jump start that and kind of do as a comprehensive plan and design. And yes, we would look at supplementing if it is accreted naturally or if we do a project in the interim and that is still there, then we may not need to do that.

Mr. Traynum expects to receive the draft of the design soon and believes work could begin in early 2024.

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

Ayes: Bogosian, Hahn, Miars, Ward, Streetman, Anderson, Pierce, Pounds

Nays: Popson

The motion passed 8-1.

C. Consideration of recommendation from the Planning Commission to approve proposal from Seamon & Whiteside for the development of a Sea Level Rise Adaptation Plan in the amount of \$35,300 [FY24 Budget, Beach Preservation Fee Fund, \$20,000]

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

D. Consideration of recommendation from the Public Services & Facilities Committee to approve proposal from Applied Technology Management for the engineering design and permitting of marina dredging project in the amount of \$104,500 [Funded by \$1.5M Grant]

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

E. Consideration and approval of purchase of 16 ballistic vests for Fire Department personnel in an amount not to exceed \$28,000 to be funded by the \$150,000 approved allocation to enhance emergency response and beach safety

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

F. Consideration and approval of purchase of four tide valves for Merritt Boulevard (two valves), Driftwood Lane, and Carolina Boulevard in an amount of \$35,520 to be funded by drainage contingency

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

G. Consideration and approval of Public Works truck with increase towing capacity and utility body in an amount of \$72,746.22 from Daniels Chevrolet to be funded by Hospitality Tas, Public Works Capital Outlay (\$65,000 budgeted)

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

Administrator Fragoso said the cost of the truck, while over budget, was found at a Georgia dealership \$2,000 less than the cost provided by the State. There was also a 6-8 month wait expected for the truck if purchased in-State.

VOTE: **The motion passed unanimously.**

H. Agreed Upon Procedures from marina restaurant to meet lease requirement of Sec. 3.02(c) regarding statement of Gross Sales

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

Administrator Fragoso said Islander 71 has submitted a proposal of agreed upon procedures as their intent to meet the requirements of the lease regarding the reporting of gross sales. The proposal has been revised by the City's auditor and reviewed by a real estate attorney, and "they believe that what they are proposing would meet the intent of what we requested in the lease. We just want to make sure that Council agrees with that before we accept their intent to meet the requirements of the lease." She added that if approved, this would be the same process that will be followed each year of the lease.

VOTE: The motion passed unanimously.

7. Boards and Commissions Report

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

8. Ordinances, Resolutions, and Petitions

A. Second Reading

- i. **Ordinance 2023-02 – to regulate e-bikes and battery assisted motorized skateboards on the beach**

MOTION: Council Member Miars made a motion to approve, and Council Member Hahn seconded the motion.

MOTION: Council Member Pierce made a motion to amend by eliminating the time restriction of 10am-5pm to ban e-bikes and battery assisted motorized skateboards from Memorial Day to Labor Day on the beach. Council Member Miars seconded the motion.

Council Member Pierce added, "We have a 10 to 5 clause in there now, and I'd like to have that eliminated so that we don't have any of these electric or e-bikes or motorized vehicles out on the beach. I'm asking for that because the time of day that we are talking about, if you go out there on any weekend before 10 o'clock, the beach is packed, the County lot is already packed. I think anybody walking up and down the beach will see that there's a lot of toddlers. There are a lot of pets, a lot of activity on the beach, and these electronic bikes now can do up to some of them at the high performance can do up to 70 miles per hour. I have definitely seen them doing 40 miles an hour on the beach. The frequency is much higher. They are a lot of fun. I ride them. I enjoy them. I just don't think they are conducive with a high season, with pedestrians and beachgoers on the beach in high density at all."

Administrator Fragoso said that all area beaches prohibit these bikes and skateboards from their beach in some capacity.

City Attorney McQuillin said, “I know we got some citizen’s comments expressing concerns saying that we couldn’t regulate it, but there is a State statute directly on point, 56-5-710, that allows local authorities to regulate the operation of bicycles including requiring registration, licensing, etc. So I think this is fully within your power to regulate these.” He also suggested adding some of Council Member Pierce’s safety concerns to the ordinances.

Council Member Ward would like the Public Safety Committee to explore licensing and or registration of e-bikes later.

Administrator Fragoso noted that the ordinance allows for an exception for golf carts with handicap exemptions and emergency vehicles.

VOTE: A vote was taken on the amendment as follows:

Ayes: Bogosian, Hahn, Miars, Streetman, Popson, Anderson, Pierce, Pounds

Nays: Ward

The amendment passed 8-1.

VOTE: A vote was taken on the ordinance as amended as follows:

Ayes: Bogosian, Hahn, Miars, Streetman, Popson, Anderson, Pierce, Pounds

Nays: Ward

The motion passed 8-1.

ii. **Ordinance 2023-08 – to adopt a new noise ordinance**

MOTION: Council Member Hahn made a motion to defer the ordinance and send it back to the Public Safety Committee for further discussion. Council Member Ward seconded the motion. The motion passed unanimously.

iii. **Ordinance 2023-09 – to clarify position of City Attorney and to include provisions for the appointment of City Prosecutor**

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

iv. **Ordinance 2023-10 – to authorize the City to enter into an intergovernmental agreement related to the South Carolina Local Revenue Services, to participate in one or more local revenue service programs, to execute and to deliver one or more participant program supplements and other matters**

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

B. First Reading

Ordinance 2023-11 to clarify that statements of candidacy for Mayor and Councilmembers can be filed at City Hall

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

C. Resolutions and Petitions -- none

9. Executive Session -- none

10. Adjournment

Council Member Ward made a motion to adjourn, and Council Member Streetman seconded the motion. The meeting was adjourned at 8:57pm.

Respectfully submitted,

Nicole DeNeane
City Clerk

Citizen Comments June 28, 2023
Christine Donavan 31 26th Ave. Isle of Palms

I am here to present the very strong and compelling voices of many residents, including many long-time residents like myself, who have signed a petition asking you to **take action** to prevent our island being overwhelmed by short term rentals.

I want to stress that most of the supporters are not against short term rentals. We only want to maintain a balanced community. The ordinance proposed, would limit investment short term rental licenses to 1600, which amounts to 35% of our dwellings, does not restrict full time residents like myself, from renting their homes up to 72 days per year, and allows for the transfer of a license to an eligible family member. It simply limits investment short term rental licenses to 1600, which amounts to 35% of our dwellings.

To date we've collected 1,173 signatures of residents registered to vote on the Isle of Palms. This number represents more than 30% of our 3,795 current eligible voters, and nearly double the percentage of signatures needed (683 were required) to require you to adopt the ordinance or put it to a voter referendum. For perspective, this number exceeds the number of votes received by seven of you when you were elected to your current position. Though volunteers did not yet reach all neighborhoods, the number of STR license applications already this year necessitated early submission. Again, we have 1,173 signatures. This is 70% more than the required amount as per the Charleston County Election Board.

It's crucial to clarify that we support short-term rentals. We enjoy meeting vacationing families; we value the tax revenue generated; and we love our local businesses and want them to maintain their current level of business. We are not asking for change.

Our objective is simple: to maintain the community's balance through **strategic management**. While we value short-term rentals, we can't ignore the potential risk of them overwhelming our neighborhoods, infrastructure or resources.

If it's true, as some argue, that we have no current or future problems, then this limit will never be a concern. However, many of us believe that inaction in the face of the changing landscape of our state and nearby communities, risks rapid commercialization of our island. Will it happen? No one knows. **What we do know is that currently, no preventive mechanisms exist.**

I kindly request that the City promptly consider adoption of this ordinance. We have confirmed that the signatures are valid. You are welcome to submit it to the Charleston County Board of Election, if necessary. If you are unwilling to adopt this ordinance quickly, we request that you take all steps necessary to have this placed on the November ballot.

I firmly believe that each of you is committed to listening to and supporting the residents of this island, as well as the island businesses we all love. This ordinance supports both. Thank you for ongoing efforts to gather the facts and listen to the voices of residents.

Brian Duffey
6/27/23 J

It's been a long time since I've been here in front of you. At that February meeting if you remember I talked about data and due diligence. It was also at that meeting that the residents of this community were called a mob, twice! All for being engaged citizens. It was sad and has no place in this chamber nor in this community. It pains me to consider that such uncivil, demeaning, and bullying behavior occurred in this chamber. Thank you for letting me get that off my chest.

The main reason I am here, speaking as president of PreserveOPNow, is to thank all the neighbors who participated in this petition drive. Those who collected signatures, taking time from their busy schedules to engage with their neighbors to discuss the referendum, its purpose, and impacts. And thanks to all the neighbors who took their time to understand the referendum, ask insightful question, offer suggestions and of course for signing the petition. I wish I had a recorder for all the stories ~~heard~~ personally heard from the folks who have been on the island for 50 and 60 years and from the ones who were born and raised here. They have lived the island's history and know what it means to be a residential island. The number of times we heard, "thanks for what you are doing" was astounding!

Just to let you know there were many, many people who support this referendum but wish to remain anonymous. They had concerns about retaliation against their businesses. Who can blame them with the amount of bad behavior and vitriol spewed in public and online.

So, ^{we} I have 3 requests of council, first considering what ^{been} I've said about bullying, bad behavior and vitriol, please consider the request for redaction that was submitted with the petition; second, ^{we are} I am requesting a council member make a motion to schedule a special council meeting to consider the petition and attached referendum. It would provide your constituents a sense of where you stand on the issue. Lastly, we never expect to have a fire but we carry fire insurance just the same. All we are asking you as prudent stewards is to consider this as island insurance.

City Council Meeting 6/27/23; Clouse Comments (Meeting presentation No. 16 since 4/13/2022); Provided Written Comments for 5/23/23 Meeting which I did not attend. Regarding: Noise Ordinance; Nuisance.

Requesting for the tenth time (twice in writing) to provide us written assurances regarding enforcement of **§ 9-2-5 (b)(c)**. **"Amplified Music"** is unlawful and this administration's lack of enforcement has resulted into a **"nuisance", which has taken on a life of its own**. All in real time.

We have requested Mrs. Anderson recuse herself from all issues regarding the noise ordinance as it relates to Wild Dunes LLC ("resort"), WDCA and the City. 6/13/23 Mrs. Anderson stated she has requested the Ethics commission provide an opinion on her situation and expected to receive said opinion on June 15th. It will be interesting to see if her position is consistent with her previous recusal regarding the five (5) zoning ordinances; if not, the reasons why. Looking for full transparency regarding documentation.

Our History

July 2021 under the direction of Lt. Robert Forsythe, commenced calling **843-886-6522** to **report noise violations perpetrated** and emitted by the Hyatt Sweetgrass Inn (day and night). No results.

April 7, 2022 presented to Public Safety Committee. Mrs. Anderson stated "we will get back to you"; **never did**.

Presented to City Council August 23, 2022; Councilmen Pierce, Bogosian and Ward reached out to us immediately to address our concerns and understand our situation. Site visits.

No citations issued until November 4, 2022 **"The Concert from Hell"**; five (5) in one night. So, in two years I called over forty (40) times, resulting in five (5) citations.

During the above time lines, our due diligence revealed the resort's management convinced the City Administration (absent clinical proof) that Al Clouse is unreasonable. Reason for no enforcement/citations?

We exposed IOP off-duty Police, were working events at Sweetgrass. Placing them in harms way of potential conflicts of interest, when in a position to issue a citation when on duty. **Bad Optics**.

Issued **FOIA** request 5/25/23. Administration was quick to turn request; however, **did not provide attachments**. Once receiving attachments, exposed a false narrative from the resort's legal counsel regarding our character. Still waiting on your legal counsel to approve providing us one (1) attachment. How can that be on a **FOIA** Request?

Valerie Krause, a lifetime medical professional, provided detailed information regarding **WHO** and **NIH** guidelines for decibel levels; all being ignored. Conversely, the Administration provided **OSHA** numbers which are for **construction zones**. Please let us remind everyone, we live in a residential community, not a construction zone.

We have consistently been on record; we are not the Windjammer, a commercial property located in a commercially zoned area.

We have consistently stated we are unwelcome beneficiaries of an egregious hotel which is located adjacent to a residential neighborhood, who play by their rules, not complying with the noise ordinance § 9-2-5; and getting away with it. **"Amplified Music"...."Amplified Music"...."Amplified Music"....!!!**

Said hotel: Purposely designed for all noise to project towards our neighborhood.

Apparently we have some kind of "side agreement" regarding noise with Island 71; really?

We believe, had the noise violations been enforced from the start; we would not be here today. But no, we let it go and go and go. Our administration, looking for ways to not enforce; did not hit this situation head on.

We believe sustainable **LIVABILITY** in this community is not defined, or derived, from **ATAX DOLLARS.**

RE: [EXTERNAL] FW: Tuesday Beach Erosion vote,

Desiree Fragoso

Mon 6/26/2023 11:18 AM

To: Rom Reddy <romreddy@sprinturf.com>;

Cc: Nicole DeNeane <Nicoled@iop.net>;

Good morning Mr. Reddy – Thank you for your email. I've copied City Clerk DeNeane so that she may include your comments in the public record along w the minutes.

D.-

From: Rom Reddy <romreddy@sprinturf.com>
Sent: Saturday, June 24, 2023 6:01 PM
To: Desiree Fragoso <desireef@iop.net>
Subject: [EXTERNAL] FW: Tuesday Beach Erosion vote,

[EXTERNAL]

Please make this part of the public record for the June 27th Council meeting.

From: Rom Reddy <romreddy@sprinturf.com>
Sent: Saturday, June 24, 2023 5:53 PM
To: Citycouncil@iop.net
Cc: Paul Jorgensen <paulwj@me.com>; Meredith Jorgensen <meredithjorgensen@me.com>; Ronald Vanderham <Vanderhamdairy@yahoo.com>; J.T. <jt@jts cars.com>; Curtis Kay <kayrentals@aol.com>; Cindi Solomon <cindi@me.com>; krisstein18@me.com; teresaamccann@yahoo.com; Michael Mislock <mmislock@gmail.com>; Steve Mislock <smislock@gmail.com>; reddyrenee@gmail.com; Rom Reddy <romreddy@sprinturf.com>
Subject: Tuesday Beach Erosion vote,

Councilmembers, the south side of the island hopes they can count on your vote Tuesday to build a continuous berm of 1500 feet to provide an emergency short term bridge to a longer-term solution in a year or so. Failing to do this will leave the entire south side of the beach exposed to catastrophic erosion and destruction of the beach, coastline , public access paths and properties going into hurricane season while proving to be a safety hazard to anyone using the beach regularly two hours before and two hours after high tide.

In reviewing the Tuesday recommendations from the City engineers CSE, we found their advice to be contradictory, untrue and a misstatement of their own facts . We also point out that it is this sort of poor, contradictory advice that has made them vulnerable as defendants in the Pawleys Island litigation. The CSE report starts out by saying that “ most of the recent erosion in mid-2023 is weather related”. However, Mr. Tim Kanna , a principal at CSE in his June 4, 2023, email to us states : “ IN OUR EXPERIENCE,, SUDDEN ACCELERATION OF EROSION NEAR INLETS ARE USUALLY RELATED TO A SIGNIFICANT SHIFT IN INLET SHOALS AND CHANNELS”. This is obvious when you see the massive expansion of the Sullivans beaches and the “ party” sand bars. We have accumulated evidence that this directly ties to the large movement of the sand from the WILD DUNES renourishment. The CSE report says that the “ dune conditions in most of the areas in question is better than the condition following Irma in 2017”. This is also false. **Post Irma , a large portion of the dunes (and even the vegetation on the dunes) was largely in place on our part of the island.** Comparably, there is zero dune now which has not happened

here in recent memory. **CSE provides several recommendations only one of which is practical** with the others being irresponsible and even dangerous:

CSE option 1; Do nothing, let nature take its course and wait for a long-term solution or owner paid renourishment.

This advice is both irresponsible and dangerous. Please see the attached video that shows high tide a couple of weeks ago on a normal day with no storms or no king tides. People walking on the beach cannot get through without endangering kids and pets. Some of the public access paths have been shut as they are dangerous. However, people still use them and, in some cases, use a rope to rappel down to the beach. There are literally no dunes left as protection. I quote Patrick Barraneau from CSE in an email dated June 15, 2023 "THERE IS UNANIMOUS AGREEMENT THAT SOME SORT OF WORK IS NEEDED TO REMEDY THE BEACH CONDITIONS NEAR YOUR PROPERTIES". He further states "THE URGENCY OF THE SITUATION IS NOT LOST ON ANYONE". More data from them that contradicts their "do nothing" option. As has been pointed out, there is no way to get 1500 linear feet of dunes paid for by residents as we have no HOA and it would be unprecedented to put the burden of maintaining a public beach in the hands of a few ocean front owners.

CSE option 2; Use scraping on properties that qualify.

This is an option that CSE themselves have repeatedly said should not be done. In email and in person, they indicated (along with OCRM) that individual properties acting by scraping or trucking sand to their properties would not work as water would get behind the sand and literally wash it out in days. Why they serve this up as a legitimate option is puzzling to say the least.

CSE option 3; Truck sand for the worst hit properties.

Just as in Option 2, this was rejected by CSE and OCRM as unworkable for the same reason of washout.

CSE option 4; Truck sand to create a continuous berm of 1500 feet;

This is the only viable option to provide a legitimate short term beach renourishment. After an onsite inspection, Mr. Barraneau from CSE said this solution would not last forever but would bridge to the long-term solution expected in 9 to 12 months and gets us through the worst of the upcoming storm season by protecting the south end coastline, beaches and property. As a reference point, this involves only 6400 Cyds of sand vs the 1.7 Mcyds pumped into wild dunes, over one half of which has migrated south according to CSE.

Despite the logic of the solution, we understand certain council members express concern about setting a precedent and are even making the argument that moving the mean high tide line back gives additional property to beach owners. First, the **precedent**. The only precedent being set is doing emergency repairs to maintaining a public beach from a fund that was set up for this very purpose. **The cost of this repair would represent less than 2 months collection into this fund that currently holds approximately \$ 8 M.** Second, **giving additional property to beach owners**. The very idea of beach renourishment is to push the water back and maintain a beach. If we are never going to push the water back, then there can never ever be renourishment anywhere. It is not like owners can now build a fence on the high tide line and incorporate the property into their yard nor does it mean the public only uses the beach seaward of the high tide line. Any beach renourishment anywhere in the world works by pushing the high tide line back thus restoring beach and protecting the shoreline along with properties along the shoreline because if those properties are destroyed, then the next set of properties are set up for destruction. Also, any destruction of any properties will ensure that insurance rates on this island skyrocket for everyone.

If the City takes the position that they will not use designated funds to protect a public beach and coastline and owners are prohibited from building retention to protect their properties due to a City ordinance, then the resident's backs are against the wall, and we would have no option other than to seek relief in the courts even though this is by no means our preference. If it can be shown that the lack of action by the City either caused beachgoers to be injured or property damaged in the next storm, then the City exposes its taxpayers to needless liability. If in the process it can be further shown that the sudden and dramatic erosion was related to Wild Dunes, the City will not be protected by insurance coverage and exposes taxpayers to unlimited liabilities. Even a small probability of this outcome would not be a good risk to take given the current estimate to fix the problem. This is not a good risk vs reward proposition for the City or its taxpayers under any circumstances.

We hope the City recognizes that the only short-term solution is a continuous 1500-foot berm and the only possible way of funding such a berm is by the City allocating funds from the monies set up for this eventuality.

Renee and Rom Reddy with copy to other concerned south side residents.

My name is Terri Haack and I represent Wild Dunes LLC. I regret that business travel conflicted with this evening's meeting and that I cannot attend in person. Respectfully, I submit the following comments for consideration:

Thank you for your continued work on the proposed noise ordinance and the many other important issues facing the community.

As you are aware, the Resort has been working diligently to mitigate noise that may impact nearby homes and conducted a base sound engineering study in February 2023. The second study was conducted on June 11-14, 2023, however, thunderstorms impacted its results, compelling us to schedule an additional the weekend of July 22. While costly, this is the only way to provide readings that are typical of the summer season to ensure accurate data. We will provide you with an executive summary of the study, which will prove vital in determining whether 75 db is an arbitrary number or an appropriate noise level for activity at Sweetgrass Inn.

Passing the noise ordinance prior to receiving the study's executive summary would be premature. Wild Dunes LLC agrees with the City's Public Safety Committee in requesting that you delay action until the Resort's study is completed, and additionally agrees with the hiring of an outside municipal sound consultant.

This proposed ordinance impacts Wild Dunes Resort and its ability to do business, and this is a decision that will undoubtedly impact the City's accommodations tax revenue. The Resort provides a significant percentage of the city's tax revenues. In 2022, the Resort paid \$943,000 in accommodations taxes and \$1,413,000 in other taxes. These contributions will be even higher in 2023 and 2024.

I recognize this has been an agenda item for many months but encourage you to wait until the studies are completed and the summary is presented so realistic measurement limits may be assigned. Without real data illustrating the current conditions, unintended consequences likely will result from this ordinance. I encourage you to use all of the available data to find the best solution, not the quickest. Thank you for the opportunity to work with you on this important issue.

State of South Carolina

State Ethics Commission

SCOTT E. FRICK, CHAIRMAN
AJ HOLLOWAY, VICE CHAIRMAN
BRANDOLYN THOMAS PINKSTON
BRYANT S. CALDWELL



F. XAVIER STARKES
MARY HUNTER B. TOMLINSON
NEAL D. TRUSLOW
MATTHEW N. TYLER

201 EXECUTIVE CENTER DRIVE, SUITE
150
COLUMBIA, S.C. 29210

Courtney Laster
MEGHAN WALKER DAYSON
EXECUTIVE DIRECTOR

June 20, 2023

VIA ELECTRONIC MAIL ONLY

Jan Anderson

jan@jkaengineering.com

Re: Informal Opinion Request

Dear Ms. Anderson:

Thank you for your request for an informal opinion from the State Ethics Commission (Commission). An informal opinion is the opinion of Commission staff, taking into consideration any applicable formal opinions, law, and/or judicial decisions. Please be advised that an informal opinion is not binding on the Commission. Additionally, the Commission's jurisdiction is limited to the applicability of the Ethics, Government Accountability, and Campaign Reform Act of 1991 (Act). This opinion is based solely on the facts relayed by you and does not supersede any other statutory or regulatory restrictions or procedures which may apply to this situation. A failure to disclose relevant information may void the opinion.

ISSUE

On June 16, 2023, you presented the following relevant information in an email:

I am writing because a question was raised whether I should recuse myself from making a decision on a revised noise ordinance. The concern is whether there is a conflict of interest because I reside in the Wild Dunes Community on the island.

1. As an Isle of Palms City Council person and member of the Public Safety Committee I am working on updating the city's island-wide noise ordinance. The effort includes working with residents as well as local businesses to ensure that the adopted ordinance is appropriate for our needs and has included public discussions with Wild Dunes Resort, the Chamber of Commerce and other front beach merchants.

2. I was approached by the YWCA of Greater Charleston about facilitating a reception for the 2024 Martin Luther King Celebration and made a call to the Wild Dunes Resort to ask if they would be willing to work with the Y on hosting the event. The Resort agreed and is now working directly with the YWCA and the Charleston Visitors Bureau. They subsequently waived the facility rental and offered a 10% discount for any visitors staying at the resort for the event.
3. My husband is president of the Wild Dunes Homeowners Association which has no involvement with the event or the noise ordinance.

The question appears to be whether my involvement with the MLK reception causes a conflict of interest in adopting a noise ordinance. I do not stand to benefit financially either from the MLK reception or the noise regulations nor from any other activities. I would appreciate your opinion on this matter. I am attaching two emails from the complainant.

LAW

Section 8-13-700 states, in part:

- (A) No [public official] may knowingly use his official [office] to obtain an economic interest for himself, a family member, an individual with whom he is associated, or a business with which he is associated. This prohibition does not extend to the incidental use of public materials, personnel, or equipment, subject to or available for a [public official's] use that does not result in additional public expense.
- (B) No [public official] may make, participate in making, or in any way attempt to use his [office] to influence a governmental decision in which he, a family member, an individual with whom he is associated, or a business with which he is associated has an economic interest. A [public official] who, in the discharge of his official responsibilities, is required to take an action or make a decision which affects an economic interest of himself, a family member, an individual with whom he is associated, or a business with which he is associated shall:
 - (1) prepare a written statement describing the matter requiring action or decisions and the nature of his potential conflict of interest with respect to the action or decision;
...
 - (4) if he is a public official, other than a member of the General Assembly, he shall furnish a copy of the statement to the presiding officer of the governing body of an agency, commission, board, or of a county, municipality, or a political subdivision thereof, on which he serves, who shall cause the statement to be printed in the minutes and require that the member be excused from any votes, deliberations, and other actions on the matter on which the potential conflict of interest exists and shall cause the disqualification and the reasons for it to be noted in the minutes.

