

REAL PROPERTY COMMITTEE
8:30 a.m., Thursday, February 3, 2011

The regular meeting of the Real Property Committee was held at 8:30 a.m. on Thursday, February 3, 2011 in Council Chambers of City Hall, 1207 Palm Boulevard, Isle of Palms, South Carolina. Attending the meeting were Councilmember Stone, Mayor Cronin, Chair Loftus, City Administrator Tucker, Marina Manager Berrigan and City Clerk Copeland; a quorum was present to conduct business.

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

2. Approval of Previous Meeting's Minutes

MOTION: Mayor Cronin moved to approve the minutes of the regular meeting of January 6, 2011 as submitted; Councilmember Stone seconded and the motion PASSED UNANIMOUSLY.

3. Citizens' Comments – None

MOTION: Mayor Cronin moved to re-order the agenda to move to New Business at time; Councilmember Stone seconded and the motion PASSED UNANIMOUSLY.

6. New Business

A. Update on Beach Restoration

Administrator Tucker stated that Coastal Science and Engineering (CSE) has been asked to attend the February Ways and Means Committee meeting to present the results of the most recent monitoring and to update the Committee on the status of the permitting and engineering phase of the focused erosion project. The Administrator related that a member of the community has expressed interest in the new project and has requested copies of the engineering designs; should the resident have negative comments about the project, the public comment period for the project has passed. In conclusion, Administrator Tucker noted that Tim Kana of CSE would be speaking at the annual meeting of the Wild Dunes Community Association that closely follows the Ways and Means meeting.

B. Status of Request for Proposals for Engineering Design and Permitting for Marina Dredging

Administrator Tucker explained that the task of selecting a vendor to recommend for the engineering design permitting for marina dredging had been a more laborious one (1) than she had expected because the three (3) bidders were each well-qualified and had each submitted comprehensive bid packages. The bidders were Applied Technology and Management (ATM), Tidewater Environmental and GEL Engineering. In developing the bid analyses, the Administrator compared the responses to the requirements of the RFP, thus ensuring that all bidders met the bid requirements, and summarized the most important points. Clerk Copeland checked references on the bidders and did get one (1) unfavorable reference for ATM. A like-for-like comparison of costs was complicated by the fact that each bidder had included caveats

in different areas. In the end, Administrator Tucker recommended GEL Engineering for the project based on their in-house capabilities, the City's past experience with GEL as the oversight engineer for the 2003 dredging project and GEL's familiarity with the area and the players.

MOTION: Mayor Cronin moved to recommend that staff begin negotiations on a contract with GEL Engineering for the engineering design and permitting of a marina dredging project; Councilmember Stone seconded.

Chair Loftus asked whether staff had reviewed the contract from the 2003 project to ensure that everything had been included in the RFP to avoid change orders that typically cost more as add-ons than as contract inclusions. Administrator Tucker recalled that the change orders in that project were initiated by the City, and she assured the Chair that the staff had carefully reviewed the previous contract, but the possibility of unknowns still existed.

When queried, Marina Manager Berrigan said he had worked with the staff on the RFP and that his primary concern was that the dredging get as close to the bulkhead as possible.

Chair Loftus asked whether other stakeholders had expressed interest in joining with the City; the Administrator recalled that the Morgan Creek Harbor Association (MCHA) had asked to speak at the January meeting and cancelled at the last minute. The City informed MCHA that a contract for engineering design and permitting would likely be approved at this meeting, and they declined to comment or attend the meeting.

Administrator Tucker stated that the biggest question at this point is what needs to be done at the Goat Island spoil site and the cost associated with that work; the Administrator voiced concern that the City could be forced to do the repairs to the site then be denied its use by the Corps of Engineers.

As for the 26th Avenue Canal dredging, Jack Walker, Senior Scientist for GEL Engineering, reported that the residents have their permits and plan to dredge February 15th-17th. They have been given permission by the Corps to use a spoil site south of the site previously used by the City. Mr. Walker added that this site is huge and the City should investigate it.