Section 8-13-100(4) defines "business with which he is associated" as:

a business of which the person or a member of his immediate family is a director, an officer, owner, employee, a compensated agent, or holder of stock worth one hundred thousand dollars or more at fair market value and which constitutes five percent or more of the total outstanding stock of any class.

Section 8-13-100(11) defines "economic interest" as:

- (a) an interest distinct from that of the general public in a purchase, sale, lease, contract, option, or other transaction or arrangement involving property or services in which a public official, public member, or public employee may gain an economic benefit of fifty dollars or more.
- (b) This definition does not prohibit a [public official] from participating in, voting on, or influencing or attempting to influence an official decision if the only economic interest or reasonably foreseeable benefit that may accrue to the [public official] is incidental to the [public official's] position or which accrues to the [public official] as a member of a profession, occupation, or large class to no greater extent than the economic interest or potential benefit could reasonably be foreseen to accrue to all other members of the profession, occupation, or large class.

DISCUSSION

Section 8-13-700 of the Ethics Act prohibits public officials from participating in any matter in which they, a family member, a business with which they are associated, or an individual with whom they are associated has an economic interest. In such instances, public officials are required to recuse themselves following the procedures outlined in Section 8-13-700(B). In the scenario set forth in your email, none of the businesses you mentioned are "businesses with which you are associated" for purposes of Section 8-13-700(B). [Accordingly, even assuming one of these entities had an "economic interest" in the noise ordinance, recusal is not required.] Thank you for contacting the Commission. Please let us know if you have any additional questions.

Sincerely,



Courtney M. Laster
General Counsel

My name is Terri Haack and I represent Wild Dunes LLC. I regret that business travel conflicted with this evening's meeting and that I cannot attend in person. Respectfully, I submit the following comments for consideration:

Thank you for your continued work on the proposed noise ordinance and the many other important issues facing the community.

As you are aware, the Resort has been working diligently to mitigate noise that may impact nearby homes and conducted a base sound engineering study in February 2023. The second study was conducted on June 11-14, 2023, however, thunderstorms impacted its results, compelling us to schedule an additional the weekend of July 22. While costly, this is the only way to provide readings that are typical of the summer season to ensure accurate data. We will provide you with an executive summary of the study, which will prove vital in determining whether 75 db is an arbitrary number or an appropriate noise level for activity at Sweetgrass Inn.

Passing the noise ordinance prior to receiving the study's executive summary would be premature. Wild Dunes LLC agrees with the City's Public Safety Committee in requesting that you delay action until the Resort's study is completed, and additionally agrees with the hiring of an outside municipal sound consultant.

This proposed ordinance impacts Wild Dunes Resort and its ability to do business, and this is a decision that will undoubtedly impact the City's accommodations tax revenue. The Resort provides a significant percentage of the city's tax revenues. In 2022, the Resort paid \$943,000 in accommodations taxes and \$1,413,000 in other taxes. These contributions will be even higher in 2023 and 2024.

I recognize this has been an agenda item for many months but encourage you to wait until the studies are completed and the

summary is presented so realistic measurement limits may be assigned. Without real data illustrating the current conditions, unintended consequences likely will result from this ordinance. I encourage you to use all of the available data to find the best solution, not the quickest. Thank you for the opportunity to work with you on this important issue.



SPECIAL CITY COUNCIL MEETING -- WORKSHOP

3:00pm, Tuesday, July 11, 2023

24 28th Avenue, Isle of Palms, SC and

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

MINUTES

1. Call to order

Present: Council members Bogosian, Hahn, Popson, Anderson, Ward, Streetman, Pierce, and Mayor Pounds

Absent: Council Member Miars

Staff Present: Administrator Fragoso, Director Kerr, various department heads

2. Citizens' Comments -- none

3. Special Presentations

Presentation from Applied Technology Management and discussion of design for the public dock at the IOP Marina

Kirby Marshall from Applied Technology Management reviewed the proposed design for the public dock, which will be 16' wide and 150' out from the existing bulkhead and will include an ADA-accessible gangway leading to an ADA-accessible kayak launch and a 75'x 10' floating dock. Permits for the project have been submitted and the public comment period has closed with only one comment regarding manatees.

Council Member Hahn suggested looking at Tanzite stone decking as a material for the dock.

Mr. Marshall asked City Council for their feedback regarding the design of the handrails, seating options, and the type of ADA-accessible kayak launch. Council suggested vertical railings to prevent climbing, a combination of swings and bench seating, and the "most robust" option for the ADA-accessible kayak launch.

Council Member Popson asked about the installation of a gate and whether or not that would affect the permit application. Mr. Marshall said he would submit the request for a gate via letter and did not believe it would hinder the application process in any way. Council Member Popson also suggested the addition of a safety ladder. Mr. Marshall said he could have one installed on one side of the floating dock and suggested adding a "No Swimming" sign to discourage people from using the ladder to swim in the area.

4. **Dashboard of City Operations**

Administrator Fragoso said the City anticipates a \$1.2 million positive net result for FY23. She noted that charges issued by the police department show increases in traffic, speeding, and livability which is a result of dedicated resources. The increased activity is also apparent in court dockets, which are twice the size they were this time last year.

Fire Department calls show 231 calls for automatic aid, 208 of which were cancelled en route. The City has been the recipient of automatic aid 82 times in the same time period.

The Recreation Department has shown a significant increase in registrations. As of the end of June the Building Department had issued 1,702 short-term rental licenses.

Tourism revenues look down at the moment because several quarterly payments have not been received yet.

The Police Department has filled an officer and code enforcement position but is still looking for approximately six BSOs.

Upcoming community events include the Farmer's Market, Beach Run, College Application Boot Camps, and the Half Rubber Tournament.

5. **Departmental Reports** – in the meeting packet

6. **Strategic Plan Policy Initiatives and Priorities**

A. **Livability** -- none

B. **Environmental**

Update on minor dune repair project between 114 and 304 Ocean Boulevard

Administrator Fragoso reported that they have received two bids from contractors for this project, both submitting bids much higher than expected. They have been asked to submit revised bids.

She has also spoken with SCPRT, the agency likely to fund 50% of the project cost. They anticipate approving the grant quickly, but work cannot begin until it is approved.

Referring to the draft of the construction easement included in the meeting packet, Council Member Hahn asked if the Public Trust Doctrine is a part of the agreement. Administrator Fragoso said, "There is some language in the current draft of that easement document that essentially says that the City makes no claims on any property rights that currently don't exist. So I think it is not necessarily staying silent on it, but not taking a position on whether or not any accretion is to be interpreted as becoming accreted land that is no long part of the real property. There is a section of State law that deals with that. I think we have heard different interpretations of what that section means, and ultimately, the decision from the attorneys working on this was to include, not stay silent, but just include some statement that there is no solving that private issue for this agreement. We can certainly have them, I cannot speak legal opinion and I can't

speak for our City Attorney. I certainly don't want to put words in their mouths, but I can resend you that agreement."

Council Member Hahn believes this is something that Council needs to discuss and vote on since residents that are "accepting public money that could be bound by the Public Trust Doctrine." Council Member Bogosian said that has not been required in the past. Administrator Fragoso responded, "We have had easements. This is what this document for this particular project at Breach Inlet would also include a permanent easement along the entire area that is receiving sand. There will be a public interest associated with this project that is secured through this agreement. The easement that we had secured for the 2018 project, it was a very similar document to the one that we are looking at now. At that point, there was public money also, State, Federal, and local money that was used to fund the project, and that position was not taken by the City at that time."

She added that a recent high tide did not touch the dune, so while there may be some accretion, the area did not look worse.

C. Public Services

Update on RFP process to hire a parking vendor for the island for the 2024 beach season

Administrator Fragoso said six bids were received for this RFP. The Public Safety Committee will narrow down the choices and select 2-3 companies to make a presentation.

D. Personnel

Update on implementation of paramedic program

Administrator Fragoso said employment offers have been extended to two paramedics. In addition to the remaining paramedics that need to be hired, the City also needs proper licensing from DHEC, a physician to oversee the program, and properly equipped trucks. Staff will provide monthly updates to Council on the programs progress. Full implementation of the program is anticipated by June 1, 2024.

E. Other items for discussion

i. Discussion of Safety Resolution

Administrator Fragoso explained this annual resolution: "This is something that we do every year. The City has a Safety Committee that meets regularly to make sure that the City is enacting and pursuing policies that ensure the safety of our staff. We have prepared for you a draft of the resolution we will be presenting for your vote next month. There has been the suggestion made by a resident that City includes some language associated with folks that serve our community that are not necessarily City employees, but they serve on a contract basis, and we can certainly make some changes to the resolution to include some of that. We are certainly committed to their safety as well and want to make sure they are included in whatever language we present to you all for approval for the safety resolution."

ii. **Presentation of BCDCOG report of South Carolina demographic changes**

Council Member Anderson reviewed the highlights of a BCDCOG report of demographic changes in the state. She said the state population is growing and getting older. Employment levels are higher than prior to the pandemic and there are now more jobs than there are workers in South Carolina.

7. **Financial Review**

A. **Financial Statements and Project Worksheets**

Director Suggs introduced the new Finance Director, Debra Hamilton.

She said that many of the tourism funds are awaiting their final quarterly or monthly payments which is why many of them look lower than normal. The General Fund is forecasted to beat the budget in revenues and be over budget in expenditures, resulting in an approximately \$1.2 million positive net result to the City.

The City has approximately \$40 million in cash, \$16.9 million of which is restricted for tourism and beach-related expenses. Director Suggs reminded Council that the last payment on the Recreation Center was made in June. The City received \$120,000 from the Greenbelt Fund for expenses towards the cost of the beach walkover at 34A beach access.

The City earned interest at approximately 5.3% last month.

8. **Procurement**

A. **Approval of replacement SUV for Recreation Department in the amount of \$47,573 [FY24 Budget, Recreation Department, Muni ATAX, \$36,000, Overbudget amount to be offset by sale of the vehicle]**

Administrator Fragoso said they will sell the current vehicle for approximately \$11-13,000 to cover the overage on the cost of this new vehicle. She said the \$47,573 cost is State contract pricing.

9. **Capital Projects Update**

Administrator Fragoso said the remaining materials needed to finish the project at 30th will be here when the contractors return in September to work on the project at 36th Avenue. The City has been waiting to hear from the Office of Resiliency to be able to utilize grant funds for the purchase of the mitigation credits needed for the project at 41st Avenue. She added, "One of the conditions of the permit was to purchase mitigation credits associated with the critical area that is going to be disturbed. So that has been done." Funds have been opened up and the project is close to being put out for bid.

The Drainage Master Plan is moving slower than anticipated, but they expect the final deliverable this week. Mayor Pounds would like the plan presented at the July 25 meeting.

The RFP for the engineering of the Waterway Boulevard project will be ready soon.

She reported that the T-dock conversation that had been delayed until the new operator had been up and running will be picked back up soon. She said, “What I am planning on doing is tying that with the bidding process for the public dock and potentially bidding that as an alternate so that we can get the same contractor to do it at the same time and save on some demo costs for the off season.”

Regarding the greenspace area at the marina, Administrator Fragoso said, “You all recall that we had discussed and conceptualized a 20’ park along the intercoastal side of the marina next to the dock. And you will recall a few months ago we had lengthy conversations about a redesign and redevelopment for that entire north area of the parking lot to include new parking areas separating the City’s parking and City resident parking from the restaurant and kind of creating a little City marina adjacent to the public dock, and with that, negotiating a change to that entire side with the restaurant so that we can also effectuate the entire park and greenspace along the entire length of that boardwalk. We entered into a temporary parking agreement with the restaurant for this season with the goal of collecting a lot of data to understand demand, understand use so it would be helpful for all of us to evaluate and ultimately for Council to decide on a final plan. Our goal would be to start that conversation very soon with Islander 71 so that ideally any work and redesign and redevelopment of the parking lot happens concurrently with the public dock construction.” The goal would be to have that done before next season. Those conversations will start in the Public Services and Facilities Committee.

The contract with ATM for the dredging project has been executed and the kickoff meeting is scheduled next week.

The scope of the beach access project at the County Park has been finalized. City and County staff have met multiple times with the engineers, and they anticipate receiving the final design of that project within the next 30 days. The Public Safety Committee and PRT will review the design.

The City is seeking feedback on the next beach access paths to be improved using the \$500,000 secured from the State budget.

The City has requested a proposal from Coastal Science & Engineering to start the permitting process for the larger beach nourishment projects, including “the large offshore project at the north end of the island, also a short-term shoal management project also on the north end of the island, also the coordination associated with the potential Army Corps project on the south end of the island, and also identifying a sand borrow source offshore for the south end of the island.”

Staff is working on the RFP and RFQ for the fire station exhaust system and the City Hall renovation.

Staff will present a request for approval for the City “to be able to engage the National Fitness Campaign who have provided a \$30,000 grant towards” the outdoor fitness course at the Recreation Center. They hope to have it installed before the end of the year.

Staff is securing quotes for the fencing and playground equipment for the work at the dog park.

Dominion Energy has assigned an engineering firm to design the underground project at 14th and Palm Boulevard. Staff is still working with Dominion on scheduling the work at 41st Avenue “to see whether or not it is feasible” to complete that project concurrent with the drainage work in the area.

SCDOT is working on the conceptual designs for enhancements along Palm Boulevard. She hopes to have those designs in the early fall.

10. **Legislative Report**

11. **Adjournment**

Council Member Ward made a motion to adjourn, and Council Member Streetman seconded the motion. The meeting adjourned at 4:29pm.

Respectfully submitted,

Nicole DeNeane
City Clerk



SPECIAL CITY COUNCIL MEETING
4:30pm, Tuesday, July 11, 2023
24 28th Avenue, Isle of Palms, SC and
broadcasted live on YouTube: <https://www.youtube.com/user/cityofisleofpalms>

MINUTES

1. Call to order

Present: Council members Ward, Streetman, Bogosian Miars (on phone), Hahn, Popson, Anderson, Pierce, and Mayor Pounds

Staff Present: Administrator Fragoso, Director Kerr

2. Executive Session

MOTION: Council Member Ward made a motion to enter into Executive Session in accordance with SC Code 30-4-70(a)(2) to receive a legal protected by attorney client privilege concerning petition received “to Limit Investment Short-Term Rental Business Licenses to a maximum of 1,600” and statutory requirements per section 5-17-30 of State Law. Council Member Streetman seconded the motion. The motion passed unanimously.

City Council entered into Executive Session at approximately 4:35pm.

City Council returned from Executive Session at 4:51pm. Mayor Pounds said no decisions were made.

3. Adjournment

Council Member Ward made a motion to adjourn, and Council Member Streetman seconded the motion. The meeting was adjourned at 4:51pm.

Respectfully submitted,

Nicole DeNeane
City Clerk



SPECIAL CITY COUNCIL MEETING

5:00pm, Tuesday, July 11, 2023

24 28th Avenue, Isle of Palms, SC and

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

MINUTES

1. Call to order

Present: Council members Ward, Streetman, Bogosian, Miars (on phone), Hahn, Popson, Anderson Pierce, and Mayor Pounds

Staff Present: Administrator Fragoso, Director Kerr, City Attorney McQuillin

2. Citizens' Comments

Tony Santiago encouraged City Council to listen to the public and protect the public good by passing the ordinance to limit short-term rentals.

Terri Haack, representing Wild Dunes, said the majority of attendees at the short-term rental listening sessions did not want a cap. She would like to have exceptions carved out for condominium hotels and "purpose-built multi-family properties" in the proposed ordinance.

Bruce Councill said he would like City Council to pass Ordinance 2023-12 without substantial changes. He said a referendum is costly and divisive.

Elizabeth Campsen believes there is a significant disconnect between what the residents want and what City Council is doing. She said residents want and expect to be protected from an "unlimited number of short-term rentals." She said that it was Council's failure to adopt the recommendations of the Planning Commission and to craft their ordinance limiting short-term rentals that led to this petition. She said she expects Council to adopt this ordinance unanimously.

Rick Horton spoke about several negative experiences he has had with neighboring short-term rentals. He believes they have gone from an inconvenience to a safety concern.

Thomas Schmidt would like City Council to pass Ordinance 2023-12. He does not believe that any business or short-term rental owner will be harmed by doing so.

Laura Lovins said that while she has not lived here very long, she is passionate about protecting the island and preserving its way of life. She urged City Council to listen to the people who signed the petition and pass Ordinance 2023-12.

Brian Duffy said that by presenting this ordinance, the citizens are giving the Council an opportunity to fix their "mistake."

Mark Mitchell spoke about trends that show livability issues are in decline. He is glad that property rights have been protected throughout multiple votes that he believes would limit them.

Christi Kunkle spoke to the importance of the income provided by short-term rentals to owners. She does not want City Council to pass Ordinance 2023-12.

3. Purpose

A. Discussion of petition received: **“To limit investment short-term rentals business licenses to a maximum of 1600” and statutory requirements per section 5-17-30 of State law**

City Attorney McQuillin said, “First, I want to walk you through the citizen-initiated process and statute as well as Council’s options as it relates to the citizen-initiated ordinance, and then I want to give you an overview of the actual ordinance as proposed. So right now, I am going to just talk about the statute that allows the citizens to do this and what your options are. Under the statute, which is Code Section 5-7-10, voters in a city may propose certain ordinances if at least 15% of the registered voters from the last City election sign a petition and the petition is certified by the local Election Commission. So the agenda item immediately following this this evening is for Council to consider sending the petition to the Election Commission for certification. We have talked with the Election Commission and believe this will be done in approximately 2-3 weeks. So we should know by the August meeting whether the petition is certified.

“The following section 5-7-30 of the statute governs Council’s options and the process of how the citizen-initiated ordinance will proceed. So I want to walk you all through each of those options. So the first option, City Council can adopt the ordinance. This will take two readings. The First Reading is the last agenda item on the agenda for Council to consider this evening. Assuming the Election Commission certifies the petition, this will come before Council again in August for consideration for First Reading. That also assumes passage of First Reading. If the ordinance is approved as submitted, after First Reading and Second Reading, it shall become law and there will not be a referendum and the issue will not go to voters at the November General Election.

“Again, if the ordinance is approved as written at Second Reading, it is like any other ordinance. It can be amended or it can be repealed at any time by the Council. If, after approval at Second Reading, so the ordinance gets approved, it can literally be amended or repealed even at the very next meeting or a Special Meeting. And again, the issue will not go to voters at the November General Election. A new petition would need to be initiated by the voters and the process would start over. And there is a South Carolina Attorney General Opinion in case on point on that.

“The second option is that Council can take no action on the ordinance or simply decide to let voters determine the outcome. No action by Council is what happened at Folly Beach. There was no motion or second to approve or deny the citizen-proposed ordinance. And if Council fails to take any action, the ordinance must be submitted to voters not sooner than 30 days and no more than one year from the date Council takes no action. The issue will be placed on the ballot during a regular election within the time frame. And if there is no regular election that takes place in that time frame, a Special Election may be called. The Election Commission has indicated that

they will need at least 60 days advanced notice for this to be placed on the ballot. Again, if the ordinance is approved by voters if Council takes no action, Council can amend or appeal it following the election just like any other ordinance.

“The third option is Council can amend the ordinance. So really under this third option, there are two parts, subpart A and B. It deals with two types of amendments. So first there are stylistic amendments and substantive amendments. If the ordinance is changed to correct a typo or merely stylistic changes that do not alter the substance of the ordinance, the ordinance is treated as if it was approved because it is not ‘substantially different’ from what was proposed. If the ordinance is approved because the changes are merely stylistic and did not change the substance of the ordinance, the ordinance does not get placed on the ballot and it is treated as if it was approved by Council.

“Substantially different is the word used in the statute. Any substantive amendments that change the substance of the ordinance will likely cause the issue to be placed on the ballot in the same manner as if Council took no action. I will give you an example from one of the public comments tonight. So if Council amended the ordinance at Second Reading and adopted the ordinance to exempt multi-family from the short-term rental cap or some other substantive change, that would likely make the ordinance substantially different. The ordinance must be then submitted to voters not sooner than 30 days and no more than one year from the date Council approved the amendment. So the amended ordinance adopted by Council would become law until the issue is submitted to voters. If the vote passes, the original citizen-proposed ordinance would take effect following the election and the amended ordinance would essentially be amended by the voters back to what they originally proposed. If, at the election, voters fail to get enough votes to pass the original ordinance submitted, the amended ordinance that Council adopted would remain the law.”

Council Member Pierce asked about the timeline of getting the ordinance on the ballot should that be necessary. Administrator Fragoso explained that it is possible to get this ordinance to a referendum vote on the November ballot.

City Attorney McQuillin said, “The statute on citizen-initiated ordinances does require that it be certified.”

He continued, “Now I am going to discuss the substance of the ordinance proposed and give you a general overview of what the citizens are proposing. Under the proposed ordinance, there are two categories of short-term rentals. One is legal resident short-term renters and the other investment short-term renters. I am going to refer to these as 4% primary residence short-term renters and 6% non-primary residence short-term renters. So under the ordinance, an owner is required to have a short-term rental license if they allow rentals for 3 months or less on their property. That is how the ordinance defines short-term rentals. Rentals of 3 months or less. The proposed ordinance provides no cap on short-term rental licenses for 4% primary residence short-term renters. The ordinance proposes a cap of 1600, one thousand six hundred, for licenses for 6% non-primary residence and short-term renters. For example, the cap would apply to any sort of investment properties. This would include multi-families, 6% condos that are rented three

months or less. Under the ordinance after its adoption, the 6% non-primary residence short-term renters have a 60-day grace period before the cap takes effect to apply for a short-term rental license. The licenses issued during the 60-day period following enactment counts towards the cap. However, the ordinance allows the City to issue licenses to 6% non-primary residence short-term rentals above the 1600 caps during the 60-day period. They essentially get grandfathered in.

“So for example, if the Council takes no action or rejects the ordinance, it will be voted on in November and 6% non-primary residence short-term renters will essentially have between now and through January 2024 because of the 60-day grace period to apply in excess of the 1600 cap. So under these scenarios, short-term rental licenses for 6% non-primary residence will almost certainly exceed the cap of 1600. And the reason I say that is based on the current number of licenses issued this year. So I am going to get in to the current data quickly to explain, then I will continue discussing the substance of the ordinance.

“So as Council is aware, the annual short-term rental license period for the City is April 30-May 1 of the following year. So last year, the license period was April 30, 2022 to May 1st of this year. Everyone that had a license this year that wanted to continue short-term rentals on May 1 of this year, needed to reapply before April 30. Owners not currently renting but that plan to do short-term rentals later in the year can apply at any time during the year before they start engaging in short-term rentals.

“The most up to date data we have for this year is from May 1, 2023 to July 7, 2023. That data is current just within a couple of days. And before I get into the data, it is important to note that we are only slightly over two months into the license year, so we do expect more owners to apply throughout the year. As of July 7, a couple days ago, there were 155 4% owners with licenses. Under the proposed ordinance, these would not be capped. As of July 7, a couple days ago, there 1,549 6% properties with a short-term rental license. These would be capped under the ordinance once they got beyond 1600. As of July 7, 51 properties are renting that don’t have a license, and they have been contacted by the City notifying them that this is illegal. They have 30 days to stop or apply for a license. If they continue to rent and do not apply for a license, they will get a ticket, a \$500 fine and court costs totaling \$1097 and up to 30 days in jail. Some have started the application process. As of July 7, there were 18 license pending approval, which likely includes some of the 51 that were renting without a license.

“I give you this information just to show that between now and January of next year, the City will most certainly exceed its 1600 cap especially in light of the 60-day grace period for the 6% non-primary residents to apply for a license in excess of the proposed cap.”

Council Member Bogosian asked for an explanation of the grace period and grandfathering in 6% licenses, to which City Attorney McQuillin replied, “It’s for folks that have not currently applied that had one prior to April 30. So folks that had licenses last year that have not yet applied this year have a 60-day grace period.”

City Attorney McQuillin continued, “So every 6%-er that had a license last year has the right to apply 60 days after this ordinance is enacted. So that anyone that previously had one has the 60-day grace period and is grandfathered in. It is not everybody.”

City Attorney McQuillin said, “So going back to the substance of the proposed ordinance. If the 6% non-primary residence licenses issued exceed the cap, then any new 6% non-primary residences that apply after the 60-day period once the cap has been met will be placed on a waitlist based on a chronological, first-come, first-served basis. These are currently and will be handled exclusively online so that the waitlist will be supported by the submission and timestamped for determination of a position on the waitlist.

“So let’s talk now about the transferability of licenses upon a transfer of the lot or dwelling and also how that affects any 6%-ers on the waitlist. So in the event of a transfer of the lot or dwelling to an eligible family member, licenses generally may be transferred. The ordinance defines eligible family member as a parent, spouse, stepparent, sibling, stepsibling, sibling-in-law, child, stepchild, grandparent, or step-grandparent. No other transfers are permitted.” He then explained several scenarios regarding the transferability of a short-term rental license.

Regarding waitlist transfers, City Attorney McQuillin explained, “The waitlist only applies obviously to the 6% applicants and that would be after the 60-day grace period for the folks that had a license last year. If they transfer to an eligible 6% family member, they hold their spot on the waitlist. If the transfer is not to an eligible family member, they need to reapply and go to the bottom of the waitlist when they apply.

“The next section of the ordinance says that the obligation is on the seller to notify the City of any change in ownership that terminates the license. This will likely present enforcement issues as some owners may not report. In discussions with staff, one simple method to enforce the proposed ordinance and check the ownership status is when the license year expires and owners reapply, they will check to see if the ownership for the property address has changed on the application and to determine at that time if the license transfers or not. We also plan to reach out to the County Assessor’s Office to see how/when they check for changes in ownership for purposes of assessable transfers of interest and property taxes. I suspect they work closely with the Register of Deeds Office. We could also look at MLS, but that will not show all transfers, so we will need to explore these issues further.

“Finally, just as similar to the current situation now, but under the proposed ordinance, if an owner operates without a license, they are subject to a \$500 fine and then when you add court costs, the total fine will be \$1097 and up to 30 days in jail.”

Council Member Bogosian asked about the legality of the petition, to which City Attorney McQuillin replied, “Staff and I have reviewed the proposed ordinance. I do believe that it is legally valid. This is based on my reading of South Carolina case law, the opinions of the other municipal and zoning orders that I consulted with about the ordinance, and frankly, the extensive briefing and the Folly Beach short-term rental ordinance litigation. I do want to be clear that this is my legal opinion, and this is an area of developing law, and there is not a South Carolina case directly on point. I wish there was. My job would be easy. But a court could potentially disagree. But I will say based on the current case law, my belief is that the ordinance is valid, but all of that said, this is ultimately a policy decision that Council must decide. So I think from a legal

risk standpoint, my opinion is that it is valid if somebody sought to challenge it. Based on the current law, I don't think that they would prevail."

Mayor Pounds asked about the "flip side," and City Attorney McQuillin said, "What he is getting at is at the beginning of my presentation I said that citizens can pass a citizen-proposed, generally proposed ordinance on certain topics. So one statute mentions that it cannot be an ordinance that levies taxes, which this does not. And then two, there is a Supreme Court case, the I'On case where there was a citizen-initiated ordinance that sought to change zoning, and I don't remember the exact zoning classifications, but the citizens were trying to change something from R1 to R2 or something along those lines, and the courts said you cannot have a citizen-initiated ordinance that deals with zoning. So that is one of the central issues in the Folly Beach litigation is whether their short-term rental ordinance is a zoning ordinance or whether it deals with business licenses. Based on the cases cited by both parties, I think that Folly Beach has a much stronger argument there that it is not zoning, and it is simply an exercise of the government's police powers."

He continued, "This one (the Isle of Palms' citizen-initiated ordinance) deals specifically with licenses, and that is one of the reasons why I believe it would be valid because it is an exercise of the police powers. And frankly, I think this ordinance whoever prepared it, I suspect a lawyer was involved, but it is a lot cleaner than Folly's as well."

Council Member Streetman asked where the State legislature is regarding blocking short-term rental limitations and whether or not City Council could draft legislation that would survive what is currently being considered in Columbia.

City Attorney McQuillin answered, "So that legislation is supposed to be brought up next legislative session. So I am assuming what that legislation would say is it repeals all the existing rules that municipalities have adopted, but I really don't know."

Mayor Pounds suggested that would be a question for the City's lobbyist to consider.

B. Consideration of sending petition to the Charleston County Board of Voter Registration and Elections for certification of signatures

MOTION: Council Member Pierce made a motion to send the petition to the Board of Elections for certification. Council Member Anderson seconded the motion. The motion passed unanimously.

C. Consideration of First Reading of ordinance by petition 2023-12 "To limit Investment Short-Term Rental Business Licenses to a maximum of 1600"

MOTION: Council Member Bogosian made a motion to approve Ordinance 2023-12 pending signature verification and to have discussion. Council Member Anderson seconded the motion.

Council Member Hahn said, "In preparing for this vote, I researched the reason groups across the state have stated for why caps on short-term rentals is needed. Every single person said the same thing: Caps are needed to protect residential neighborhoods. That is the reason, protect

residential neighborhoods. Caps are simply an insurance policy to protect and maintain residential areas. I had coffee with the lady that presented the petition and ordinance to City Council. This is just about protecting our residential neighborhoods. It's an insurance policy in case things get out of hand. I told her that while I don't agree caps are needed on the Isle of Palms given the 12-year sustained decline in short-term rentals, I understand the position and will support a cap on short-term rentals in residential neighborhoods. However, I cannot support this ordinance.

"This ordinance goes far beyond the stated goal of protecting the residential neighborhoods. This ordinance is a first step to ban short-term rentals island-wide. This ordinance will limit the ability of not only the condos in our commercial district and Wild Dunes to generate revenue, this ordinance will limit the ability of our two front beach hotels from operating or being sold. Human beings have invested in our island for over 100 years to provide a place for vacationers to stay and enjoy the beach. The condos and hotels in the commercial district as well as Wild Dunes were built and intended as places for people to vacation. I cannot support an ordinance that takes away the rights of those individuals without due process. Without the right to be heard. That is what this ordinance does. It is attempting to take away the rights of non-resident property owners that invested in vacation property rental because they believed in this island and its residents.

"I tried to reach a compromise with those that have promoted an island-wide cap. I was told no. All or nothing. There can be no compromise. If those individuals had agreed to limit the cap to single-family residences, the stated goal, we would not be here. We would already have an ordinance in place. The residential neighborhoods would be protected.

"Perhaps when all the posturing and name calling is over, we can come together as good neighbors do ad cap short-term rentals in our neighborhoods. After all, that's what everyone says they want, to protect the neighborhoods. But for now, I cannot support this ordinance.

Council Member Streetman reiterated his support for a cap in residential neighborhoods. He supports the petition going forward as a referendum on the November ballot, but he is not in favor of the referendum. He believes Council has "bigger issues" to deal with.

Council Member Bogosian said Council needs to address a petition that 30% of the electorate have brought before them. He said there has been an increase in short-term rental licenses issues since Council failed to take action earlier. He does not feel the information gleaned from the short-term rental listening sessions was conclusive. He would like to see the ordinance passed and not go to referendum.

Council Member Anderson said she would like to pass a cap to preserve the community. She referenced a *New York Times* article touting Charleston as a place for real estate investment. She also read from a speech she gave to the State legislative committee considering the removal of all short-term rental ordinances in the state. She would like to pass the ordinance and amend it moving forward.

Council Member Popson said residents would not be happy if City Council mandated they must rent out their homes, “so how can we mandate that you can’t rent your house?” He said he supports a referendum in November.

Mayor Pounds said the trend shows the number of single-family homes with short-term rental licenses is down year-over-year, and the 4% primary resident number is up over the last 12 years. He said, “This is too big of an item to let 30% of our population decide what is best for the entire island. I do not (crowd noise). I can tell you, if this thing was reversed, you would up in our grill to send this to referendum and to not take action. So I think let’s not be too hypocritical in saying we need to get 100% of our residents to vote on this. We have had a number of comments, I have had a number of emails around non-resident owners wanting to be able to vote. That is not in our purview. That is a bigger issue than this paygrade for sure on who gets to vote as a primary resident. So the rules are what they are. Primary residents are the ones that vote here on IOP.” He supports having a referendum in November.

VOTE: A vote was taken as follows:

Ayes: Miars, Bogosian, Pierce, Anderson
Nays: Hahn, Ward, Streetman, Popson, Pounds

The motion failed 4-5.

4. Adjournment

Council Member Streetman made a motion to adjourn, and Council Member Ward seconded the motion. The meeting was adjourned at 6:32pm.

Respectfully submitted,

Nicole DeNeane
City Clerk



Charleston Area Regional Transportation Authority

MEMORANDUM

TO: Board of Directors

FROM: Robin W. Mitchum, Deputy Director of Finance and Administration

SUBJECT: FY23/24 Proposed Budget

DATE: June 7, 2023

Please find attached the Proposed FY23/24 Budget for your consideration.

Revenues

A detailed explanation of line-item changes are as follows:

- Farebox and Passes & Mobile Ticketing revenues have been increased based on average and estimated receipts.
- Contract Service revenues for City of Charleston-DASH have increased based on the contract agreement.
- Local contributions are funds received for shelter construction. These contributions are recorded as incurred.
- Federal revenue includes estimated 5307 Urban funds, 5310 Enhanced Mobility for Seniors & Individuals with Disabilities, 5307 CARES Act and ARP Act funds. CARTA receives funds as a direct recipient from FTA and Pass-Through funds from the BCDCOG. Capital funds are reflected in the capital revenues budget. The increase in Federal funding is a projection of federal grant awards.
- State Mass Transit Funds (SMTF) are funds received as matching contributions to 5307 operating. We do not anticipate receiving funds for FY24.
- Sales Tax – Charleston County is the operating funds. The matching requirements for capital are reflected the capital revenues budget line item.
- Insurance proceeds is policy proceeds that are the result of accidents. Insurance proceeds are recorded as received.
- Sale of Assets is the proceeds from the sale of vehicles. These funds are recorded as received.

Expenditures

A detailed explanation of line-item changes are as follows:

- Retiree Benefits is increased for the cost of SCPEBA employer portion of Retiree Insurance.
- Supplies includes office and facility maintenance supplies. The decrease is due to anticipated cost of rebranding materials and signage that we budgeted for FY23.

- Postage decreased due to change in procedure for mailing passes. Most of postage needs are expensed through the IGA with BCDCOG.
- Office Equipment Rental decreased due to cancellation of the postage meter rental agreement.
- Office Equipment Maintenance includes IT services (managed server services, email hosting, and other general IT services), Camera system maintenance, and AVL software maintenance. The increase is anticipated expenditures for CAD/ITS/AVL service agreements.
- Rent includes the Ashley Phosphate Park & Ride Lot, Dorchester Village Shopping Center Park & Ride Lot, Leeds Avenue lot lease from Dominion Energy, SC Works Trident lease space, and document storage. The decrease is due to average and anticipated expenditures for SCWorks MOU space.
- Professional services are being increased for demand response pilot program and auditing services. Professional services is being decreased for the completion of the Electric Bus Master plan and the other-misc services.
- Contract Services is increased for Shared IGA services that includes management, administrative, financial, customer service, cash counting, marketing, advertising, maintenance costs, engineering, and professional services. The overall decrease is inclusive of reducing the estimate for supplemental project contracts such as the Route study, APC Recommendations, and Mt. Pleasant Street Feasibility projects.
- Fixed route is increased for anticipated costs under the new contractor.
- Rebranding services has been reduced. We anticipate these costs occurring during FY23.
- Facility Repair & Maintenance increase for bus wash repairs and maintenance.
- Operating Fees increased due to mobile ticketing processing fees.
- Insurance increased based on the projected cost for the fiscal year.
- Fuel decreased based on operation of electric vehicles.
- Paratransit service increased for anticipated operator costs.
- Non-Capitalized assets include security equipment, cameras, lighting, shelter panels/parts, driver safety barriers, COVID-19 PPE, and radio equipment.

Capital Expenditures (Balance Sheet)

- Rolling Stock includes the purchase of 10 vans.
- Bus Facilities/Charging stations is the purchase of on route charging equipment.
- Facilities Construction is estimated cost for Mt. Pleasant Street park and ride construction.
- Security Cameras and Equipment is funds available and anticipated expenditures to purchase security equipment at our facilities and on rolling stock.
- Capital (IT, Facility Repairs/Maint) is for the facility upgrades or repairs.

We will monitor the budget to ensure revenues and expenditure remain aligned and we will make recommended revisions as necessary.

If you have any questions, please contact me at 843-529-2126 or robinm@bcdcog.com.

CARTA
Proposed FY2024 Budget Revision

| | Approved Budget <u>FY 2023</u> | Proposed Budget <u>FY 2024</u> | <u>Variance</u> |
|---------------------------------|---|---|------------------------|
| <u>Revenues</u> | | | |
| Farebox | 1,325,675 | 1,345,886 | 20,211 |
| Passes & Mobile Ticketing | 516,130 | 527,051 | 10,921 |
| COC Shuttle | 417,104 | 417,104 | - |
| MUSC | 753,157 | 753,157 | - |
| City of Charleston - DASH | 665,000 | 706,143 | 41,143 |
| Local Contributions | 64,715 | - | (64,715) |
| Federal | 7,762,136 | 8,289,057 | 526,921 |
| State Mass Transit Funds (SMTF) | 464,907 | - | (464,907) |
| Sales Tax - Charleston County | 12,354,301 | 12,759,453 | 405,152 |
| Advertising | 800,000 | 800,000 | - |
| Insurance Proceeds | 100,000 | - | (100,000) |
| Sale of Asset | 7,157 | - | (7,157) |
| Miscellaneous | 378 | - | (378) |
| TOTAL REVENUES | 25,230,660 | 25,597,851 | 367,191 |
| <u>Expenditures</u> | | | |
| Retiree Benefits | 8,848 | 9,288 | 440 |
| Supplies | 300,000 | 100,000 | (200,000) |
| Printing | 25,000 | 25,000 | - |
| Automotive | 1,000 | 1,000 | - |
| Postage | 500 | 250 | (250) |
| Dues/Memberships | 2,500 | 2,500 | - |
| Office Equipment Rental | 105,336 | 105,012 | (324) |
| Office Equipment Maintenance | 223,527 | 239,241 | 15,714 |
| Rent | 33,100 | 32,650 | (450) |
| Communications | 166,847 | 166,847 | - |
| Utilities | 313,674 | 313,674 | - |
| Advertising | 7,500 | 7,500 | - |
| Professional Services | | | |
| Auditing | 25,000 | 30,000 | 5,000 |
| Legal | 1,000 | 1,000 | - |
| Custodial | 25,542 | 25,542 | - |
| Pilot Ride Program | 112,850 | 131,575 | 18,725 |
| Electric Bus Master Plan | 58,353 | - | (58,353) |
| Other | 45,000 | 25,000 | (20,000) |
| Contract Services | | | |
| Shared Services - IGA | 3,627,902 | 3,188,074 | (439,828) |
| Fixed Route | 14,066,085 | 14,676,071 | 609,986 |
| Money Transport | 7,500 | 7,500 | - |
| Security Services | 105,560 | 105,560 | - |

CARTA
Proposed FY2024 Budget Revision

| | Approved Budget FY 2023 | Proposed Budget FY 2024 | Variance |
|---|--|--|-----------------|
| Rebranding | 32,903 | - | (32,903) |
| Vehicle Maintenance | 170,000 | 170,000 | - |
| Facility Repair & Maintenance | 52,285 | 52,835 | 550 |
| Operating Fees & Licenses | 45,300 | 50,000 | 4,700 |
| Insurance | 1,052,064 | 1,083,626 | 31,562 |
| Fuel | 1,785,648 | 1,638,187 | (147,461) |
| Paratransit | 2,723,873 | 3,308,576 | 584,703 |
| Miscellaneous | 3,500 | 3,500 | - |
| Interest | 52,463 | 47,843 | (4,620) |
| Non-Capitalized Assets | 50,000 | 50,000 | - |
| TOTAL EXPENDITURES | 25,230,660 | 25,597,851 | 367,191 |
| Excess (Deficit) of Revenues Over (Under) Expenditures | - | - | - |

Capital Revenues

| | | | |
|--|------------------|------------------|------------------|
| Rolling Stock | 1,658,772 | 613,428 | (1,045,344) |
| Bus Facilities/Charging Stations | 1,132,402 | 289,189 | (843,213) |
| Bus Shelter Construction/Bench Install | 55,855 | 18,618 | (37,237) |
| Security Cameras/Equipment | 242,398 | 240,997 | (1,401) |
| Capital (IT, Facility Repairs/Maint) | - | - | - |
| Facilities Construction | - | 5,040,000 | 5,040,000 |
| Sales Tax - Charleston County | 982,449 | 1,047,297 | 64,848 |
| TOTAL CAPITAL EXPENDITURES | 4,071,876 | 7,249,529 | 3,177,653 |

Capital Expenditures

| | | | |
|--|------------------|------------------|------------------|
| Rolling Stock | 2,073,465 | 766,785 | (1,306,680) |
| Bus Facilities/Charging Stations | 1,422,880 | 350,000 | (1,072,880) |
| Bus Shelter Construction/Bench Install | 230,000 | 192,763 | (37,237) |
| Land | - | - | - |
| Security Cameras/Equipment | 300,591 | 295,041 | (5,550) |
| Facilities Construction | - | 5,600,000 | 5,600,000 |
| Capital (IT, Facility Repairs/Maint) | 44,940 | 44,940 | - |
| TOTAL CAPITAL EXPENDITURES | 4,071,876 | 7,249,529 | 3,177,653 |

CARTA

Proposed Detailed Budgeted Expenditures
FY 2023/2024

| | | Approved Budget FY 2023 | <i>Proposed</i> Budget FY 2024 | Increase (Decrease) |
|------------------------------------|----------------------------|--|---|--------------------------------|
| RETIREE BENEFITS | Retiree Insurance | 8,848 | 9,288 | 440 |
| | | <u>8,848</u> | <u>9,288</u> | <u>440</u> |
| SUPPLIES | Admin/Operations | 100,000 | 50,000 | (50,000) |
| | Rebranding | 200,000 | 50,000 | (150,000) |
| | Total | <u>300,000</u> | <u>100,000</u> | <u>(200,000)</u> |
| PRINTING | Printing | 20,000 | 20,000 | - |
| | Rebranding | 5,000 | 5,000 | - |
| | | <u>25,000</u> | <u>25,000</u> | <u>-</u> |
| AUTOMOTIVE | Parking/Mileage/Service | 1,000 | 1,000 | - |
| | Total | <u>1,000</u> | <u>1,000</u> | <u>-</u> |
| POSTAGE | | 500 | 250 | (250) |
| | | <u>500</u> | <u>250</u> | <u>(250)</u> |
| DUES & MEMBERSHIPS | Metro Chamber | 500 | 500 | - |
| | TASC (SCAMI) | 2,000 | 2,000 | - |
| | Total | <u>2,500</u> | <u>2,500</u> | <u>-</u> |
| EQUIPMENT RENTAL | Electric Bus Battery Lease | 105,012 | 105,012 | - |
| | Miscellaneous Equipment | 324 | - | (324) |
| | Total | <u>105,336</u> | <u>105,012</u> | <u>(324)</u> |
| OFFICE EQUIPMENT MAINTENANCE | IT / Camera Maint. | 55,000 | 55,000 | - |
| | Money Counting Equipment | 2,000 | 2,000 | - |
| | AVL Cloud Manager | 19,762 | 35,476 | 15,714 |
| | CAD/ITS/AVL | 146,765 | 146,765 | - |
| | | <u>223,527</u> | <u>239,241</u> | <u>15,714</u> |
| RENT | Land | 6,000 | 6,000 | - |
| | Park & Ride | 19,850 | 20,150 | 300 |
| | Document Storage | 1,250 | 1,250 | - |
| | SC Works Charleston Center | 6,000 | 5,250 | (750) |
| | | <u>33,100</u> | <u>32,650</u> | <u>(450)</u> |
| COMMUNICATIONS | Telephone/Internet | 44,384 | 44,384 | - |
| | Tablets - Buses | 47,463 | 47,463 | - |
| | Radios | 75,000 | 75,000 | - |
| | Total | <u>166,847</u> | <u>166,847</u> | <u>-</u> |

CARTA

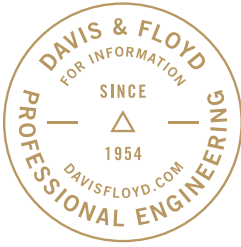
Proposed Detailed Budgeted Expenditures
FY 2023/2024

| | | Approved Budget FY 2023 | <i>Proposed</i> Budget FY 2024 | Increase (Decrease) |
|----------------------------------|------------------------------------|--|---|--------------------------------|
| UTILITIES | Electricity | 12,849 | 12,849 | - |
| | Electricity -Charging Stations | 297,000 | 297,000 | - |
| | Water | 3,825 | 3,825 | - |
| | | <u>313,674</u> | <u>313,674</u> | <u>-</u> |
| ADVERTISING | ALL | - | - | - |
| | BUS WRAPS | 7,500 | 7,500 | - |
| | | <u>7,500</u> | <u>7,500</u> | <u>-</u> |
| PROFESSIONAL SERVICES | Audit | 25,000 | 30,000 | 5,000 |
| | Legal | 1,000 | 1,000 | - |
| | Custodial | 25,542 | 25,542 | - |
| | Pilot Ride Program/On Demand | 112,850 | 131,575 | 18,725 |
| | Electric Bus Master Plan | 58,353 | - | (58,353) |
| | Other | 45,000 | 25,000 | (20,000) |
| | | <u>267,745</u> | <u>213,117</u> | <u>(54,628)</u> |
| CONTRACT SERVICES | Management Services | 75,000 | 75,000 | - |
| | Shared Services (IGA) | 2,914,142 | 2,948,184 | 34,042 |
| | Shelter/Bench Engineering (IGA) | 50,000 | 50,000 | - |
| | APC Recommendations | 64,227 | - | (64,227) |
| | Mt. Pleasant St. Feasibility (IGA) | 50,913 | - | (50,913) |
| | ITS System (IGA) | 97,268 | 25,000 | (72,268) |
| | Mobile Ticketing (IGA) | 13,500 | 13,500 | - |
| | Route Study (IGA) | 362,852 | 76,390 | (286,462) |
| | Fixed Route | 14,066,085 | 14,676,071 | 609,986 |
| | Money Transport | 7,500 | 7,500 | - |
| | Super Stop Security Services | 105,560 | 105,560 | - |
| | Rebranding | 32,903 | - | (32,903) |
| | | <u>17,839,950</u> | <u>17,977,205</u> | <u>137,255</u> |
| VEHICLE MAINTENANCE | | 170,000 | 170,000 | - |
| | | <u>170,000</u> | <u>170,000</u> | <u>-</u> |
| FACILITY REPAIR & MAINTENANCE | Facility Repair Misc | 47,335 | 47,335 | - |
| | Bus Wash Inspection | 4,950 | 5,500 | 550 |
| | | <u>52,285</u> | <u>52,835</u> | <u>550</u> |

CARTA

Proposed Detailed Budgeted Expenditures
FY 2023/2024

| | | Approved Budget FY 2023 | <i>Proposed</i> Budget FY 2024 | Increase (Decrease) |
|------------------------------|--------------------------------------|--|---|--------------------------------|
| OPERATING FEES & LICENSES | | 45,300 <u>45,300</u> | 50,000 <u>50,000</u> | 4,700 <u>4,700</u> |
| INSURANCE | Administration | 16,203 | 16,689 | 486 |
| | Operating | 1,035,861 <u>1,052,064</u> | 1,066,937 <u>1,083,626</u> | 31,076 <u>31,562</u> |
| FUEL | Fuel | 1,785,648 <u>1,785,648</u> | 1,638,187 <u>1,638,187</u> | (147,461) <u>(147,461)</u> |
| PARATRANSIT | Transdev | 2,723,873 <u>2,723,873</u> | 3,308,576 <u>3,308,576</u> | 584,703 <u>584,703</u> |
| MISCELLANEOUS | Misc | 3,500 <u>3,500</u> | 3,500 <u>3,500</u> | - <u>-</u> |
| INTEREST | BB&T - Melnick Property | 52,463 <u>52,463</u> | 47,843 <u>47,843</u> | (4,620) <u>(4,620)</u> |
| NON-CAPITALIZED ASSETS | Non-Capitalized Assets | 50,000 <u>50,000</u> | 50,000 <u>50,000</u> | - <u>-</u> |
| TOTAL OPERATING | | 25,230,660 | 25,597,851 | 367,191 |
| CAPITAL | | | | |
| | Rolling Stock/Fleet Repair | 2,073,465 | 766,785 | (1,306,680) |
| | Bus Facilities/Charging Stations | 1,422,880 | 350,000 | (1,072,880) |
| | Bus Shelter Construction/Bench | 230,000 | 192,763 | (37,237) |
| | Facilities Construction | - | 5,600,000 | 5,600,000 |
| | Security/Cameras | 300,591 | 295,041 | (5,550) |
| | Capital (IT, Facility Repairs/Maint) | 44,940 | 44,940 | - |
| TOTAL CAPITAL | | 4,071,876 | 7,249,529 | 3,177,653 |



“Drainage Study and Recommendations for Improvements” for City of Isle of Palms

January 2023

D|F Job No.: 031974.00

PREPARED FOR:

City of Isle of Palms
1207 Palm Boulevard
Isle of Palms, SC 29541

PREPARED BY:

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Charleston, SC 29405
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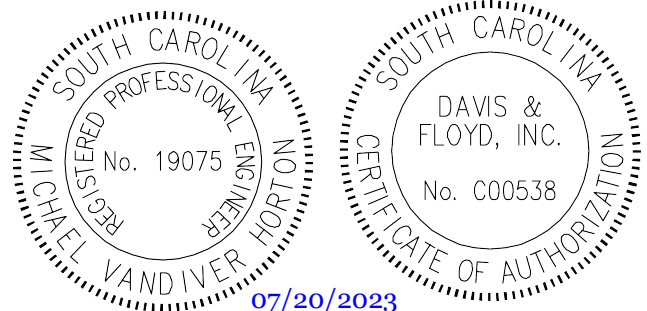


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1.0 – Executive Summary

A stormwater master plan has been prepared for the Phase 4 area within the City of Isle of Palms. An in-depth drainage study was completed where existing flooding conditions were identified, solutions to mitigate such conditions were developed, costs to implement were estimated, and potential funding sources were identified. The drainage study included an assessment of current and future hydrologic conditions and modeling historic conditions (ex. Hurricane Matthew). The study was further supported by an inventory of existing stormwater system features along with their current conditions, and monitoring of rainfall, groundwater, tide, and surface water stages in select areas during the study phase. The study included hydrologic and hydraulic modeling of existing drainage system performance, in addition to the development and modeling of conceptual improvements to identify and prioritize recommended improvements. Recommended improvements within the Phase 4 area include 31 individual projects grouped into an all-inclusive outfall improvement program (estimated at \$12 million), five high priority major projects interior within the island (\$16 million), and other minor smaller-scale projects (\$20 million).