When asked by the Administrator what additional costs would be incurred with this second site, Mr. Walker estimated a ten percent (10%) increase in mobilization and demobilization with no increase in dredging costs. Mr. Walker noted that whether the Corps of Engineers would hold the City hostage on the Goat Island spoil site was unknown.

Administrator Tucker commented that no one knows who is responsible for the damages to the Goat Island spoil site; Mr. Walker stated that the Corp has used that site two (2) times since the City used it. Mr. Walker said he thought the cost estimates for the repairs were inflated; he thought the repairs could be done for less than one hundred thousand dollars (\$100,000).

Administrator Tucker stated that the dredging area would begin where the IOP Marina intersects with Dewees Inlet and extend to the private property line beside the Tidal Wave docks.

Vote: The motion PASSED UNANIMOUSLY.

MOTION: Chair Loftus moved to go to Item 4 on the Agenda; Mayor Cronin seconded and the motion PASSED UNANIMOUSLY.

4. Marina Manager's Report – Brian Berrigan

Mr. Berrigan stated that for three (3) days last week the marina had done zero business; he added that, had last year not been a good one, he would not be surviving. Mr. Berrigan said that the store is "dying a slow death." He indicated that he was not getting support from islanders in the off-season; he commented that gas at the store was only two dollars ninety-six cents (\$2.96) a gallon when it was over three dollars (\$3.00) across the street. Mr. Berrigan asked for assistance from the City, maybe via the City's website or newsletter, to boost business at the marina and the marina store.

Mr. Berrigan voiced his opinion that a report of the payment status of tenants at the marina should be removed from the Committee's agenda; he stated that the City sends letters to tenants who are late and collects late fees on delinquent payments – bringing attention to them on the public record was unfair. In his opinion, public identification should only be made when a tenant falls behind a couple or three (3) months.

Mr. Berrigan noted that he was very pleased that the City had selected GEL for the engineering design and permitting for marina dredging; he was confident that they would do an excellent job for the City.

MOTION: Mayor Cronin moved to remove the Marina Rents Report from future Real Property Committee agendas; Councilmember Stone seconded and the motion PASSED UNANIMOUSLY.

Councilmember Stone stated that he had wondered why the marina and the restaurant were singled out for reports; he expressed the opinion that Committee should not meddle into tenant's business.

Mayor Cronin suggested that the marina and the restaurant be removed from the agenda and replaced with Leaseholder Comments.

MOTION: Councilmember Stone moved to remove reports from the marina and Morgan Creek Grill from the Real Property Committee Agenda; Mayor Cronin seconded.

Chair Loftus indicated that tenants should be notified each month before meeting agendas are prepared giving them the opportunity to be on the agenda if they want to comment.

VOTE: The motion PASSED UNANIMOUSLY.

5. Morgan Creek Grill Report – Carla Pope, Operations Manager

Administrator Tucker stated that Ms. Pope was out of town, but had emailed a question about lights to be repaired and the fact that the marina dockmaster had been in discussions with SCE&G about them.

Mr. Berrigan reported that the problem light on the restaurant has a voltage problem and that the tallest and brightest lights were being replaced. The lights that are out in the restaurant's employee parking area were installed by the restaurant and are, therefore, the restaurant's responsibility. Mr. Berrigan agreed to discuss the lighting issues with Ms. Pope when she returns.

6. New Business

A. Recognition of Past Council and Commission Members via Engraved Bricks

Chair Loftus commented that he had asked that this be placed on the agenda for discussion because he perceives the City's engraved brick program to be an economical way to recognize the contribution citizens have made to the City through their service. He noted that criteria would need to be established, for instance, length of service, how far back in the City's history to go, recognizing Committee chair persons differently from members, etc., as well as a location to use.

Mayor Cronin suggested that the staff make a recommendation about a location taking into consideration future needs.