2.0 – Introduction, Background, and Overview of the Project

Like many southeastern communities, the City of Isle of Palms has been subject to recent intense storm events. Notably, Hurricane Joaquin (2015), Hurricane Matthew (2016), and Hurricane Irma (2017) caused severe flooding and damage to private and public infrastructure throughout the community (see **Figure 1**).



Figure 1 – Storm surge from Hurricane Joaquin flooded a portion of the City (photo credit to Mic Smith, AP).

In a proactive approach to improve long-term community resiliency, the City has been completing stormwater master plans and improvement projects on a phase-by-phase approach. The City began the Phase 4 master plan in the fall of 2021 with an overall purpose to analyze and assess the capacity and condition of drainage infrastructure serving the City identified within the Phase 4 footprint. As a result, the overall purpose of this report is to summarize an in-depth drainage study completed wherein existing flood conditions were identified, solutions to mitigate existing flood conditions were developed, costs to implement such solutions were estimated, and potential funding to finance solutions were identified.

2.1 – Study Area

The Phase 4 study boundary (see **Figure 2**) is bound by 29th Avenue to the east and Breach Inlet to the west. In total, the study area encompasses approximately 30 unique drainage networks and covers approximately 640 acres of the City. All drainage systems contained within the Phase 4 study area outfall to the intracoastal waterway.

3.0 – Assumptions and Limitations

Assumptions and limitations associated with this study are identified in this section of the report. Generally, assumptions made will result in limitations in model results for certain areas, conditions, or analysis points. Understanding this, assumptions made for this study were based on engineering judgement in accordance with commonly accepted industry practice.

While survey and condition assessment practices were utilized across the study area, modeled geometry may vary from actual existing geometry conditions where no access to the closed piping system was available or survey



Figure 2 – Phase 4 study area.

accuracy was limited. In such cases, system geometries were inferred using engineering judgement. Efforts were made to record and simulate occurrences of siltation, debris accumulation, and restrictions caused by structural failures in the modeled drainage system structures. Results produced under these conditions are not exact replications of reported flooding; however, they reasonably represent current system capacities for the purposes of this study.

3.1– Assessment of Climate Conditions

Historic, current, and predicted climate conditions were used to evaluate the performance of the Phase 4 drainage systems. Climate condition scenarios involved the use of varying rainfall data and outfall boundary conditions. Results from each climate condition analysis were compared to develop a holistic assessment of current system capacity. The same climate conditions were used again to reevaluate proposed system improvements to consider long term reliability and resiliency.

3.1.1 – Typical Conditions Assessment

The typical conditions assessment served as a representation of the present-day climate. Rainfall data were obtained from the National Oceanic and Atmospheric Administration (NOAA) precipitation frequency data server, specifically from the local NOAA rain gauge located nearby on Sullivan’s Island, SC (ID 38-8405). Total precipitation depths were combined with the dimensionless Type III National Resource Conservation (NRCS)/Soil Conservation Service (SCS) rainfall distribution to generate design cumulative rainfall curves for current condition assessments. Additional design cumulative rainfall curves were developed from a less intense, South Carolina based rainfall distribution (SC Long). More information on the methodology used for current conditions rainfall data is provided in **Section 5.1.4.1**.

A tide monitoring station deployed on the intracoastal waterway near the Isle of Palms Marina (50 41st Avenue, Isle of Palms, SC 29451) was used to collect data to represent outfall boundaries under typical/current conditions (see **Section 4.2** for more details). More information on the methodology used to develop typical condition outfall boundaries is provided in **Section 5.2.3.1**.

3.1.2 – Hurricane Matthew Assessment

Historic storm events with known significant impacts on the Phase 4 drainage systems were analyzed as part of this assessment. Namely, Hurricane Matthew (2016) was selected to represent significant storm conditions in the analysis. Storm surge data for Hurricane Matthew was downloaded from the United States Geological Survey (USGS) Flood Event Viewer. Surge data was then processed and applied to the outfall boundaries in conjunction with the dimensionless Type III NRCS/SCS and SC Long rainfall distributions to evaluate the system’s response to severe tidal driven flooding. More information on the methodology used for historic storm surge data acquisition and processing is provided in **Section 5.2.3.2**.

3.1.3 – Future Conditions Assessment

With considerations to predicted rising sea levels and increases in rainfall depth and intensity, a future conditions assessment of the Phase 4 drainage systems was completed. The year 2072 was selected as the basis for the future conditions assessment to represent 50-years into the future. Increases in 24-hour design storm depths (Hutton et al, 2015) were applied to current rainfall data reported for NOAA rain gauge ID 38-8405 located on Sullivan’s Island, SC. These increased rainfall depths were combined with the dimensionless Type III NRCS/SCS and SC Long distributions to generate design cumulative rainfall curves for future condition assessments. More information on the methodology used for future rainfall acquisition and processing is provided in **Section 5.1.4.2**.

Predicted sea level rise data was retrieved from the Interagency Sea Level Rise Scenario Tool for the Charleston NOAA station (ID 8665530). The 50-year sea level rise was added to the tide data collected from the tide monitoring station to serve as the outfall boundary for the future conditions assessment. More information on the methodology used for future tide data acquisition and processing is provided in **Section 5.2.3.3**.

3.1.4 – Analysis/Design Conditions

Analysis of the City's existing drainage system was completed using results from all three tidal conditions (typical, Hurricane Matthew, and future) combined with the 2-, 10-, and 100-year 24-hour design rainfall events (SCS Type III and SC Long distributions). Current conditions were utilized in the initial set up and in the execution of the hydrologic and hydraulic modeling efforts. Results of the current conditions assessment were validated by comparing to observed conditions using monitoring data, historic assessment results, discussions with City officials, and photo documentation. Model adjustments, in accordance with standard industry practice, were carried out to address major differences between datasets.

Next, improvements were recommended based on the ability to mitigate the impacts of the 2- and 10-year design rainfall events (SCS Type III) with varying tidal boundary conditions. Modeling results for recommended improvements only partially mitigated flooding in areas where greater mitigation was either physically or economically unfeasible, however, the vast majority of the modeling results for these partial mitigation improvements were shown to fully mitigate less intense rainfall events (SC Long rainfall distributions). Recommended improvements were developed and aimed at installation of drainage system upgrades or new facilities within existing public rights-of-way. This was done to reduce the need for easements, as well as facilitate access for maintenance following construction.

3.2 – Flow through Private Property

In some instances, portions of the stormwater systems serving the City were located beneath yards and homes of private residences. The nearest size, material, and slope of pipes observed in these locations were assumed based on observations made at the accessible upstream or downstream structure or inlet. Assumed structure locations were modeled, and recorded as such, on private property where the path of drainage appeared to change direction, based on observations made at the pipe's inflow and outflow location.

4.0– Field Survey and Data Collection

An inventory of existing stormwater and drainage infrastructure was required to evaluate existing system capacities and evaluate upgrades proposed to improve flood resiliency. Typically, a system inventory is composed of pipes, inlets, manholes, channels, ponds, and outfall structures. Collection of this data is largely accomplished by field survey. Other data sources needed to conduct the analysis include topographic data, existing survey data from the City, and recent aerial imagery. Topographic data provides a mechanism to determine where runoff will drain, and allows for the delineation of drainage basins, as well as relevant parameters for the subject basins, which are then served by the stormwater system. Aerial imagery allows for the consideration of land cover/use which is utilized in determining relevant hydrologic parameters.

4.1 – Field Survey and Visual Condition Assessments

Inventory and visual condition assessments were completed for all drainage systems within the Phase 4 study area.

A review of drainage inventory data provided by the City and recent aerial imagery was completed to identify system features to evaluate system capacity and subsequent flood risk. Where existing inventory data was incomplete or unreliable, flow paths generated from topographic data and known conveyance paths were used to identify probable system paths and outfall locations for system evaluation. Second, ESRI ArcGIS Field Maps and GPS survey units were used to catalogue drainage feature data previously identified, as well as those discovered in the field. Data collected during field investigations included existing conditions assessment (e.g., visual review of level of clogging, material, observable damage), geometric parameters (e.g., size), and elevations. Quality reviews of system data were completed to support the cataloguing of reasonably accurate data. System features flagged during the quality review were revisited, and additional field data was collected and considered.

Survey data (e.g., location and elevation) was collected using Trimble RTK GPS units (see **Figure 3**). Horizontal and vertical elevations were collected at an average accuracy of at least 0.10 feet using the North American Vertical Datum of 1988. In some cases, tree cover or other site features (e.g., building shadows) interfered with GNSS accuracy. In such cases, surrounding/nearby system data was used to interpolate/estimate geospatial information.

In addition to elevation and geometric data, the survey team completed visual assessments and collected photographic documentation of the system. Photos were geotagged within geographic information system (GIS) databases based on the respective infrastructure feature for which they were collected. This enabled office personnel to have a visual reference to structures or conduits where photographs were taken.



Figure 3 – Example of drainage system inventory using GPS units at an outfall along the intracoastal waterway.

4.2– Real-Time Monitoring

Real-time monitoring stations (see **Figure 4**) were deployed within the City to monitor hydrologic parameters in order to understand the unique hydrology and performance of the existing drainage system. These monitoring stations collected high frequency (~5 minute) rainfall, stormwater, groundwater, and tidal data (see **Figure 5**) and uploaded the data to a remote server for real-time visualization and analysis. The monitoring stations were deployed for 11 months, with exception to a groundwater monitoring station that was later deployed to investigate the impact of prolonged rainfall (groundwater recharge).

Data from the monitoring stations were utilized in developing typical tidal boundary conditions used in the hydraulic analysis. Furthermore, these data supported the level of accuracy of simulations performed during the hydraulic analysis.

5.0 – Hydrologic and Hydraulic Modeling Platform

Hydrologic and hydraulic models were constructed and used to identify system capacity deficiencies and evaluate existing flood risk. Simulated existing flood risk was then used to develop drainage improvement recommendations. The following sections outline hydrologic and hydraulic analysis modeling methods used to evaluate existing system capacity and flood risk, as well as evaluate improvements and develop recommendations to mitigate existing flood risk.

Hydrologic and hydraulic modeling was completed using Computational Hydraulics Incorporated's (CHI's) PCSWMM software. This software uses version 5 of the Environmental Protection Agency stormwater management model (EPA SWMM). PCSWMM is a GIS integrated, highly advanced, comprehensive, hydrologic, hydraulic, and water quality simulation model used to analyze the management of urban stormwater, wastewater, and water distribution systems. Existing and proposed hydraulic models were developed using unsteady shallow water momentum equations.



a) Monitoring Locations



b) Example Monitoring Station

Figure 4 – Overview of (a) locations of deployed real-time monitoring stations and (b) real-time monitoring station deployed along intracoastal waterway of City to monitor rainfall and tidal conditions.

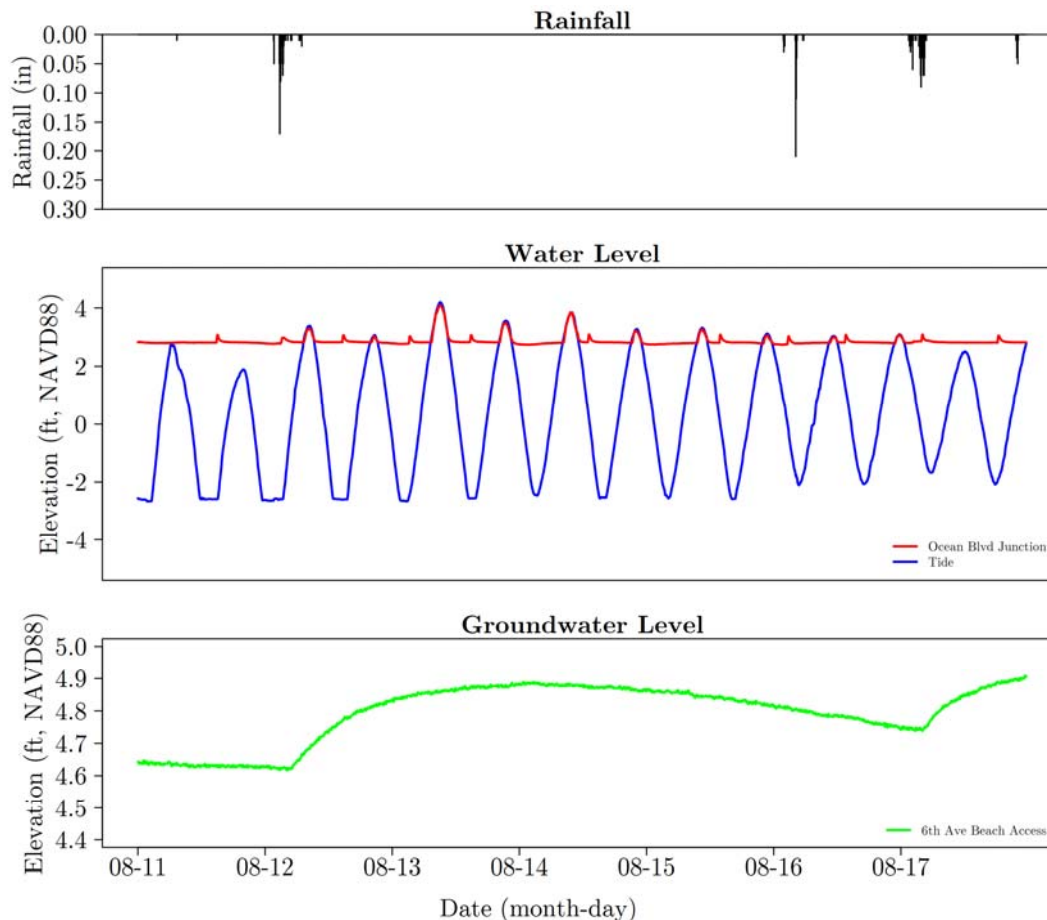


Figure 5 – Real-time monitoring observations of rainfall and water levels.

5.1– Hydrologic Analysis

Hydrologic analyses of the study area were completed to delineate watersheds and estimate corresponding hydrologic parameters for use in the hydraulic analysis. Charleston County 2017 LiDAR topographic data was analyzed and used in the delineation of watersheds and sub-watersheds. Field inventory and inspections of the drainage system were used to confirm watershed boundaries.

Traditional stormwater analyses develop runoff hydrographs from each watershed/sub-watershed and assume runoff makes it to an outlet (i.e., inlet, channel, or ocean). However, sinks or watersheds/sub-watersheds with significant depressional storage may never fully drain to the stormwater system. In these cases, potential flooding may be misjudged. To support level of accuracy, an in-depth analysis of the topographic data was completed which included analyzing and identifying areas of and flow routes to significant depressional storage (**Appendix A**). These watersheds were analyzed in conjunction with the remaining watersheds which do contain outlets.

The methodology implemented in the hydraulic analysis section eliminates the need to estimate time of concentration and hydrograph shape parameters. Rather, direct runoff is computed and assigned as an inflow to the hydraulic model. Herein, the Natural Resource Conservation Service (NRCS)/Soil Conservation Service (SCS)

Table 1 – Curve numbers based on published 2016 NLCD land cover types and hydrologic soil groups modified to match land cover types found in land cover dataset provided by EarthDefine.

| Land Cover Type | Hydrologic Soil Group | | | |
|-----------------------|-----------------------|----|----|----|
| | A | B | C | D |
| Herbaceous | 63 | 71 | 81 | 89 |
| Bare | 70 | 81 | 88 | 92 |
| Impervious | 98 | 98 | 98 | 98 |
| Water | 98 | 98 | 98 | 98 |
| Trees | 36 | 60 | 73 | 79 |
| Shrubs | 42 | 42 | 55 | 62 |
| Trees Over Impervious | 98 | 98 | 98 | 98 |

method was selected to estimate direct runoff. Parameters estimated for the NRCS runoff method are explained in the following sections.

5.1.1– Hydrologic Soil Groups

The analysis presented herein adopted United States Department of Agricultural (USDA) soil data from the soil survey geographic (SSURGO) database for Charleston County published on September 20, 2014. Based on this dataset, there are 5 different soil mapping units (MUSYM) with hydrologic soil groups (HSGs) ranging from A/D, B, and C/D.

Hydrologic soil groups were determined based on the published SSURGO database when single soil groups were encountered. When dual soil groups were encountered (e.g., A/D), SSURGO soil drainage classes were used to determine the hydrologic soil group. For example, soils classified as excessively drained, somewhat excessively drained, well drained, or moderately well drained were assigned the higher drainage soil group (e.g., A/D would be assigned A).

In addition to hydrologic soil group classifications, the analyzed soil data contained estimates for surface infiltration rates. These infiltration rates were utilized during the hydraulic analysis for assigning more realistic estimates for the 2D elements of the stormwater model.

5.1.2– Land Use Classification

Land cover conditions were used to derive runoff potential for each watershed/sub-watershed according to NRCS methodology. Ground cover conditions were derived from a high resolution (60 cm) land cover dataset provided by EarthDefine (a geospatial data firm). EarthDefine used proprietary artificial intelligence to generate high-resolution (60 cm) land cover data, making it a reliable representation of study area conditions.

5.1.3– Runoff Curve Numbers

The curve number (CN) is a parameter used in the NRCS/SCS method for estimating runoff volume. The CN parameter was originally developed based on agricultural land, but has been adapted for use in predicting runoff volumes for urban areas. The calculation of CN for a specific sub-watershed is typically based upon three input data sources which include basin area, USDA soils data (i.e., hydrologic soil group of each soil type), and land use/land cover. From these input variables, an area-weighted CN value was determined for each watershed/sub-watershed.

Table 1 summarizes land cover classifications and CN values used in the analysis. The CN parameters for the “Trees Over Impervious” land cover type were modified to match that of the “Impervious” land cover type. This change was warranted as the primary tree which overhang impervious land cover within the study area are palmettos, which provide negligible interception of rainfall.

Table 2 – Sullivan's Island (NOAA station 38-8405) current and future 24-hour design precipitation depths (NOAA, 2022).

| AEP (Recurrence Interval) | Precipitation Depth (inches) | |
|---------------------------|------------------------------|--------|
| | Current | Future |
| 50% (2-Year) | 4.31 | 4.54 |
| 10% (10-Year) | 6.60 | 6.99 |
| 1% (100-Year) | 10.40 | 11.02 |

5.1.4 – Rainfall Data

5.1.4.1 – Current Conditions Rainfall

The drainage study focused on evaluating potential flood conditions resulting from 24-hour design rainfall depths for the 50 percent (2-year return period), 10 percent (10-year return period), and 1 percent (100-year return period) annual exceedance probabilities (AEPs). Rainfall data were obtained from the National Oceanic and Atmospheric Administration (NOAA) Atlas 14 precipitation frequency estimates and are presented in **Table 2**. The closest NOAA station providing this data was located on Sullivan's Island, SC (NOAA station 38-8405). Total precipitation depths were combined with the dimensionless Type III NRCS/SCS rainfall distribution to generate design rainfall hyetographs (intensity time series in inches per hour).

A lower intensity 24-hour rainfall event was developed using NOAA rainfall totals combined with a rainfall distribution recommendation from Powell et al. (2007), known as the SC Long distribution. The SC Long distribution was developed using NOAA rainfall data from Georgia, South Carolina, and North Carolina and is meant to be representative of an expected 24-hour event (i.e., dimensionless event). The SC Long distribution was developed using similar techniques as Huff (1967) and the Texas Department of Transportation (Asquith et al., 2005). While it is typical to evaluate drainage infrastructure using SCS Type III rainfall distributions, SC Long distributions were introduced to analyze the impact of less intense, more realistic (but equitable cumulative depth) rainfall events.

5.1.4.2– Future Conditions Rainfall

Future rainfall conditions were developed to consider changes in rainfall totals (see **Table 2**). Fifty-year rainfall totals were forecasted for the City (i.e., NOAA station 38-8405) based on estimates provided by Hutton et al. (2015). These estimates were based on historic NOAA rainfall records accompanied with 134 realizations of 21 global climate models across the state of South Carolina. Although 24-hour rainfall totals are expected to increase over the next 50 years, the overall average increase was estimated at approximately 0.43 inches for 2- through 100-year design events.

5.1.5– Direct Runoff Time Series

Direct runoff time series, $Q(t)$, were developed for each watershed/sub-watershed based on area-weighted curve numbers and rainfall hyetographs defined as

$$Q(t) = \begin{cases} 0 & \text{for } P \leq I_a \\ \frac{(P(t) - I_a)^2}{P(t) - I_a + S} & \text{for } P > I_a \end{cases} \quad (1)$$

where P is the incremental rainfall at time t , I_a is the initial abstraction (estimated as $0.2S$), and S is the potential maximum soil moisture retention defined as

$$S = \frac{1000}{CN} - 10. \quad (2)$$

5.1.6 – Runoff Hydrographs

Herein, the SWMM hydrograph method was used to estimate the rate at which direct runoff accumulates and is transported to the watershed/sub-watershed outlet. Runoff rates, $q(t)$, for each watershed/sub-watershed were estimated as

$$q(t) = \frac{1.49wy^{1/2}}{An} d^{5/3} \quad (3)$$

where w is the average watershed width, y is the average watershed slope, A is the watershed area, d is the average flow depth, and n is Manning's roughness coefficient.

5.2 – Hydraulic Analysis

A hydraulic analysis of the runoff from each watershed/sub-watershed was completed to evaluate existing flood conditions using a combined 1D/2D stormwater model (PCSWMM; Computational Hydraulics International; version 7.5.3406). Piping and channels were represented as 1D links while overland flow was represented using 2D links. Results from the hydraulic model were then used to develop recommended system improvements and complete a proposed conditions analysis.

5.2.1 – Development of Model Domain

Field survey data were used to establish horizontal/vertical elevations (i.e., inverts and top of banks/rim elevations) of pipelines, ditches, and inlets included in the hydraulic model. Hydraulic and geometric attributes (e.g., size, Manning's roughness, loss coefficients, infiltration rates, and restriction due to sediment) were also assigned to the stormwater network based on field survey or remotely sensed data.

Pipelines and channels were modeled in a 1D domain and corresponding watersheds/sub-watersheds were connected to the 1D domain via modeled inlets or junctions in the stormwater network to provide input for runoff. Surface roughness (i.e., Manning's n) values were assigned to pipelines and channels based on the material of the conduit (see **Table 3**).

Table 3 – Summary of Manning's n values for 1D domain (modified from Huffman et al., 2013).

| Material/Description | Manning's n |
|-----------------------------------|---------------|
| Concrete | 0.014 |
| Vegetated Channel | 0.100 |
| Corrugated Steel | 0.025 |
| Smooth Steel | 0.010 |
| Corrugated HDPE (<1 ft diameter) | 0.017 |
| Corrugated HDPE (>=1 ft diameter) | 0.020 |
| PVC | 0.010 |

Entry, exit, and average loss coefficients were assigned to each conduit to account for energy losses along the length of each conduit in the 1D domain. Entry loss coefficients were assumed to be 0.5 (square-edge inlets; Huffman et al., 2013) for all conduits based upon field observations. Exit loss coefficients were assigned based on the

Table 4 – Summary of Manning’s n values for 2D (Jung et. al, 2013) hydraulic modeling domain modified to match land cover types found in land cover dataset provided by EarthDefine.

| Land Cover Type | Manning’s n |
|-----------------------|---------------|
| Herbaceous | 0.030 |
| Bare | 0.030 |
| Impervious | 0.014 |
| Water | 0.030 |
| Trees | 0.120 |
| Shrubs | 0.050 |
| Trees Over Impervious | 0.014 |

relationship of the conduit to the downstream junction (i.e., flow directional change, number of other conduits also entering downstream junction, etc.). Average loss coefficients (K_c) were assigned based upon conduit geometry defined as

$$K_c = \frac{1,244,522n^2}{\left(\frac{d}{304.8}\right)^{4/3}} \quad (4)$$

where n is the Manning’s roughness of the conduit and d is the diameter of the conduit in feet (Huffman et al., 2013).

The 1D domain was then connected to an overland 2D domain to allow surcharged inlets and ditches to overflow to adjacent streets and properties (as would naturally occur). The 2D domain was developed using a 50-foot mesh wherein underlying elevations were based on 2017 Charleston County LiDAR. Homes and detached building footprints were obtained from Charleston County and aerial imagery and were considered in the 2D domain. Surface roughness (i.e., Manning’s n) values were assigned to the 2D mesh based on 2016 NLCD classifications and modified to match land cover types found in the land cover dataset provided by EarthDefine. A summary of 2D Manning’s n values used in the study are presented in **Table 4**. Representative infiltration rates were assigned to the 2D domain using the SSURGO soil data described in previous sections in conjunction with the land cover dataset to assign realistic infiltration rates for pervious surfaces.

5.2.2– Assignment of Runoff Inflows

Runoff was assigned to the hydraulic model by routing runoff hydrographs to their respective outlets, whether sinks/depressional storage or inlet structures.

5.2.3 – Tidal Boundary Conditions

The outfalls within the Phase 4 study area are tidally influenced and could cause varying flood conditions depending on when runoff occurs relative to the tide. Rather than exploring all possible tide conditions, three tidal boundary conditions were established: typical tides, Hurricane Matthew (2016), and future tides. These time series data were assigned as a boundary condition (for their respective scenarios) for existing outfalls and boundary outfall within the 2D domain that were located along the ocean or beach. Peak runoff during these simulations was then set to occur at approximately mid-tide rising (see **Figure 6**), a typical design approach.

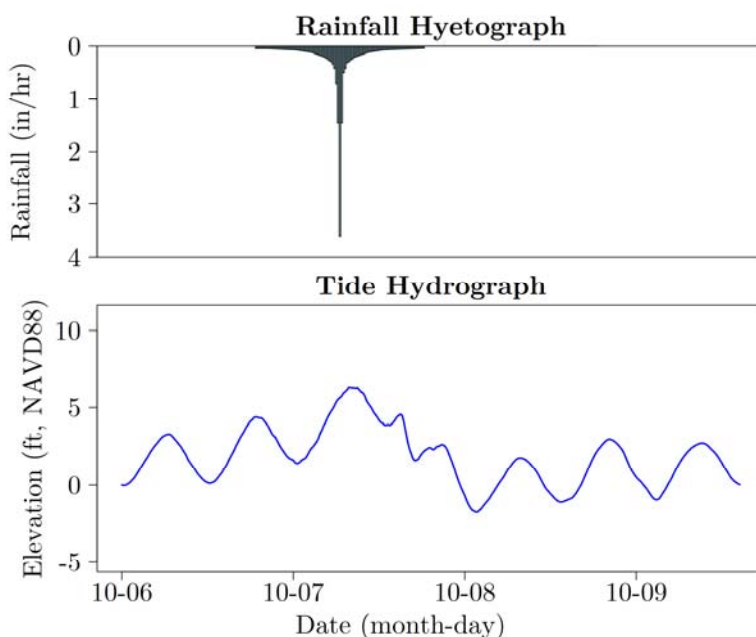


Figure 6 – Example of design rainfall and tide (Hurricane Matthew (2016)) boundary conditions wherein peak runoff was set to occur at approximately mid-tide rising.

5.2.3.1 – Typical Tides Boundary Condition

A representative tide hydrograph was developed and used for typical tide scenarios based on observations from the monitoring station deployed at the Isle of Palms Marina (see **Sections 3.1.1** and **4.2**). Although variable high and low tide water surface elevations were observed throughout the data collection period, a dynamic elevated high tide (or King Tide) scenario was selected for the basis of the analysis. This was done primarily because King Tide conditions have occurred and are expected to continue to occur (Sweet et al., 2022).

5.2.3.2 – Hurricane Matthew (2016) Boundary Condition

Tide data representative of coastal surge conditions observed during Hurricane Matthew (2016) was obtained from a rapid deployment gauge installed on the US 703 bridge located on the western edge of the study area. The gauge is maintained by the United States Geological Survey (USGS) and is only deployed prior to large coastal storm events. High-resolution, continuous data was available from this gauge, however, the information available was opined to be less than reliable. To better represent vertical datum for the purposes of this study, the tide hydrograph was shifted such that peak surge matched observations from a nearby gauge installed on the US 517 bridge just north of the study area (continuous data was not available from this gauge).

5.2.3.3– Future Tides Boundary Condition

Sea level rise is apparent in most historic tide data throughout the world. Although it has occurred over the past 100 years, scientists around the globe have been working together to develop projections for planning purposes. Most recently, the Sea Level Rise and Coastal Flood Hazard Scenarios and Tools Interagency Task Force developed global mean seal level (GMSL) projections for six scenarios: low, intermediate-low, intermediate, intermediate-high, high, and extreme (Sweet et al., 2022).

Each of the aforementioned scenarios provides a good basis for accounting for future sea level rise. However, the fate of what the actual future sea level rise will be remains a debatable topic. Rather than argue the value and degree

of sea level rise, this study adopted the notion that sea level rise will occur, and it should be accounted for in infrastructure recommendations.

Herein, the intermediate-low 50-year sea level rise projection scenario was adopted. Since there is no long-term historic gauge site available within the study area, regional projections for Charleston, SC (station 234) were assumed to be representative of conditions expected to occur. Based on the findings of Sweet et al. (2022), the intermediate-low scenario was estimated to be 1.71 feet above current conditions. Accordingly, the current typical tide hydrograph was increased by a 1.71-foot constant.

6.0 – Existing Conditions Analysis

6.1 – Field Survey and Visual Conditions Assessment

Approximately 9.5 miles of pipes and drainage ditches were surveyed, visually assessed, and documented. Most of the drainage pipes and ditches were in the roadside right-of-way and City-owned property. The results of this assessment are summarized in **Appendix B** which details the inventory and condition of existing drainage infrastructure for the Phase 4 study area. A copy of this appendix was supplied to the City in advance of this report to assist with maintenance activities (i.e., cleaning).

Multiple cases of inlet/pipe clogging were documented across the study area. These occurrences ranged from light foliage/debris build up to complete blockage of inlets and pipes. Additionally, partial to full structural failures were present in multiple drainage system assets. Example of observed drainage system deficiencies are presented in **Figure 7**. Observed occurrences of clogging and/or damage in inlets and pipes were documented during the data collection process and are included in the final geodatabase delivered to the City.

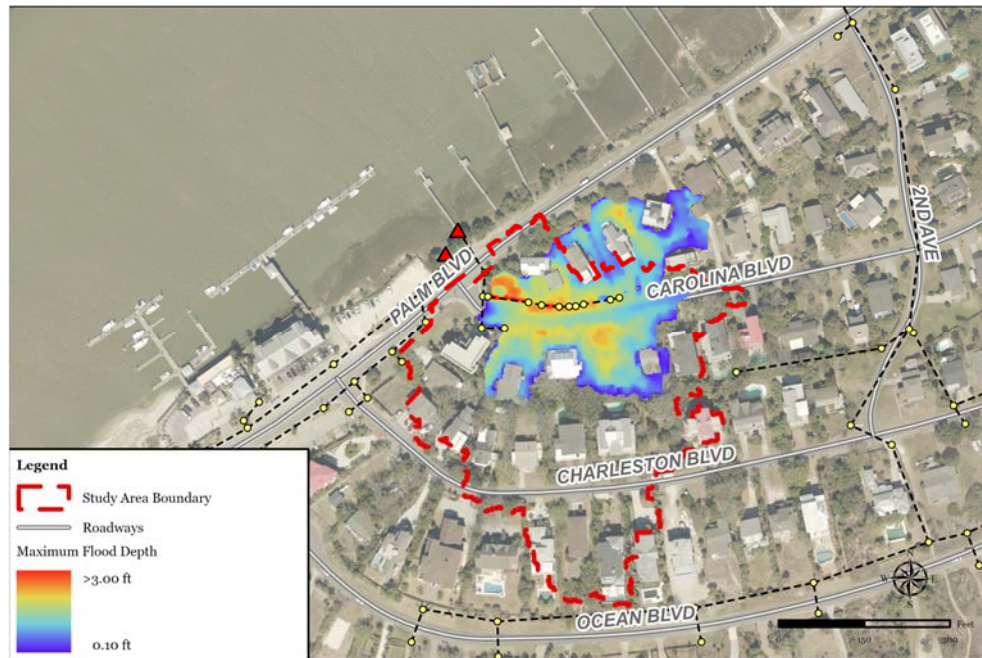
6.2– Existing Hydraulic Conditions

Results of the hydraulic model were reviewed and analyzed to evaluate probable root causes of flooding reported within the Phase 4 study area. Flood conditions from the hydraulic model were post-processed to develop maximum flood depths for each of the scenarios analyzed (**Appendix C**).

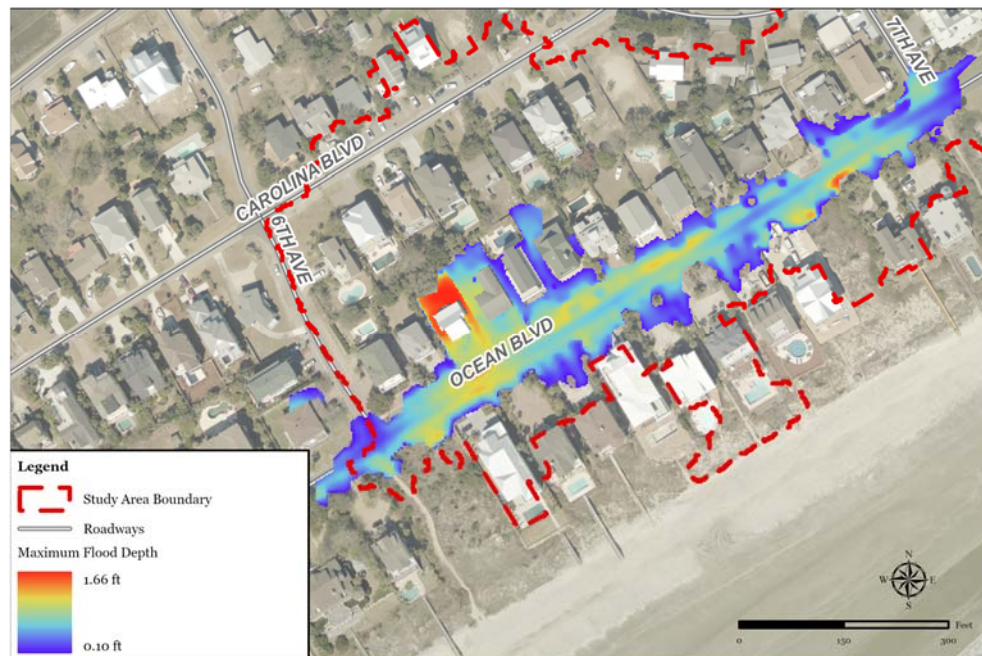
Overall, the types of reported flooding within the Phase 4 study area can be divided into two categories: areas affected by tidal driven flooding and areas impacted by rainfall driven flooding. Areas affected by tidal driven flooding were typically those located along the intracoastal waterway and whose drainage networks did not have a tide gate installed, had interior roads and inlets with low elevations, and/or whose properties adjacent to the intracoastal waterway had low elevations (see **Figure 8a**). During extreme tide events (i.e., hurricanes or King Tides) these areas were insensitive to increases in rainfall amount or intensity (as visible in **Appendix C**). Meanwhile, areas impacted by rainfall driven flooding were typically found to have non-existent, damaged, or severely undersized drainage infrastructure (see **Figure 8b**).



Figure 7 – Examples of visual existing conditions assessments documenting general maintenance deficiencies for: (a) silted inlet; (b) inlet with debris build up; (c) stormwater pipes which have separated; (d) stormwater pipe filled with sediment; (e) buried outfall pipe; and (f) degrading disjointed outfall pipe.



a) Flooding Caused by Absence of Tide Gate



b) Flooding Caused by Absence of Drainage Infrastructure

Figure 8 – Examples of flood conditions results for (a) an area impacted by tidal driven flooding caused by the absence of a tide gate and for (b) an area impacted by rainfall driven flooding caused by non-existent drainage infrastructure (limited to areas impacted within each study area). These results are representative of the 10-year design rainfall (SCS Type III) event with Hurricane Matthew (2016) as the tidal boundary condition.

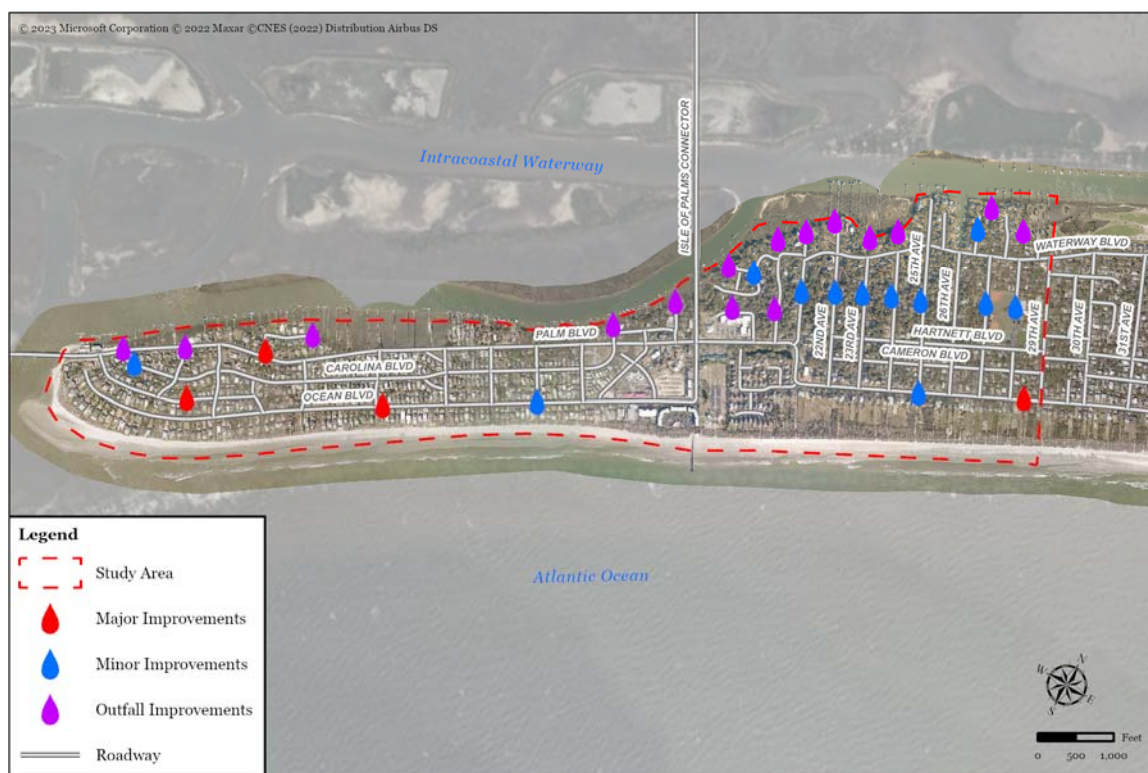


Figure 9 – Approximate locations of outfall improvement projects (purple), major drainage improvement projects (red), and minor drainage improvement projects (blue).

7.0 – Recommendations for Improvements

Stormwater upgrades and improvements (**Appendix D** and **E**) were investigated to alleviate simulated flood risk within the Phase 4 study area. Recommended improvements were developed with consideration to a combination of field investigations, feedback from City officials, and results from the combined 1D/2D hydrologic and hydraulic models. Recommended improvements are generally limited to increasing pipe capacity, adding additional piping, cleaning existing piping, regrading existing ditches, outfitting outfalls with tide gates, installing infiltration chambers, and installing earthen embankments. Overall, a total of 31 improvement projects (15 outfall improvement projects, 4 major drainage improvement projects, and 12 minor drainage improvement projects) are recommended across the Phase 4 study area (see **Figure 9**).

In many of these improvements, infiltration chambers are recommended to capitalize on the naturally high infiltration capacity of the study area's soil to store and infiltrate captured stormwater. These systems consist of underground storage chambers with open or permeable bases that allow routed stormwater to be temporarily stored while it infiltrates into the surrounding soil (see **Figure 10**). This innovative methodology is expected to provide numerous hydrologic and water quality benefits such as reducing the impacts of flooding within the study area (i.e., improving the safety of motorists and citizens), not requiring an outfall (in most cases), and significantly improving water quality by filtering all captured stormwater through the study area's sandy soil as it recharges the groundwater aquifer (Bright et al., 2011).



Figure 10 – Infiltration chambers being installed on a project site (photo credit to ADS StormTech).

7.1 – Cost Estimating

Project costs presented for recommended improvements were estimated by establishing unit costs for project elements and summing the cost of the associated elements for the identified projects. Unit costs were developed based on recently awarded projects and engineering judgement to generate sub-total construction costs and were partially inflated to reflect a contingency for the observed state of the construction market at the time of this study. Allowances for incidentals (e.g., replacement of landscaping, signs, driveway aprons, etc.) and utility conflicts were then included as percentages of the sub-total construction cost. Based on the construction market at the time of this study, incidentals and utility conflicts were assumed to be 50% of the base construction price. Construction contingencies were included based on a cost contingency curve wherein contingencies ranged from 15% on larger projects to 300% on smaller projects. Contingencies were included as a part of each project estimate to reasonably account for unforeseen project elements and details that would only be known at the time of detailed design. Estimated permitting, engineering, and construction engineering and inspection costs were also included for each project. Engineer's cost estimate breakdowns for each recommended project are presented in **Appendix G**.

Estimated costs represent the engineer's estimate of project costs and are in 2022 dollars and are intended to provide rough order of magnitude costs for use in programming funds for implementation of improvements. Estimated costs are based upon conceptual improvements and These cost estimates should be carefully reviewed and updated in the future during programming/budgeting of projects to consider changes in the cost of construction materials and labor, as well as final design.

7.2– Outfall Improvement Recommendations

Outfall improvement projects (see Appendix D for details) are recommended based on modeling results showing the ability to significantly, if not fully, mitigate the tidal impact of Hurricane Matthew (2016). Typically, these projects include equipping outfalls with tide gates and increasing surrounding elevations to 7 feet NAVD88 (which would mitigate peak surge observed during Hurricane Matthew (2016) and Hurricane Irma (2017)) using earthen embankments. These proposed earthen embankments may be divided into two categories: public and private. Public earthen embankments are earthen embankments recommended to be installed within the public rights-of-way or drainage easements. Private earthen embankments are earthen embankments recommended to be installed on private property. The objective of these recommended earthen embankments is for the City to install the proposed public earthen embankments and allow property owners within the impacted areas to install private earthen embankments to connect to the adjacent property or public earthen embankment (as applicable). This collaboration would improve the resiliency of each neighborhood serviced by these improvements. It should be

noted that only once improvements are completed under a full participation from public and all identified private properties can improved conditions be fully realized,

In drainage systems where additional improvements are recommended (upstream of the outfall), these outfall improvements also include upgrading/replacing piping to a designated setback. This setback has been determined by comparing the proposed improvements for the entirety of the system (outfall improvements, major drainage improvements, and minor drainage improvements) with the existing infrastructure to mitigate drainage issues (i.e., upstream piping being unable to drain to outfall due to elevation differences). These outfall improvement projects are estimated to cost approximately \$12 million (does not include private earthen embankments) including engineering, permitting, construction engineering and inspection, and construction (see **Appendix G**).

7.3 – Major Drainage Improvement Recommendations

In addition to the outfall improvements, four areas of flooding have been identified as significant or high priority areas for immediate attention:

- Charleston Boulevard (bound by 4th Avenue to the east and 2nd Avenue to the west)
- Merritt Boulevard (bound by Palm Boulevard to the south and the intracoastal waterway to the north)
- Ocean Boulevard (bound by 7th Avenue to the east and 6th Avenue to the west)
- Palm Boulevard (bound by 30th Avenue to the east and 29th Avenue to the west)

Major drainage improvements are recommended based on being able to fully or partially mitigate the impacts of the 2- and 10-year design rainfall events (SCS Type III) with Hurricane Matthew (2016) as the tidal boundary condition. Recommended improvements only partially mitigated flooding in areas where complete mitigation was either physically or economically unfeasible, however, the vast majority of the modeling results of the partial mitigation improvements show the ability to completely mitigate less intense rainfall events (SC Long rainfall distributions). Recommended improvements were developed and aimed at installation of drainage system upgrades or new facilities within existing public rights-of-way. This was done to reduce the need for easements, as well as aid system access for maintenance following construction.

Flood conditions from the recommended improvements hydraulic model were post-processed to develop maximum flood depths for each of the scenarios analyzed within this study (**Appendix F**), however, the results from the 10-year design rainfall event (SCS Type III) with Hurricane Matthew (2016) as the tidal boundary condition as it compares to the existing conditions analysis are described in greater detail in the following sections.

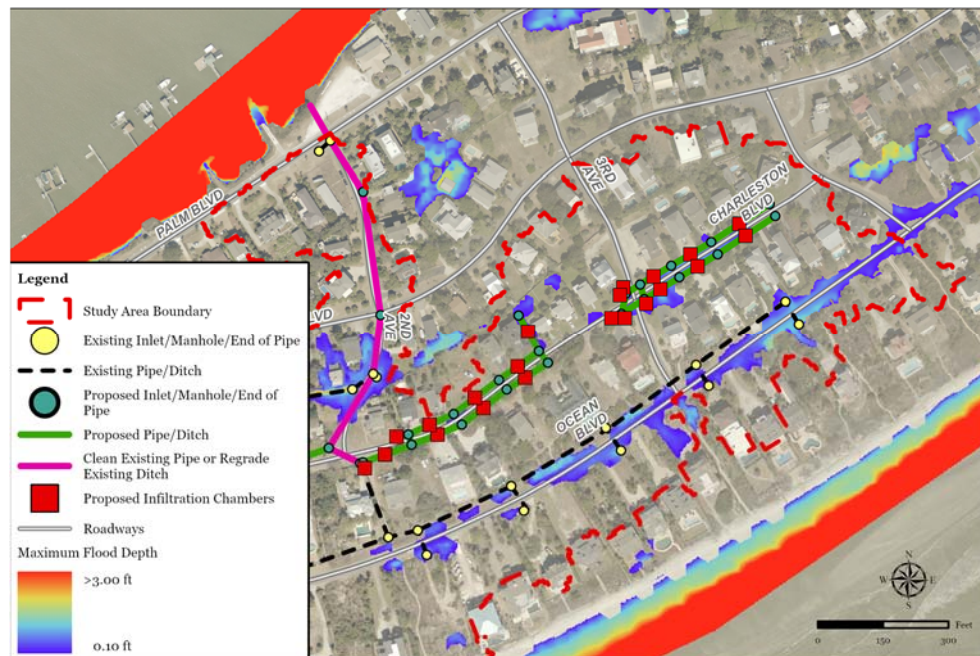
7.3.1 – Charleston Boulevard Study Area

It is proposed that the existing drainage infrastructure along Charleston Boulevard be removed to make room for a new drainage system consisting of inlets and piping to route stormwater to infiltration chambers parallel to the proposed improvements (see **Figure 11b** and **Appendix E.1**). A portion of the proposed network will be reconnected to the existing 2nd Avenue drainage network through a one-way valve. This will act as an overflow for the Charleston Boulevard network in case the capacity of the infiltration chambers is exceeded to prevent inlets from surcharging and flooding adjacent properties. These drainage improvements are estimated to cost approximately \$4.7 million (see **Appendix G**).

Significant limitations for designing and installing the proposed infiltration chambers are expected to be the existing groundwater level (to support system capacity is not diminished due to high groundwater levels) and infiltration capacity of the soil. It is recommended that a groundwater monitoring station (similar to what is described in **Section 4.2**) be installed within the right-of-way of Charleston Boulevard to monitor groundwater levels over an extended period of time. If groundwater levels are found to be too high, then alternatives will need to be considered. Additionally, the infiltration rate for these systems was assumed to be 13.04 inches per hour based on available soil data. Infiltration testing will be required to confirm this infiltration rate which may impact the final design.



a) Existing Conditions



b) Proposed Drainage Improvements

Figure 11 – Flood results for (a) existing and (b) proposed conditions (limited to areas impacted by the Charleston Boulevard drainage system) for the Charleston Boulevard study area for the 10-year design rainfall (SCS Type III) event with Hurricane Matthew (2016) as the tidal boundary condition.

Flood conditions from the hydraulic model are presented in **Figure 11** and results show complete mitigation of flooding between 2nd and 3rd Avenue. Minor flooding along Charleston Boulevard (located within the rights-of-way and not impacting existing structures) between 3rd and 4th Avenue remains present even with these proposed improvements, however, grading of the roadway and surrounding landscape to direct water into the proposed inlets is expected to mitigate most of the remaining flood water. Analysis of additional scenarios (**Appendix F**) also concluded that these proposed improvements are effective in substantially mitigating flooding within the study area.

7.3.2 – Merritt Boulevard Study Area

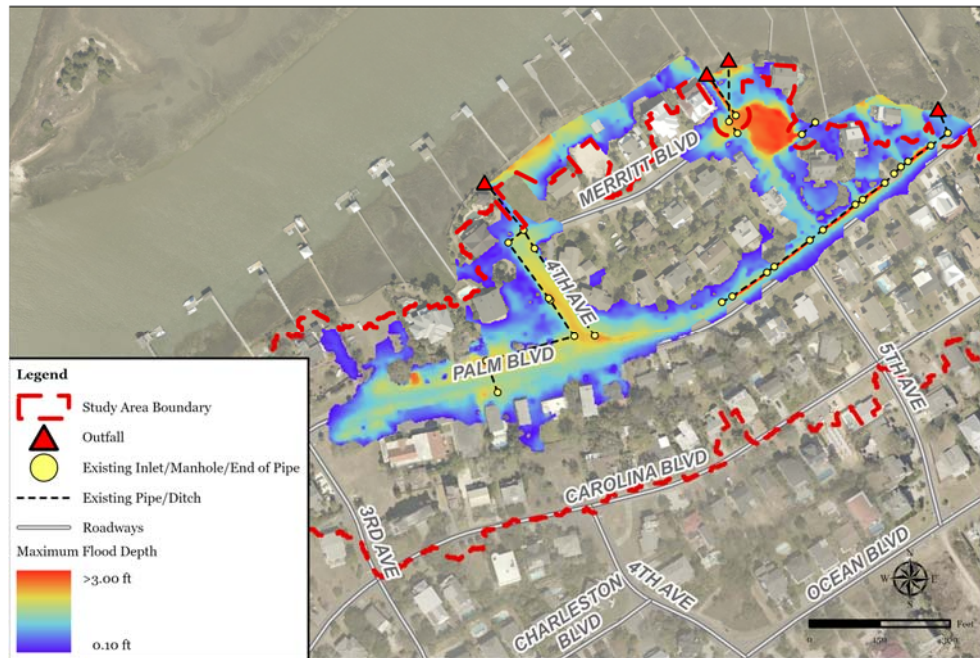
Following discussions with City officials, it was determined that the flooding along Palm Boulevard between 3rd Avenue and 4th Avenue was overrepresented within the model. Several factors may have contributed to this but the most likely is that the infiltration rates used when developing this study area's model domain may be significantly lower than the reality (0.77 inches per hour for this study area compared to 13.04 inches per hour used for the majority of the Phase 4 area; infiltration testing within this study area would be able to confirm or deny this theory). This would cause the model to route significantly more stormwater to the drainage network causing it to artificially surcharge into adjacent properties. Additionally, with a lower infiltration rate, surcharged water would remain present in these adjacent properties for much longer. Therefore, it was determined that the solutions developed for this drainage network would be limited to addressing inversely sloped and clogged drainage pipes.

It is proposed that the drainage network servicing the intersection of 4th Avenue and Palm Boulevard be replaced with larger and properly graded pipes to support reasonably complete drainage of the intersection following a rainfall event (not possible with current infrastructure). It is not possible to quantify the flooding reduction of this proposed improvement due to the model likely over representing inflow into the drainage system. Additionally, it is proposed that the network that conveys water east along Palm Boulevard have its existing pipes cleaned and the adjacent drainage ditches regraded to match the new invert elevations. These recommended drainage improvements are presented in **Figure 12b** (see **Appendix E.2** for details) and have been estimated to cost approximately \$1.1 million (see **Appendix G**).

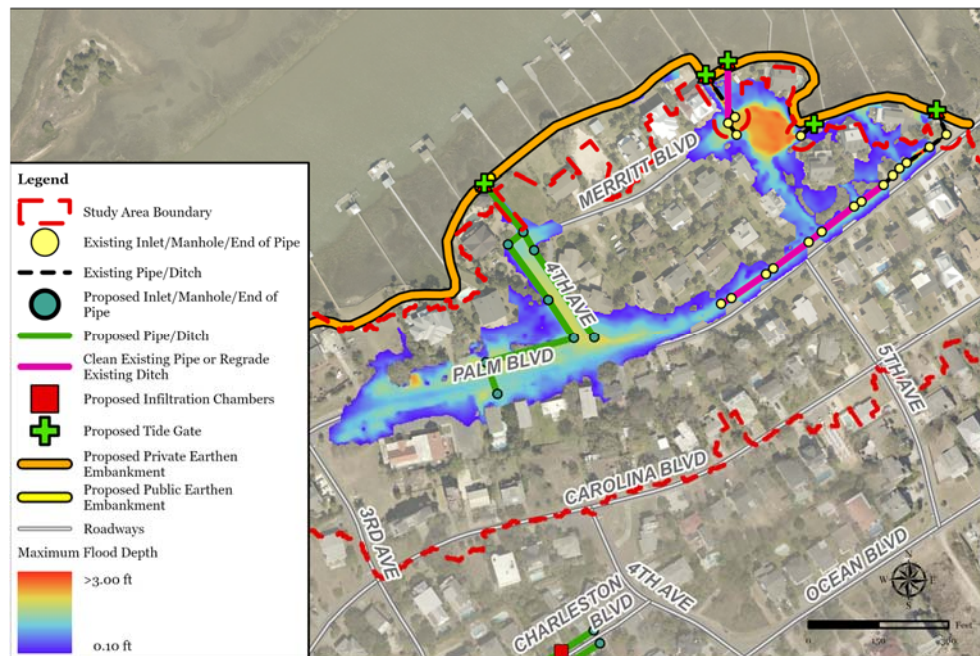
Complete mitigation of the observed flooding was not feasible for the scenario analyzed in **Figure 12**, however, analysis of additional scenarios (**Appendix F**) concluded that proposed improvements are effective in substantially mitigating rainfall driven flooding within the study area during less intense scenarios.

7.3.3– Ocean Boulevard Study Area

A drainage system is proposed consisting of inlets and piping to route stormwater to two dune infiltration systems (composed of infiltration chambers) located within the beach accesses at 6th and 7th Avenue (see **Figure 13b**; see **Appendix E.3** for details). While the collection system is interlinked, flow is diverted to each dune infiltration system by creating a higher invert elevation halfway between 6th and 7th Avenue and gently sloping the pipes downward until stormwater reaches its respective dune infiltration system. Manufactured treatment devices are proposed to be installed in-line with the drainage system just before each dune infiltration system to reduce the sediment load transferred to the system thus reducing the frequency of maintenance (to remove accumulated sediment from the infiltration chambers). These drainage improvements were estimated to cost approximately \$3.2 million (see **Appendix G**).

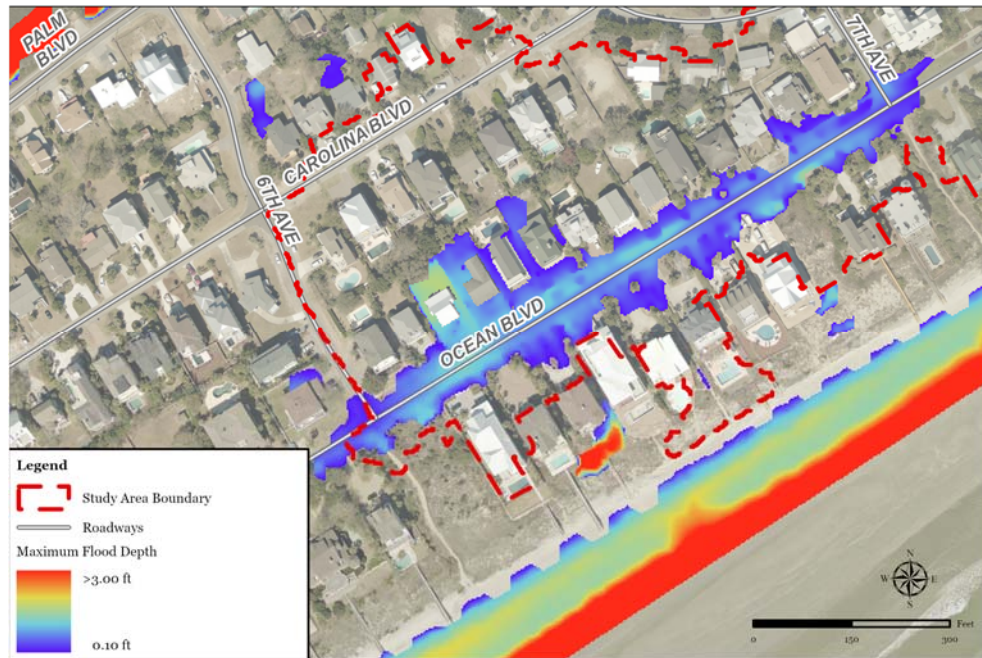


a) Existing Conditions

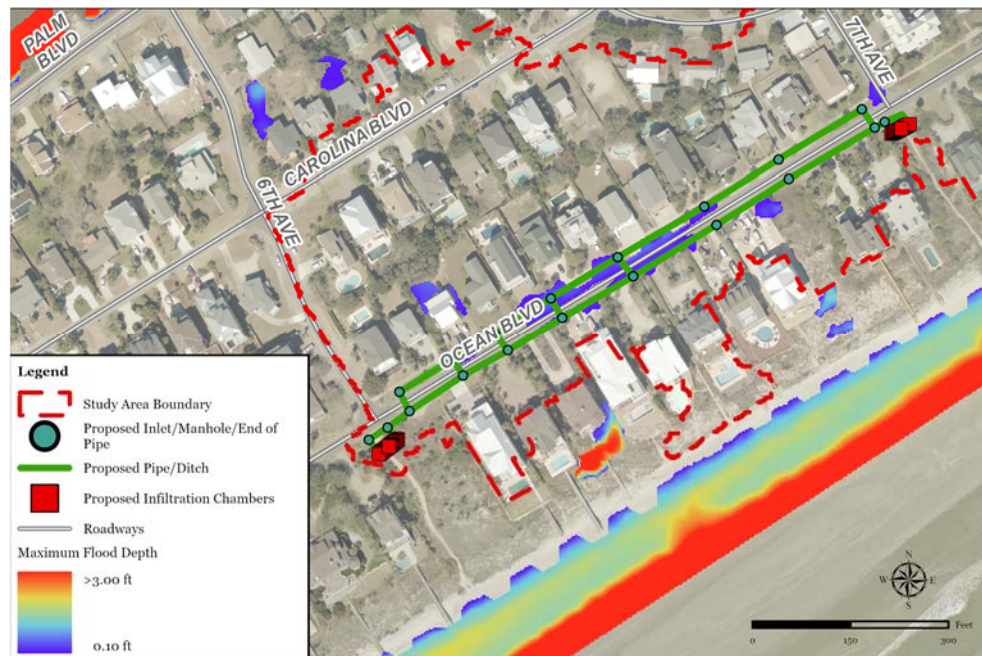


b) Proposed Drainage Improvements

Figure 12 – Merritt Boulevard study area flood results for (a) existing and (b) proposed conditions (limited to areas impacted by the Merritt Boulevard drainage system) for the 10-year design rainfall (SCS Type III) event with Hurricane Matthew (2016) as the tidal boundary condition.



a) Existing Conditions



b) Proposed Drainage Improvements

Figure 13 – Ocean Boulevard study area flood results for (a) existing and (b) proposed conditions (limited to areas impacted along Ocean Boulevard) for the 10-year design rainfall (SCS Type III) event with Hurricane Matthew (2016) as the tidal boundary condition.

Significant limitations for designing and installing these systems in the 6th and 7th Avenue beach accesses are anticipated to consist of the existing groundwater level (to support that system capacity is not diminished due to high groundwater levels) and infiltration capacity of the soil. The City has taken a proactive approach in assessing the efficacy of this proposed design and has approved the deployment of a groundwater monitoring station within the 6th Avenue beach access to monitor the long-term changes in groundwater elevation prior to construction. This station was installed at the end of July 2022 and thus far the data (see **Figure 5**) has shown that the proposed dune infiltration systems will perform as intended. The infiltration rate for these systems has been assumed to be 140 inches per hour based on previous studies (Bright et al., 2011). Infiltration testing will be required to confirm this infiltration rate which may impact the final design.

Flood conditions from the hydraulic model are presented in **Figure 13** and show substantial improvements for the 10-year design rainfall event. In fact, the remaining flooding visible during the 10-year scenario was shown to remain largely within the right-of-way with very little water spilling into the road. Analysis of additional scenarios (**Appendix F**) concluded that these proposed improvements are able to completely remove this flooding during less intense/more realistic rainfall (SC Long). Therefore, it may be possible to recommend a more limited (and more cost effective) system following discussions regarding allowable risk and confirmation of the site's infiltration rate.

7.3.4 – Palm Boulevard Study Area

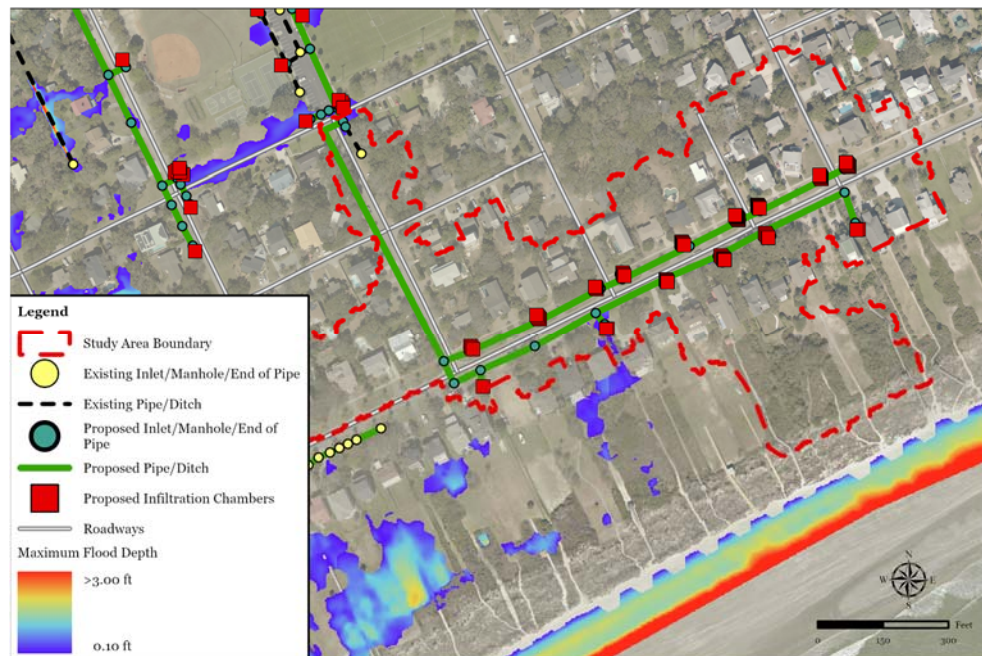
It is proposed that the existing drainage infrastructure along Palm Boulevard be removed to make room for a new drainage system consisting of inlets and piping to route stormwater to infiltration chambers located within public beach accesses and rights-of-way along Palm Boulevard (see Figure 14b and Appendix E.4). These improvements are recommended with consideration to extensive testing revealing that stormwater would need to be mitigated on-site to prevent flooding as improvements to the larger 28th Avenue drainage network are limited in their ability to mitigate flooding on Palm Boulevard. The network is proposed to be extended east towards 30th Avenue to take advantage of the public beach access, and additional inlets may be added along Palm Boulevard to support runoff from the study area being routed into this drainage system. These drainage improvements were estimated to cost approximately \$5 million (see Appendix G). It is recommended that this project be completed as a dual-purpose project addressing both drainage and pedestrian/traffic safety.

Significant limitations for designing and installing the proposed infiltration chambers are anticipated to be the existing groundwater level (to support that system capacity is not diminished due to high groundwater levels) and infiltration capacity of the soil. It is recommended that a groundwater monitoring station (similar to what is described in **Section 4.2**) be installed within the right-of-way of Palm Boulevard to monitor groundwater levels over an extended period of time. If groundwater levels are found to be too high, then alternatives will need to be considered. Additionally, the infiltration rate for these systems was assumed to be 13.04 in./hr. for systems within the roadway right-of-way based on available soil data. Systems within public beach access rights-of-way were assumed to be 140 in./hr. based on previous studies (Bright et al., 2011). Infiltration testing will be required to confirm these infiltration rates which may impact the final design.

Flood conditions from the hydraulic model are presented in **Figure 14** and show complete mitigation of flooding on Palm Boulevard for the 10-year design rainfall event. Analysis of additional scenarios (**Appendix F**) concludes that these proposed improvements are able to completely remove this flooding during less intense/more realistic rainfall (SC Long rainfall distributions). Therefore, it may be possible to recommend a more limited (and more cost effective) system following discussions regarding allowable risk and confirmation of the site's infiltration rates. These proposed improvements are anticipated to substantially improve vehicular travel on this highly trafficked roadway.



a) Existing Conditions



b) Proposed Drainage Improvements

Figure 14 – Palm Boulevard study area flood results for (a) existing and (b) proposed conditions (limited to areas impacted by the Palm Boulevard drainage system) for the 10-year design rainfall (SCS Type III) event with Hurricane Matthew (2016) as the tidal boundary condition.

7.4– Minor Improvement Projects

In addition to the outfall and major drainage improvement recommendations highlighted in previous sections, an additional 12 drainage improvement projects in areas with lower existing flood risk are recommended as “minor improvements”. Minor drainage improvements are recommended based on considerations in the ability to mitigate the impacts of the 2- and 10-year design rainfall events (SCS Type III) with Typical Tides (2022) as the tidal boundary condition. Modeling results of recommended improvements partially mitigate flooding in areas where complete mitigation was either physically or economically unfeasible, however, the majority of these partial mitigation improvements are shown to be able to fully mitigate less intense rainfall events (SC Long rainfall distributions). Improvements were developed and aimed at installation of drainage system upgrades or new facilities within existing public rights-of-way. Specific details for each of these minor drainage improvements projects can be found in **Appendix E** with cost estimates found in **Appendix G**.

7.5 – Water Quality Improvements

Water quality improvements are recommended to be completed in conjunction with system conveyance upgrades to help reduce further degradation of the intracoastal waterway. Due to the heavily urbanized nature of the Phase 4 study area, flood waters can easily become polluted with contaminants. These contaminated waters will eventually make their way to the intracoastal waterway, which is listed on the state’s 303(d) impaired waters’ list for fecal coliform. Treating upstream runoff prior to its discharge to the intracoastal waterway can support the City’s efforts in the improvement of coastal water quality.

As such, manufactured treatment devices (MTDs) that will aid in the capture and removal of sediment, trash, and other debris are recommended to be installed at most of the system outfalls. For example, the CDS hydrodynamic separator by Contech Engineered Solutions LLC is designed to achieve 80% annual solids load reduction based on average particle sizes ranging from 125 microns down to 50 microns. In the proposed improvements, a total of 12 MTDs representing approximately \$940,000 (pre-construction sub-total) are recommended. Although there are no MTDs currently installed within the Phase 4 study area and they may not necessarily be required to improve flood resiliency, inclusion of these systems in drainage improvement projects may support state and federal funding opportunities available through the inclusion of water quality improvements in addition to water quantity improvements. Additional opportunities to enhance water quality may become available during the design phase of each recommended project. Such opportunities should be considered for implementation to further improve water quality performance. For example, implementation of green infrastructure may contribute to additional water quality improvements.

Additional opportunities to support water quality efforts may become available during the design phase of each recommended project. Such opportunities are recommended to be considered for implementation to support improvements to water quality performance. For example, implementation of green infrastructure may contribute to additional water quality improvements.

7.6 – Potential for Green Infrastructure

Integration of green infrastructure in the stormwater improvement projects are recommended where feasible. Green infrastructure design techniques offer alternative methods to capture, filter, and reduce stormwater in a more natural process as compared to traditional “gray” infrastructure methods (e.g., storm drains, concrete pipes and channels, etc.). Examples of green infrastructure that could possibly be incorporated into the stormwater improvement designs include bioswales, bioretention cells, and rain gardens. Investigation into the feasibility of these and other green infrastructure alternatives are recommended to be pursued during the design phase of the projects proposed in this report, after detailed survey and geotechnical data are obtained.

7.7– Environmental Compliance, Permitting, and Utility Owner Coordination

Cooperation with multiple agencies will be an important aspect in the execution of the pursued drainage improvement projects. Design standards and permit requirements that are anticipated to be faced during project execution are summarized as follows:

- Most recommended drainage improvement projects will be carried out along SCDOT maintained roads. As such, applications for encroachment permits will be required to begin work on each project. Additionally, the drainage design will need to follow SCDOT design standards or will require a SCDOT granted variance. For example, SCDOT typically requires minimum pipe slopes of at least 0.3%. However, this is likely impossible due to the relatively low surface slopes found within the study area.
- Conflicts with existing utilities are likely to occur as drainage projects are implemented. Communication with utility providers is encouraged throughout the design process. Isle of Palms Water and Sewer Commission is the area provider for water and sanitary sewer services. Dominion Energy is the area provider for electricity and natural gas (if available). Numerous telecommunication providers are in the area (e.g., AT&T, Comcast, etc.) and will need to be contacted as well.
- Portions of the proposed drainage improvement projects will be located within coastal waters and critical areas as defined in South Carolina Code of Laws Section 48-39-10. Under this designation, critical area permitting through the South Carolina Department of Health and Environmental Control (SCDHEC) Office of Ocean and Coastal Resource Management (OCRM) will be required (if applicable).
- Application for permits (e.g., Nationwide Permits (NWP)) from the United States Army Corps of Engineers (Corps) is anticipated to be required as proposed drainage projects will affect aquatic environments in jurisdictional waters.
- Historic artifacts are possible to be unearthed during construction efforts. Coordination with local and state historic preservation groups (e.g., State Historic Preservation Office (SHPO)) will be critical in the event that items of historic artifacts are discovered during construction.

8.0– Funding Assessment

Solutions to address historic flooding within the Phase 4 study area have been developed as part of the master planning process. However, without proper funding to advance design and ultimate construction of the proposed projects, the proposed solutions will not become a reality. Hence, identification and capture of viable funding opportunities are critical. Considering the large-scale nature of the proposed solutions, combined with the City's overall budget of approximately \$34 million (FY 2023 budget), a funding assessment has been compiled to identify and target key programs the City may leverage to complete drainage improvements proposed herein.

8.1– Current Capital Projects Funding Approach

The City has historically funded small infrastructure projects using internal funds (e.g., General Fund) as those funds become available. However, there are limitations on such internal funds since the City has other financial obligations outside of stormwater projects. As a result, the City has applied for and received grant funding to subsidize drainage projects (e.g., state RIA grants). In recent years, the City has become more aggressive in applying for grant funding to complete larger and more expensive drainage projects through the newly established South Carolina Office of Resilience (SCOR). These SCOR monies have been instrumental in supporting the City complete some of the Phase 3 outfall construction projects.

8.2 – Potential Capital Projects Financing Sources

A project portfolio funding approach may assist in the financing of proposed Phase 4 projects wherein multiple funding sources are combined to support implementation of projects. This may include both internal and external (i.e., grants) funds and may prove to be a great mechanism to complete public infrastructure projects. For example,

the Rural Infrastructure Authority (RIA) basic infrastructure program typically caps applicant funding requests at \$500,000 (for construction only). Although these funds may seem relatively small, RIA typically has two application windows per calendar year. As a result, these funds may not be most appropriate for large-scale projects that need to be implemented relatively quickly. However, there are additional programs, both existing and new, the City may be able to leverage and combine with RIA funds to support project implementation.

Numerous existing and new capital project funding programs have been reviewed which may provide sources of funding for the Phase 4 area. Recently, many municipalities and governments have been focused on funds made available through the American Rescue Plan Act (ARPA) and the Infrastructure Investment and Jobs Act (IIJA). These funds may provide an opportunity to complete much-needed infrastructure projects. However, there are dozens of historic, whether annual or event-specific, funding programs which may be available to support implementation of the proposed solutions.

For the purposes of this study, funding mechanisms for which the City may desire to further consider applying for project eligibility have been reviewed against proposed project components. It is important to note that these programs do not represent the realm of available funding. Rather, programs identified herein are included to support the City's efforts in realizing a supplemental financing path to implement recommended improvement projects based upon technical components of the proposed projects. The summary is provided in **Table 5**.

Table 5 – Summary of potential funding opportunities identified based on project setting and infrastructure recommendations. Available funds represent potential funding availability at the government level.

| Category | Government Level | Agency | Program | Eligible Projects | Match | Available Funds | Applicant Cap | Past/Current Solicitation | Next Solicitation |
|---|------------------|-----------|--|---|-------|-----------------|---------------------|---------------------------|--------------------------------------|
| ARPA | State | RIA | ARPA Water and Sewer Infrastructure Account | Water, Wastewater, and Stormwater | 15% | \$800 Million | \$10 Million | Summer 2022 | TBD |
| ARPA | State | SCOR | ARPA Office of Resilience Account | Stormwater | 0% | \$100 Million | TBD | Fall 2022 | TBD |
| ARPA | State | SCDA/MASC | ARPA Coronavirus State and Local Fiscal Recovery Fund | Water, Wastewater, and Stormwater | 0% | \$435 Million | \$6.6 Million | N/A | TBD |
| Grants - Coastal and Environmental Resiliency | State | FEMA | Hazard Mitigation Grant Program (HMGP) | Public Infrastructure | 25% | \$39 Million | N/A | Winter 2021 | TBD-Next Federally Declared Disaster |
| Grants - Coastal and Environmental Resiliency | Federal | FEMA | Building Resilient Infrastructure and Communities (BRIC) | Public Infrastructure | 25% | \$1 Billion | \$50 Million | Fall 2022 | Fall 2023 |
| Grants - Coastal and Environmental Resiliency | State | SCOR | Community Block Development Grant Mitigation (CDBG-MIT) | Public Infrastructure | 0% | \$162 Million | N/A | Fall 2022 | Fall 2023 |
| Grants - Water Infrastructure | State | RIA | Basic Infrastructure and Economic Infrastructure Programs | Water, Wastewater, and Stormwater | 25% | ~\$15 Million | \$500,000 | Spring 2022 | Spring 2023 |
| Earmarks - Water Infrastructure | Federal | EPA | State and Tribal Assistance Grant (STAG) - SRF, CDS | Water, Wastewater, and Stormwater | 20% | \$4.5 Billion | \$3 to \$5 Million | Spring 2022 | Spring 2023 |
| Congressional Authorizations - WRDA | Federal | USACE | Water Resources Development Act | Stormwater | 25% | N/A | TBD | 2022 | 2024 |
| IIJA | Federal | DOT | Rebuilding American Infrastructure with Sustainability and Equity (RAISE) | Transportation/Stormwater | 20% | \$2.3 Billion | \$5 to \$25 Million | Fall 2022 | Fall 2023 |
| IIJA | Federal | DOT | Healthy Streets Program | Streetscapes/Stormwater | 20% | \$100 Million | \$15 Million | N/A | TBD |
| IIJA | Federal | DOT | Promoting Resilient Operations for Transformative, Efficient, and Cost-Saving Transportation (PROTECT) | Public Infrastructure within Transportation Corridors | 20% | \$128 Million | TBD | N/A | 2023 |
| IIJA | Federal | EPA | Clean Water Infrastructure Resiliency and Sustainability Grant Program | Water, Wastewater, and Stormwater | 25% | \$100 Million | TBD | N/A | TBD |

| | | | | | | | | | |
|------|---------|-----|---|------------|-----|---------------|-----|-----|-----|
| ILJA | Federal | EPA | Stormwater Control Infrastructure Grants | Stormwater | 25% | \$100 Million | TBD | N/A | TBD |
|------|---------|-----|---|------------|-----|---------------|-----|-----|-----|

9.0– Conclusion

A drainage study was completed for the City of Isle of Palms. The focus of the study was to evaluate flood conditions within the Phase 4 study area (bound by 29th Avenue to the east and Breach Inlet to the west) and develop conceptual solutions to address flooding concerns. Field investigations were completed to collect pertinent survey data and perform a conditions assessment of the existing drainage infrastructure. The results of this assessment are summarized in **Appendix B** which details the inventory and condition of existing drainage infrastructure for the entirety of the Phase 4 study area. A copy of this appendix was supplied to the City in advance of this report to assist with maintenance activities and scheduling.

Existing drainage performance was evaluated using varying rainfall data and tidal boundary conditions in a combined 1D/2D hydraulic and hydrologic model to develop a holistic assessment of current system capabilities. Analysis of these results concluded that significant improvements were necessary to mitigate hazardous flooding conditions created during extreme events.

In total, 31 drainage improvement projects were recommended across the Phase 4 study area, with a preliminary estimated cost of approximately \$47 million including engineering, permitting, construction engineering and inspection, and construction (see **Appendix G**). Of these 31 total projects, 19 projects (15 outfall improvement projects; 4 major drainage improvement projects) with a preliminary estimated cost of approximately \$26 million are identified as high priority based on a combination of field investigations, feedback from City officials, and results from combined 1D/2D hydrologic and hydraulic models. Recommendations for the order in which projects are pursued, estimated costs, and potential funding resources are summarized in **Table 6**.

Table 6 – Project rankings, estimated costs, and potential funding sources.

| Rank | Project | Estimated Cost | Potential Funding Source |
|-------------------------------|---|---------------------------|------------------------------------|
| 1 | Outfall Improvements | \$12,000,000 ^a | CDBG-MIT, RIA, HMGP, BRIC, or WRDA |
| 2 | Ocean Boulevard | \$3,200,000 | RIA/SCIIP |
| 3 | Palm Boulevard | \$5,100,000 | PROTECT (IIJA) or RAISE (IIJA) |
| 4 | Merritt Boulevard | \$1,100,000 | CDBG-MIT, City Funds, RIA, or IIJA |
| 5 | Charleston Boulevard | \$4,700,000 | RIA/SCIIP |
| 6 | 9 th Avenue Minor Improvements | \$1,300,000 | CDBG-MIT, City Funds, or RIA |
| 7 | Minor Drainage Improvements | \$19,600,000 ^b | City Funds, RIA, or IIJA |
| Total Estimated Project Costs | | \$47,000,000 | |

^a On average ~\$800,00 per project

^b On average ~\$1,600,000 per project

Projects are recommended to be implemented in a downstream to upstream approach for conveyance and upstream to downstream for storage/infiltration systems. For example, increasing the size of an upstream road crossing before providing additional downstream capacity could negatively affect downstream properties, homeowners, and business owners. There are relatively few storage improvements recommended due to available property; therefore, implemented project recommendations are proposed to begin construction at the furthest downstream point. Recommendations and costs associated with recommendations provided herein represent a plan to provide an improved level-of-service for most of the existing drainage infrastructure within the study area (i.e., generally up to the 10-year current conditions event). These recommendations are meant for planning and programming purposes only and should be re-evaluated during the design phase of implementation. Moreover, costs are representative of 2022 dollars estimated using historic data and professional judgment and may not necessarily represent the actual cost of a particular project now or in the future. Furthermore, recommendations are based on synthetic design rainfall events and should continually be validated and re-validated as more historic events are documented.

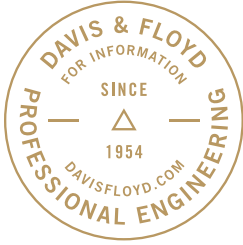
throughout the Phase 4 study area. Projections of future rainfall conditions and sea level rise should also continually be re-evaluated as the expected accuracy of climate change predictions are improved.

10.0 – Acknowledgements

The Davis & Floyd team acknowledges and appreciate the opportunity to work with the City of Isle of Palms to develop a drainage study and capital plan that will serve as a roadmap for implementation of drainage improvements across the Phase 4 study area. Special thanks are given to Douglas Kerr, Robert Asero, and Desiree Fragoso from the City of Isle of Palms for their close coordination throughout the progression of the project.

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***“Drainage Recommendations and Capital Improvement Plan” for
CITY OF ISLE OF PALMS***

Technical Memorandum 01 – July, 2023

Island-Wide Drainage Master Plan

D|F Job No.: 031974.00

PREPARED FOR:

City of Isle of Palms

P.O. Drawer 508

Isle of Palms, SC 29451

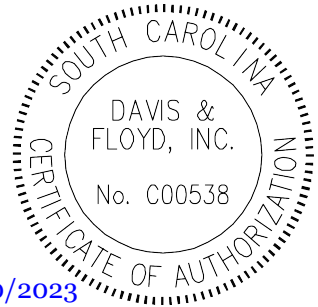
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07/20/2023

EXECUTIVE SUMMARY

Task 2 of the Phase 4 Drainage and Island-Wide Drainage Master Plan included capital improvement planning across all of the City of Isle of Palms (City) Drainage Study phases, maintenance program and resources review and recommendations, and development review regulations recommendations. The capital improvement plan for the island focused on Phases 3 and 4, as projects within Phases 1 and 2 were already completed. In order to support the capital improvement plan, a comparative modeling approach was taken to help assess improvements within the phase 3 project areas in a similar way to that exercised for phase 4. Then a prioritized ranking of projects was prepared across the two areas (phases) combined. A review of the City's maintenance program was done after discussing resources and practices with the City's public works group. A recommendation list is being provided to support the City in moving forward and advancing their program. A review of the City's (re)development regulations was conducted to determine opportunities for improvements to the current ordinances. Recommendations are being made to advance stormwater management approaches and practices.

CAPITAL IMPROVEMENT PLANNING

Davis & Floyd, Inc. (D|F) performed an evaluation of the planned infrastructure improvements within flood-prone portions of the previous Phase 3 and recently completed Phase 4 study areas. Capital planning included projects that are not yet underway or completed. The planned infrastructure prioritization is intended to aid the City with decisions related to project advancement.

COMPARITIVE MODELING APPROACH

Given that the recently completed Phase 4 study utilized a more detailed and refined modeling of existing drainage and proposed improvements than that used by others for the previously completed Phase 3 study, D|F prepared a Phase 3 project model that provides a similar modeling approach. This generated results similar to that from the Phase 4 master plan for providing an ‘apples-to-apples’ comparison between results. This approach quantified the existing flooding associated with the stormwater runoff and then allowed recommended improvements from both Phase 3 and Phase 4 areas to be modeled in similar fashion to quantify anticipated drainage improvements for comparison and providing recommendations.

EXISTING AND PROPOSED CONDITIONS HYDROLOGIC AND HYDRAULIC MODELING

The Phase 3 comparative modeling used data that was provided by the City, such as the location of existing structures and piping. Similarly, the proposed improvements were modeled from the improvement plans provided by the City and as recommended by others from prior studies. The model was limited to the data that had been provided, which lacked information from Project 1, Project 6, and Project 7 of the Phase 3 projects. Such inventory issues were based around a lack of features. As such, D|F made assumptions where necessary to support an ‘apples-to-apples’ comparison of data through filling in missing features. Phase 3 comparative modeling was done using PC SWMM computational engine utilizing LiDAR and digital terrain data, USDA soils data, land cover data, and rainfall data assessed under the same parameters and approach from the Phase 4 master plan (“Drainage Study and Recommendations for Improvements”).

PROJECT PRIORITIZATION

Model Results

The results of the comparative modeling show the Phase 3 areas that are likely experience flooding under existing conditions during design storm events. Areas such as 28th Ave, 29th Ave, Forest Trail, and 41st Ave are some of the many areas that exhibit flooding as shown below together with planned improvements in Figure 1.



Figure 1 – Phase 3 Area 10-year Type III Current Condition Storm Event

The flood mapping generated from the Phase 3 comparative modeling results allows for a comparison of the projects to those recommended within the Phase 4 area study to determine how to prioritize the projects across both study phases and for supporting island-wide capital planning. The prioritization of the projects was based on several criteria, which consisted of the total affected flood area of the projects and the change in the average depth across the impacted flooded area. The resulting recommended prioritization of the projects along with the estimated cost of the (conceptual) projects reported are provided in Table 1.

| Prioritization | Project Name | Study Phase | Estimated Cost |
|----------------|-------------------------------|-------------|----------------|
| 1 | Outfall Projects | Phase 3 | In Progress |
| 2 | Project 1 | Phase 3 | \$ 300,000 |
| 3 | Outfall Improvements | Phase 4 | \$ 12,000,000 |
| 4 | Ocean Boulevard | Phase 4 | \$ 3,200,000 |
| 5 | Palm Boulevard | Phase 4 | \$ 5,100,000 |
| 6 | Merritt Boulevard | Phase 4 | \$ 1,100,000 |
| 7 | Charleston Boulevard | Phase 4 | \$ 4,700,000 |
| 8 | Project 3 | Phase 3 | \$ 100,000 |
| 9 | Project 4 | Phase 3 | \$ 100,000 |
| 10 | Project 8 | Phase 3 | \$ 200,000 |
| 11 | 9th Avenue Minor Improvements | Phase 4 | \$ 1,300,000 |
| 12 | Project 2 | Phase 3 | \$ 100,000 |
| 13 | Project 5 | Phase 3 | \$ 100,000 |
| 14 | Project 6 | Phase 3 | \$ 500,000 |
| 15 | Project 7 | Phase 3 | \$ 300,000 |
| 16 | Minor Drainage Improvements | Phase 4 | \$ 19,600,000 |

Table 1: Project Prioritization and Cost Estimates

MAINTENANCE REVIEW AND RECOMMENDATIONS

D|F performed a review of the City's stormwater maintenance program and practices and stresses the importance of restoring and maintaining capacity of existing drainage infrastructure in advance or in unison with any capital improvement programs to be initiated. City staff engaged in such management and activities participated in a review meeting to give context to the City's resources in personnel, equipment, and contract / purchasing capacity currently available discuss future maintenance expectations. It was generally concluded that, like many communities of similar size and organization, most maintenance and repair work was performed in response to complaints received or needs that were identified by staff. The City desires to address drainage maintenance and monitoring in a fashion which supports addressing issues prior to reductions in drainage capacity or level of service. The maintenance recommendations included in this Technical Memorandum serve to support the City with advancing their asset management plan and planning maintenance needs.

In support of further organizing current and entertaining some additional maintenance routines and practices for use with and to the extent the City's current resources are available, a table of maintenance recommendations was created. These maintenance recommendations were created to help define or refine new or ongoing operations and give a listing and timeline / frequency of recommended maintenance. The recommended maintenance plan includes regularly assessing the conditions of ditches, outfalls, and inlet structures, or as prescribed based upon response to extreme storm events experienced. Recommended assessments are then supplemented with clean-up and repair as needed.

| Quarterly | Annually | Following Major / Heavy Storms | Following King Tides | Maintenance Recommendations |
|-----------|----------|--------------------------------|----------------------|--|
| x | | x | | Visually assess ditches for maintenance requirements and remove heavy debris, obstructions, sediment build up, or other maintenance as necessary (i.e., repair of ditch lining). Visually inspect public area embankments in ditches for bare spots and replant areas, as necessary. |
| x | | x | x | Visually assess outfalls for maintenance needs and remove debris, obstructions, or provide other maintenance as necessary. |
| x | | | | Visually inspect rip rap for vegetation growth and remove, as necessary. |
| x | | x | x | Visually inspect rip rap and maintain (i.e., stone replacement) as necessary to support filter fabric / underlayment functionality. |
| x | | x | | Visually inspect inlet systems for sand / debris accumulation and maintain with truck vac cleanup or other suitable method as necessary. |
| x | | | | Visually assess areas for signs of frequent flooding which could be due to blocked pipes or other drainage features. Consider investigating areas of concern with video inspections or other suitable method to identify potential repair needs. |
| x | | | | Visually assess areas for signs of frequent flooding which could be due to blocked pipes or other drainage features. Consider investigating areas of concern with video inspections or other suitable method to identify potential repair needs. |
| | x | | | Visually assess public and private properties for evidence of unauthorized land disturbance activities (fill removal/placement, new construction, removal of buffers, other) Address observations as necessary. |
| | x | x | | Visually assess community debris removal practices for potential impacts to drainage system performance (i.e., obstructing drain access / increasing debris). Address observations as necessary. |

Table 2: Maintenance Recommendations Table

ADOPT-A-DRAIN

In addition to internal effort through public works, D|F also recommends that the town adopt a few programs to help publicly promote maintaining drainage systems in a state of good repair and inherently provide support to the City staff in monitoring and maintaining existing infrastructure. An 'Adopt-a-Drain' or 'Drain Watch' program can help reduce flooding, help protect the waterways from pollution, and work toward keeping the streets and neighborhoods clean. It is recommended that the City consider developing and implementing an 'Adopt-a-Drain' program to help link the general public or other specific stakeholders with keeping specific drainage inlets in the City clear of debris. This program could ask members of the community (individuals and businesses) to monitor specific 'adopted' drainage inlets and / or ditches, clear debris from the inlet and / or report (see online reporting) the need for maintenance or problematic issues with the system. It is advised that dangerous drainage features be excluded from assignment and be handled by the City staff. Dangerous features include those in areas of high traffic or with poor accessibility.

ONLINE REPORTING

Further recommended is development and use of an online reporting system that could be used by the community, improve efficiency of receiving, programming, and addressing maintenance needs, and inherently increase the prominence of drainage infrastructure and the City's willingness and attention toward maintaining current infrastructure. An online reporting system could be very useful in reporting and tracking repetitive nuisance or damaging flooding or maintenance needs throughout the City. Such a system could not only provide valuable information to officials but may additionally foster good relations with the members of the community.

DEVELOPMENT REVIEWS AND REGULATIONS

D|F conducted a review of the current development regulations and review process to consider potential revisions / additions with respect to improving site-specific drainage or regional drainage that (re)development could otherwise adversely impact. Ordinances that impact stormwater runoff or conveyance were compiled into a list and reviewed by D|F stormwater management practice leaders to determine if any current ordinances should be considered for omitting or revising. It was found that many of the ordinances were adopted from Charleston County and / or other model or typical City ordinances. A meeting was held with City staff to review the list of specific ordinances and initial D|F recommendations to solicit the City's opinions, historic data, and observations. It was concluded that certain ordinances may benefit from updates or revisions. It was also concluded that some new additions to the ordinances are recommended to be considered / further evaluated by the City.

The following list summarizes D|F's recommendations and new additions to the current ordinances:

| Title | Chapter | Article | Section(s) | Existing Ordinance | Stormwater Management Recommendation |
|----------------------------------|---|-------------------------------------|--|---|---|
| Title 5 - Planning & Development | Chapter 4 - Zoning | Article 1 - General Provisions | Sec. 5-4-12 - Additional Regulations | p) Adding fill or importation of materials of any type, or re-contouring of a lot's existing contours, that increases a lot's existing ground elevation more than one (1) foot above existing road and results or may result in elevating an existing or proposed structure is strictly prohibited. | Revise existing ordinance to read as: p) Adding fill or importation of materials of any type, or re-contouring of a lot's existing contours, that increases a lot's existing ground elevation more than one (1) foot above existing road and results or may result in elevating an existing or proposed structure is strictly prohibited, unless the elevated surface does not exceed 7.4 ft (NAVD 88) of elevation. |
| Title 5 - Planning & Development | Chapter 4 - Zoning | Article 1 - General Provisions | Sec. 5-4-12 - Additional Regulations | q) Any decrease in a lot's existing ground elevation is strictly prohibited. | <u>Omit Ordinance</u> |
| Title 6 - Health and Sanitation | Chapter 1 - General Provisions | Article C - Maintenance of Property | Sec. 6-1-32 - Duty to keep property clean | c) It shall be unlawful to sweep or push litter from buildings, property, sidewalks and strips into streets, sidewalks and the storm drainage systems. Sidewalk and strip sweepings must be picked up and put into household or commercial material containers | Consider expanding reference to storm drainage system to include explicitly natural and man-made drainage courses (i.e. ditches). |
| Title 5 - Planning & Development | Chapter 5 - Land Development Regulation | (-) | NEW ORDINANCE: Engineer Review of Development | None | A third-party engineer can be hired by the city to review development plans to determine if they are in compliance with the land development regulations and other applicable Ordinances. |
| Title 5 - Planning & Development | Chapter 5 - Land Development Regulation | (-) | NEW ORDINANCE: Balance of Natural Sinks (Depressional Storage) | None | <p>For properties that fall within a select parameter*, any fill of sinks on the property must be accompanied with an equal volumetric storage for stormwater that would be retained by that sink. This may be alleviated using BMPs or other forms of stormwater storage. Areas exempt from the required retention include:</p> <p>a) Stormwater runoff on the property flows directly into a creek or the Intercoastal Waterway.</p> <p>b) Stormwater runoff on the property flows directly into a stormwater ditch.</p> <p>c) Stormwater runoff on the property flows directly into the stormwater drainage system.</p> <p>The following BMPs can be considered as potential storage:</p> <p>a) Cisterns</p> <p>b) Rain Gardens</p> <p>c) Rain Barrels</p> <p>d) Retention Ponds</p> |

*Note: The select parameters of this proposed ordinance may need to be studied to determine applicability and effectiveness across flood prone areas of the City.

Table 3: Development Recommendations Table

BEST MANAGEMENT PRACTICES INCENTIVES

It is also recommended that the City adopt incentives to promote the use of Stormwater Best Management Practices (BMPs) above and beyond those otherwise meeting the minimum criteria for permitting and / or development ordinances. Incentive programs would require planning and coordination to determine the incentive program parameters and support fair and equal determinations of variance requests, for instance, but could support resiliency and / or future maintenance considerations. These benefits could include a seal or stamp for the property denoting that the property is a “No Impact on Stormwater Property” as an example. An alternative incentive in the form of mitigation could allow an owner a higher percentage of impervious area or other variances up to certain thresholds depending on how much of the property is affected by the BMP. Such variances could be targeted toward those commonly sought in redevelopment initiatives today and serve to offset stormwater impacts on a regional level brought about by prior development practices and otherwise ‘grandfathered’ conditions.



CITY OF ISLE OF PALMS
PO DRAWER 508
ISLE OF PALMS SC

Estimate

| CUSTOMER NO. | QUOTE NO. | DATE | CONTACT |
|---|-----------|------------|------------|
| 3452200 | 2383934 | 7/18/2023 | AJ CASSIDY |
| PHONE NO. | FAX NO. | EMAIL | |
| 2745 | | | |
| MODEL | MAKE | SERIAL NO. | |
| IT14G | AA | 0KZN00601 | |
| UNIT NO. | HOURS | WO NO. | P.O. NO. |
| | | | |
| Note | | | |
| ****THIS IS A SIGHT UNSEEN ESTIMATE AND MAY NOT INCLUDE ALL PARTS AND OR LABOR FOR REPAIR. A FINAL QUOTE WILL BE PROVIDED TO THE CUSTOMER FOR APPROVAL AFTER DISASSEMBLY, CLEAN AND INSPECTION OF ALL PARTS REQUIRED FOR REPAIR. ANY ADDITIONAL LABOR SUCH AS MACHINE OR SPECIAL CLEAN OR SALVAGE LABOR WILL BE PRESENTED IN FINAL QUOTE. **** ***** | | | |

SEGMENT: 01 CLEAN MACHINE (070 7000)

Labor

| Description | Qty | Unit Price | Discount% | Ext Price |
|--------------|-----|------------|-----------|-----------|
| Total Labor: | | | | 155.00 |

Segment 01 Total: 155.00

SEGMENT: 02 TROUBLESHOOT ENGINE (035 1000)

Labor

| Description | Qty | Unit Price | Discount% | Ext Price |
|--------------|-----|------------|-----------|-----------|
| Total Labor: | | | | 465.00 |

Segment 02 Total: 465.00

SEGMENT: 03 REMOVE & INSTALL MUFFLER (010 1062)

Labor

| Description | Qty | Unit Price | Discount% | Ext Price |
|---------------------|-----|------------|-----------|---------------|
| Total Labor: | | | | 465.00 |

Segment 03 Total: 465.00

SEGMENT: 04 REMOVE & INSTALL COOLING PACKAGE (010 135C)

Labor

| Description | Qty | Unit Price | Discount% | Ext Price |
|---------------------|-----|------------|-----------|-----------------|
| Total Labor: | | | | 1,395.00 |

Segment 04 Total: 1,395.00

SEGMENT: 05 REMOVE & INSTALL ENGINE (010 1000)
 NOTES: REMOVE ENGINE AND SEND TO SPEC SHOP TO RECON
 ENGINE AND RETURN TO US FOR REINSTALLATION.

Parts

| Qty | Item Number | Description | Unit/Disc. Price | Ext Price |
|-----|-------------|--------------------|------------------|-----------|
| 1 | 1106331 | FILTER AIR SECNDRY | 38.80 | 38.80 |
| 1 | 2351305 | HOSE-RAD | 75.35 | 75.35 |
| 1 | 2147457 | HOSE CLAMP-TBOLT | 10.75 | 10.75 |
| 1 | 2351304 | HOSE-RAD | 83.06 | 83.06 |
| 1 | 2147458 | HOSE CLAMP-TBOLT | 11.07 | 11.07 |
| 2 | 2166944 | CLAMP-T'BOLT | 11.58 | 23.16 |
| 1 | 1106326 | FILTER-AIR PRIMARY | 54.46 | 54.46 |
| 1 | 2289130 | ELEMENT FILTER | 37.38 | 37.38 |
| 6 | 2388648 | CAT ELC | 18.40 | 110.40 |
| 3 | 5153973 | 15W40 105846 | 22.89 | 68.67 |

Total Parts: 513.10

Labor

| Description | Qty | Unit Price | Discount% | Ext Price |
|-------------|-----|------------|-----------|-----------|
|-------------|-----|------------|-----------|-----------|

Total Labor: 2,480.00

Segment 05 Total: 2,993.10

SEGMENT: 10

REPAIR ENGINE (023 1000)
 NOTES:REPAIR ENGINE (3054)
 NOTES:*****REPAIR ENGINE USING LONG
 BLOCK*****

-STEAM CLEAN ENGINE, CUT AND ANALYZE OIL FILTER.
 -VISUAL INSPECTION OF ALL ENGINE COMPONENTS IN
 ACCORDANCE WITH REUSABILITY GUIDELINES.
 -REPLACE WITH CAT REMAN COMPONENTS OR REBUILD
 OIL PUMP, WATER PUMP, CYLINDER HEAD/S, OIL
 COOLER, FUEL INJECTION NOZZLES, CYLINDER PACKS,
 TURBOCHARGER AND AIR COMPRESSOR (IF APPLICABLE).
 -INSTALL NEW MAIN BEARINGS, ROD BEARINGS, TIMING
 GEAR BEARINGS AND THRUST PLATES AS REQUIRED.
 -REPLACE FRONT AND REAR CRANKSHAFT SEALS.
 -INSPECT/REPLACE SPACER PLATE IF NEEDED.
 -REPLACE NRS COOLER IF APPLICABLE.
 -REPLACE EXHAUST MANIFOLD MOUNTING HARDWARE.
 -CHECK/UPDATE ENGINE SOFTWARE AS NEEDED.
 -REPLACE ENGINE MOUNTED FUEL FILTERS.
 -REPLACE ENGINE CRANKCASE BREATHER.
 -REPLACE HOSE AND CLAMPS FOR TURBO TO INTAKE AIR.
 -REPLACE HOSE AND CLAMPS FOR WATER PUMP TO COOLER.
 -INSTALL NEW GASKETS AND SEALS TO COMPLETE ABOVE.
 -FILL WITH CAT OIL AND INSTALL NEW OIL FILTER/S.
 -CONDUCT APPROXIMATELY 4-HOUR DYNO TEST OF ENGINE
 TO INCLUDE CUT AND ANALYZING OF 2 OIL FILTERS.
 -PAINT ENGINE, OPENINGS SEALED AND PREP TO SHIP.

*****EXCLUSIONS BELOW*****

**DOES NOT INCLUDE ANY PARTS FREIGHT OR EMERGENCY
 CHARGES**

**DOES NOT INCLUDE REMOVAL AND INSTALLATION OF THE
 ENGINE**

DOES NOT INCLUDE ANY TRANSPORTATION CHARGES

**DOES NOT INCLUDE CHARGES FOR NON-CAT PARTS AND
 OTHERWISE, UNACCEPTABLE REMAN CORES TO INCLUDE
 DIFFERENCE BETWEEN PARTIAL AND GOOD CORE
 CHARGES**

**DOES NOT INCLUDE HEUI PUMP OR PUMP DRIVE GP
 REPAIRS OTHER THAN BEARINGS AND SEALS**

**DOES NOT INCLUDE REPAIRS TO FUEL INJECTION PUMP
 AND DRIVE GROUP**

**DOES NOT INCLUDE ELECTRICAL REPAIRS OR
 REPLACEMENT OF WIRING, WIRE HARNESSSES, SWITCHES,
 SENSORS, SOLENOIDS, SENDERS, STARTER/S AND
 ALTERNATOR**

DOES NOT INCLUDE FREON COMPRESSOR REPAIRS

**DOES NOT INCLUDE HOSES (UNLESS MENTIONED ABOVE)
 FUEL/OIL LINES, PULLEYS, BELTS AND AIR FILTERS**

DOES NOT INCLUDE ANY MAJOR CASTINGS

DOES NOT INCLUDE CRANKSHAFT RECONDITIONING OR REPLACEMENT
 DOES NOT INCLUDE CYLINDER BLOCK MACHINING OR REPAIRS TO INCLUDE COUNTERBORING FOR PROPER LINER PROJECTION
 DOES NOT INCLUDE RADIATOR, TRANS COOLER OR AFTERCOOLER/S
 DOES NOT INCLUDE PRODUCT IMPROVEMENT UPDATES UNLESS IT IS COMPONENT REPLACED IN STD JOB
 DOES NOT INCLUDE VALVE MECHANISM REPAIRS OR REPLACEMENT INCLUDING ROCKER ARMS AND SHAFTS, SHAFT SPRINGS, LIFTERS AND PUSHRODS
 DOES NOT INCLUDE ANY APPLICABLE TAXES OR SUPPLIES AND ENVIRONMENTAL CHARGES
 ANY AND ALL OTHER ITEMS NOT SPECIFICALLY MENTIONED AS INCLUDED ARE NOT INCLUDED
 **

Parts

| Qty | Item Number | Description | Unit/Disc. Price | Ext Price |
|-----|-------------|--------------------|------------------|-----------|
| 1 | 20R4145 | BLOCK G LONG | 10,543.96 | 10,543.96 |
| 1 | 20R4145 | CORE DEPOSIT | 2,554.55 | 0.00 |
| 1 | 20R3890 | ALTERNATOR G | 285.77 | 285.77 |
| 1 | 20R3890 | CORE DEPOSIT | 267.08 | 0.00 |
| 1 | 2339532 | PULLEY-ALT | 114.30 | 114.30 |
| 1 | 2542267 | THERMOSTAT AS | 100.77 | 100.77 |
| 1 | 8T7876 | O-RING SEAL | 1.11 | 1.11 |
| 2 | 2257944 | GASKET | 5.58 | 11.16 |
| 1 | 2256817 | COOLER-OIL | 450.70 | 450.70 |
| 2 | 2256818 | SEAL | 5.58 | 11.16 |
| 1 | 2722265 | SEAL | 17.30 | 17.30 |
| 3 | 1142579 | GASKET | 5.63 | 16.89 |
| 1 | 2256524 | PLUG-CUP | 1.53 | 1.53 |
| 1 | 2863030 | RING-SEAL | 6.98 | 6.98 |
| 1 | 3062337 | SEAL O-RING | 14.42 | 14.42 |
| 1 | 1131504 | O RING | 7.16 | 7.16 |
| 2 | 7W2326 | FILTER-ENGINE OIL | 15.25 | 30.50 |
| 4 | 4622238 | GLOW PLUG | 44.08 | 176.32 |
| 1 | 3934006 | GASKET | 2.27 | 2.27 |
| 2 | 3357585 | SEAL | 0.98 | 1.96 |
| 1 | 0676213 | GASKET | 1.84 | 1.84 |
| 2 | 2759883 | SEAL | 1.60 | 3.20 |
| 1 | 2258329 | PUMP AS ENGINE OIL | 514.70 | 514.70 |
| 1 | 10R9743 | PUMP A F INJ | 1,963.89 | 1,963.89 |
| 1 | 10R9743 | CORE DEPOSIT | 959.53 | 0.00 |
| 4 | 20R0471 | FUEL INJ NOZZLE | 172.61 | 690.44 |
| 4 | 20R0471 | CORE DEPOSIT | 104.41 | 0.00 |

| | | | | |
|----|-----------|---------------|----------|----------|
| 4 | 6I0563 | NUT | 1.38 | 5.52 |
| 2 | 1411667 | CLAMP-HOSE | 5.49 | 10.98 |
| 1 | 1945390 | GASKET | 12.50 | 12.50 |
| 1 | 3533477 | GASKET-TURBO | 5.39 | 5.39 |
| 1 | 3533478 | GASKET-TURBO | 4.10 | 4.10 |
| 1 | 2258536 | GASKET-MAN | 27.99 | 27.99 |
| 1 | 2635376 | HOSE | 45.90 | 45.90 |
| 7 | 2258526 | WASHER-COPPE | 6.63 | 46.41 |
| 1 | 4923310 | GASKET | 4.75 | 4.75 |
| 1 | 20R4007 | TURBO GP BAS | 1,458.80 | 1,458.80 |
| 1 | 20R4007 | CORE DEPOSIT | 622.91 | 0.00 |
| 1 | 5L4995 | VEE BELT S | 53.51 | 53.51 |
| 1 | 3E1906 | COMP G BSC | 970.89 | 970.89 |
| 1 | 7E1362 | V-BELT | 26.88 | 26.88 |
| 1 | 6I1497 | SEAL | 6.53 | 6.53 |
| 1 | 2470144 | PUMP KIT | 153.23 | 153.23 |
| 1 | 2253150 | MOTOR GP-ELE | 1,024.73 | 1,024.73 |
| 1 | 2T-2695 | SEAL | 6.84 | 6.84 |
| 1 | 599-4925 | GASKET-SUMP | 75.58 | 75.58 |
| 7 | 8T9548GLS | 15W40 ENG BLK | 18.95 | 132.65 |
| 16 | DIESELSS | DIESEL FUEL | 5.00 | 80.00 |

Total Parts: 19,121.51

Labor

| Description | Qty | Unit Price | Discount% | Ext Price |
|-------------|-----|------------|-----------|-----------|
| SS LBR | 1 | 6,200.00 | 0 | 6,200.00 |

Total Labor: 6,200.00

Segment 10 Total: 25,321.51

SEGMENT: 90 TRANSPORT MACHINE (052 7000)

Labor

| Description | Qty | Unit Price | Discount% | Ext Price |
|-------------|-----|------------|-----------|-----------|
| | | | | |
| | | | | |

Total Labor: 1,200.00

Segment 90 Total: 1,200.00

Total Estimate: 31,994.61

SUB TOTAL (BEFORE TAXES) 31,994.61

ESTIMATED REPAIR TIME: _____ from start date

"The signature is an authorization to proceed with the required repair work as described within the quote".

Issued PO#: _____ **Authorized Name:** _____ (Please Print)

Date: ____/____/____ _____ (Signature)

CONTACT INFORMATION:

Prepared by: Robbie Norwood Phone(O): 803-926-4204 Phone(C): 803-722-9755 Email: rnorwood@blanchardmachinery.com
Fax:

This estimate will expire 30 days from the estimate date.

Price excludes Freight Charges, Operating Supplies/EPA Fees and Overtime.

Terms: Net 10th Prox.

Sales Taxes where applicable are not included with the above prices.

Customer will be notified upon teardown and/or inspection of any additional parts or labor that may be needed to complete this repair. Parts and/or Labor not covered by this estimate will be additional and a revised estimate will be given.

This estimate may include Remanufactured or Exchange components as noted. The core charges and credits associated with these parts will be determined by using CATERPILLAR's Core Acceptance Guidelines. Some core charges may qualify for full, partial or zero credit.



CUSTOMER QUOTE FOR: ISLE OF PALMS RECREATION DEPARTMENT
 PERSONAL CONTACT: KARRIE FERRELL
 DATE: 06/28/2023

SC CONTRACT: 4400031131

PO BOX 649, 4701 CALHOUN MEMORIAL HWY,
 EASLEY, SOUTH CAROLINA, 29640
 PHONE: 864 523 5677; FAX: 864 306 6502

IN TRANSIT/STOCK PURCHASE QUOTE

| | | |
|-------------|--------------------------------------|-------------|
| 2023 FORD | EXPLORER XLT RWD | \$37,027.00 |
| M7 | CARBONIZED GRAY METALLIC (GRAY EXT.) | |
| S6 | EBONY ACTIVEX SEAT MTRL | |
| 202A | REMOTE START SYSTEM | \$3,328.00 |
| | HEATED STEERING WHEEL | |
| | 8-WAY POWER PASSENGER SEAT | |
| 99H | 2.3L ECOBOOST I-4 ENGINE | |
| 44T | 10-SPEED AUTO TRANSMISSION | |
| | P255/55R20 A/S BSW TIRES | |
| 16B | FLR LNERS/CARPET MATS: RWS 1&2 | \$188.00 |
| 425 | 50 STATE EMISSIONS | |
| 52X | AUTO START-STOP REMOVAL | -\$47.00 |
| 59W | 4G LTE WI-FI HOTSPOT CREDIT | -\$18.00 |
| 649 | 20"PREMIUM PAINTED ALUM WHLS | \$1,311.00 |
| 65S | FORD CO-PILOT360 ASSIST+ | \$935.00 |
| | ADAPTIVE CRUISE CONTROL | |
| | VOICE-ACTV TOUCHSCRN NAV SYS | |
| | EVASIVE STEERING ASSIST | |
| 91X | REAR AUXILARY CNTRLs CREDIT | -\$94.00 |
| | DESTINATION & DELIVERY | \$1,595.00 |
| | FUEL CHARGE | \$66.69 |
| | CV LOT MANAGEMENT | \$10.00 |
| | 3RD KEY | \$400.00 |
| | DELIVERY | \$110.00 |
| | TAG | \$20.00 |
| | SUB TOTAL | \$44,831.69 |
| | COST+5% | \$2,241.58 |
| | TOTAL | \$47,073.27 |
| | IMF | \$500.00 |
| | OUT THE DOOR | \$47,573.27 |

*** IN PRODUCTION / TBD ARRIVAL

*** VEHICLE IS UP FOR SALE / PO LOCKS VEHICLE DOWN



**Planning Commission Meeting
4:30pm, Wednesday, July 12, 2023
1207 Palm Boulevard, Isle of Palms, SC and
broadcasted live on YouTube: <https://www.youtube.com/user/cityofisleofpalms>**

MINUTES

1. Call to Order

Present: Sue Nagelski, Ron Denton, David Cohen, Jeffrey Rubin, Marty Brown, Sandy Stone, Tim Ahmuty

Staff present: Director Kerr, Zoning Administrator Simms

2. Approval of minutes

Mr. Stone made a motion to approve the minutes as amended of the June 14, 2023 regular meeting. Ms. Nagelski seconded the motion. The motion passed unanimously.

Mr. Denton welcomed Mr. Ahmuty to the Planning Commission.

3. New Business

Discussion of short-term rental livability issues with Police Department representatives

Chief Cornett and Code Enforcement Officer Jace Kowsky spoke with the Commissioners about statistics surrounding livability issues and short-term rentals on the island. Officer Kowsky said he has met with the larger rental agencies about livability concerns, and he believes enforcement efforts on the part of the agencies are going very well. Chief Cornett explained how livability concerns and incidents are tracked and documented.

Chief Cornett agreed that the rental agencies have been very responsive in dealing with any complaints. He said the department does not receive as many phone calls as people believe. He cautioned against making any changes to the number of founded complaints that could lead to license revocation as the rental agencies are doing a good job in handling complaints related to short-term rentals. He encouraged residents to keep calling the Police Department if they have livability concerns.

Officer Kowsky said they receive very few complaint calls about renters in condominiums. He shared there was one weekend in June with no calls and another weekend with just one call.

Mr. Stone asked if lowering the allowable occupancy would help the police. Chief Cornett said the only way to enforce occupancy is if they have to enter the home for another reason. He said it

is hard to know if changing the occupancy would have any noticeable effect on complaints. He pointed out that many phone calls that result in the police visiting a home do not end in a ticket being written because compliance is achieved.

Dr. Rubin said he did not believe the information shared by Chief Cornett and Officer Kowsky warrants any reduction in the amount of founded complaints needed before a business license could be revoked.

4. Old Business

A. Discussion of task from City Council regarding short-term rentals

Director Kerr said he would forward the Planning Commission's recommendations to City Council now that they have discussed the livability statistics with the Police Department. He stated that the Police Department is focused on properly documenting all complaints, recognizing how the founded complaints could lead to business license revocation. He said that if City Council accepts these recommendations, once they are put into ordinance form and pass First Reading, they will come back to the Planning Commission for further review and comment.

Director Kerr shared that City Council received a resident petition with approximately 1,200 signatures requesting an ordinance be passed capping investment short-term rentals at 1,600. He said the City Council voted to send the petition to the County for signature verification but did not pass the ordinance as presented at First Reading. The ordinance will now become a referendum question on the November ballot.

B. Comprehensive Plan review updated draft

Director Kerr said they are working on the appendices for the Comprehensive Plan. He also said they will generalize the projects and grant sources in the Priority Investment element as the list of projects and pursued grants changes rapidly within the City. He is working with the PR Coordinator to find someone to "polish" the final document.

One more draft will be sent out for review prior to the next meeting.

C. Update on Sea Level Rise Adaptation Plan

Director Kerr reported that the City has executed a contract with Seamon & Whiteside for this project. He believes they will begin work on the plan soon.

5. Adjournment

The next meeting of the Planning Commission will be Wednesday, August 9, 2023 at 4:30pm.

Mr. Stone made a motion to adjourn, and Dr. Rubin seconded the motion. The meeting was adjourned at 5:55pm.

Respectfully submitted,

Nicole DeNeane
City Clerk



ENVIRONMENTAL ADVISORY COMMITTEE

4:00pm, Thursday, July 13, 2023

1207 Palm Boulevard, Isle of Palms, SC

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

MINUTES

1. Call to order

Present: Deb Faires (via Zoom), Doug Hatler, Mary Pringle, Linda Plunkett, Belvin Olasov, Council Member Bogosian

Absent: Jonathan Knoche, Jordan Burrell, Sandra Brotherton

Staff Present: Director Kerr, Zoning Administrator Simms

2. Approval of previous meeting's minutes

MOTION: Mr. Hatler made a motion to approve the amended minutes of the June 15, 2023 meeting, and Mr. Olasov seconded the motion. The amended minutes passed unanimously.

3. Citizen's Comments - none

4. Old Business

A. Water Quality

Mr. Hatler reported that some of the testing they were considering is expensive. They would like to have some testing conducted on the water samples to differentiate between human and animal fecal coliform and to understand the sources of those contaminants. Additionally, they would like to continue to understand the relationship between water quality on the island and the septic systems and PFAS.

Director Kerr said that any significant expense will need to go through City Council if it exceeds the budgeted amount for the Committee's initiatives or such an expense could be worked into the the FY25 budget.

B. Climate Action

Mr. Olasov spoke about the City of Charleston's resolution to dedicate City resources for City staff to change to electric leaf blowers by the end of 2023. The resolution also encourages citizens to do the same, noting several health concerns surrounding the use of gas-powered leaf blowers. He believes such a resolution should be considered by City Council.

Director Kerr said that the City does not do its own lawn maintenance, but they could perhaps discuss the switch to electric leaf blowers with their landscaping contractors to see if they could do that and if there would be any associated costs. Council Member Bogosian said the response of the City's landscaping contractors would be needed before taking this recommendation to City Council. Director Kerr shared the vendors for vehicles used by Public Works do not recommend a change to electric vehicles at this time.

C. Wildlife

Ms. Pringle reported that the Turtle Team will be monitoring the beach every morning of the upcoming nourishment project on the south end of the island. She said it would be better if the project started before August 15 as the regular Turtle Team patrols end at that time.

She said there have been no reports of where the least terns are following the destruction of their nesting area on the island from the Memorial Day weekend rains.

Discussion ensued as to the importance of educating the public on the use of native plants and grasses in the home landscaping efforts. Director Kerr said Committee members need to provide the Recreation Center staff with contact information of individuals or businesses that would be willing to conduct such seminars. He also encouraged Committee members to speak with the Water & Sewer Commission about the possible use of their lot at 7th Avenue and Palm Boulevard as a place to showcase native plants and grasses. He also suggested they speak with Director Pitts and Assistant Director Asero about what it would take to move the City's landscaping towards native plants and grasses.

D. Litter

Dr. Plunkett spoke with concern about the candies thrown and left along the path of the 4th of July golf cart parade. Director Kerr said this is not a City-sponsored event. He suggested reaching out to the parade organizers to make them aware of the litter concerns. Mr. Hatler suggested making cleanup of the parade route a condition of the permit they need to hold the parade. He said he will reach out to Chief Cornett about how to manage a cleanup requirement.

E. Update on Sea Level Rise Adaptation RFP

Director Kerr reported the contractor for the Sea Level Rise Adaptation plan has been selected and the agreement has been executed. He anticipates their work to begin soon and believes they may come speak to the Committee during their work process.

5. New Business -- none

6. Miscellaneous Business

7. Adjournment

MOTION: Mr. Hatler made a motion to suspend the August meeting of the Environmental Advisory Committee and for subcommittee work to continue as discussed prior to the September meeting. Ms. Pringle seconded the motion. The motion passed unanimously.

The next meeting of the Environmental Advisory Committee will be Thursday, September 14, 2023 at 4pm.

Mr. Hatler made a motion to adjourn, and Mr. Olasov seconded the motion. The meeting was adjourned at 5:11pm.

Respectfully submitted,

Nicole DeNeane
City Clerk

ORDINANCE 2023-11

AN ORDINANCE AMENDING TITLE 1, GOVERNMENT AND ADMINISTRATION, CHAPTER 8, ELECTIONS, OF THE CITY OF ISLE OF PALMS CODE OF ORDINANCES TO CHANGE THE LOCATION FOR FILING STATEMENTS OF CANDIDACY.

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 1-8-3, “Nonpartisan elections; procedure,” is hereby amended by deleting Paragraphs (b) and (c) in their entirety and replacing them with new Paragraphs (b) and (c) to state as follows:

“(b) Filing of statement of candidacy.

(1) Statements of candidacy for the offices of Mayor or Councilmember in a general election shall be filed at City Hall, together with a three hundred dollar (\$300.00) filing fee for the office of Mayor or a one hundred dollar (\$100.00) filing fee for the office of Councilmember, not later than sixty (60) days prior to the election. The Charleston County Board of Elections and Voter Registration shall verify the information in the statements and shall place the name of the candidate on the ballot.

(2) For special elections, the candidate shall file a statement of candidacy at City Hall, together with a three hundred dollar (\$300.00) filing fee for the office of Mayor or a one hundred dollar (\$100.00) filing fee for the office of Councilmember, not later than twelve o'clock (12:00) noon, forty-five (45) days prior to the election. The Charleston County Board of Elections and Voter Registration shall verify the information in the statements and shall place the name of the candidate on the ballot.

(3) Any person declaring candidacy under this section who cannot afford the required filing fee and so declares himself or herself to be an indigent shall file a written appeal for relief at City Hall, not later than sixty (60) days prior to the election.

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

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

Ordinance.

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

PASSED AND APPROVED BY THE CITY COUNCIL FOR THE CITY OF
ISLE OF PALMS, ON THE _____ DAY OF _____, 2022.

Phillip Pounds, Mayor

(Seal)

Attest:

Nicole DeNeane, City Clerk

First Reading: _____

Public Hearing: _____

Second Reading: _____

Ratification: _____



RESOLUTION 2023-07

WHEREAS, the City of Isle of Palms is committed to maintaining a safe and healthy work environment for every employee, including temporary contract employees hired by the City to perform certain duties; and

WHEREAS, the City of Isle of Palms recognizes that it has a responsibility to provide a safe work environment for its employees and that each pursues the highest standards in his or her assigned activities,

WHEREAS, all municipal employees and contracted personnel recognize that the well-being of the persons involved in the protection of our physical resources are as important as the activity and work being performed;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ISLE OF PALMS AS FOLLOWS:

The City has established a safety and loss control program, which is monitored on a continuous basis. As the first segment of the City's program, a safety coordinator was appointed and assigned the responsibility of organizing the overall safety and loss control efforts.

A safety committee was created to establish a loss control program, review losses and loss trends, make recommendations for prevention and assign other safety responsibilities as needed. This committee is guided by the safety coordinator and its members include each department head or designee.

Each department head director will be responsible for the safety and health of the employees, including temporary contract employees, in their department, as well as the required maintenance of facilities and equipment in their area of responsibility. Each employee will be responsible for their own personal safety and for the safe completion of assigned tasks. The City requires its employees to respond to all planned safety efforts and to perform their assigned jobs in the safest manner possible.

The City of Isle of Palms is committed to doing all in its power to make its safety and loss control program a success and expects all employees and temporary contract employees to assist in this effort by contributing expertise and by following all established rules and procedures.

PASSED AND APPROVED BY THE CITY COUNCIL FOR THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, ON THE 25th DAY OF JULY 2023.

Phillip Pounds, Mayor