B. Review of FY 2011-2012 Marina Capital Budget and Long-Range Capital Plan

Front Beach, including Public Restrooms, Parking Meters and Parking Lots

Replace/refurbish benches, trash receptacles, information kiosks Routine annual expenditure.	\$ 2,000
Purchase a piece of public art honoring all past council members Deferred from FY11.	7,500
Add 1 parking kiosk in high volume area at Sea Cabins Administrator Tucker stated that Chief Buckhannon recommends purchasing a refurbished unit to keep costs down.	6,700

Facility Maintenance

Replace street signs, parking signs, poles (approx. 75 signs)	2,500
Maintain public restrooms, plumbing, electrical, etc.	7,500
Annual parking lot maintenance (fill material, grading)	1,000
Maintain irrigation system for parking lots and Front Beach green spaces	2,500
Maintain electrical systems, landscape lighting, etc.	2,000
Resurfacing (patching) City-owned portion of Ocean Blvd.	5,000

Sidewalk and brick repair on City-owned portion of Ocean Boulevard	5,000
Resod and refurbish green spaces	5,000
All of the above items are routine annual expenditures	

Mayor Cronin questioned the FY14 expenditure of sixty thousand dollars (\$60,000) to rehabilitate the Breach Inlet boat ramp because it sees so little use. Administrator Tucker commented that anywhere the City has water access the City should seek to keep it; she indicated that no work had been done on that ramp in quite some time.

Chair Loftus suggested that the piece of public art be scrapped entirely and replaced by the engraved bricks that were discussed earlier; the members of the Committee agreed.

Beach Restoration and Monitoring

2008 Project post-project monitoring (each January and July through 2011) Permitting requirement	65,331
2008 Project Administration	5,000
2008 Project sand fencing maintenance	5,000
2008 Project escarpment grading (4 times per year)	1,800
Address focused erosion as it occurs (FY12 project is underway)	600,000
Ongoing monitoring of shoreline/long term beach management	50,000
Establish reserve for future beach restoration management projects	100,000

Administrator Tucker pointed out that funds were placed in out years to address future shoals, but the frequency was a “guess-timate” on staff’s part.

Chair Loftus asked whether the City would use all of the funds for the 2008 renourishment project; the Administrator responded that, at this time, she did not know. Should any funds remain, they would be returned to the stakeholders on a pro-rata basis, but those refunds could not occur until the City is released by the permitting agencies.

Isle of Palms Marina

Design & permitting of new watersports/waverunner dock This item was in the FY11 budget and deferred to FY12.	25,000
Design and permitting for new docks (permit process takes up to 1 year) Part of the long-range plan for the marina.	50,000

Chair Loftus voiced his opinion that the restaurant elevator in FY13 should not be the City’s responsibility. Administrator Tucker countered that the City owned the property and the building; therefore, the elevator would be the City’s responsibility. The Administrator reported that she had been in dialogue with the local Americans with Disabilities office because they were requiring an assessment of all City-owned buildings to ensure compliance with the Americans with Disabilities Act (ADA); the task has been assigned to Director Kerr and is in progress.

Chair Loftus indicated that he had experience with The ADA, and the fact that the restaurant accommodates the handicapped by serving the same menu to them as they might get in the area of the restaurant they cannot access makes the restaurant compliant. In his estimation, no further accommodation, i.e. an elevator, is necessary. Members of the Committee agreed that the placeholder for an elevator in FY13 should be removed.

Special Projects

Dredging (engineering, permitting in FY11, construction in FY13) 300,000
This represents the construction expense.

Mayor Cronin asked why permitting would be needed since the City 's dredging permit has not yet expired; the Administrator replied that the City's permit would need to be modified to accommodate a greater depth.

C. Consideration of Award of Contracts in Excess of \$10,000 – None

7. Old Business

C. Presentation Relative to Electric Car Charging Stations

Mayor Cronin reported that the Isle of Palms has a large number of golf carts and is beginning to see a number of low-speed vehicles despite the fact that these vehicles are not allowed on Palm Boulevard. The Mayor reported that legislation is being proposed to allow local government to determine whether these vehicles should be allowed on the roads. The Mayor introduced John Poch, Executive Director of Plugin Carolina; a copy of Mr. Poch's presentation is attached to the historical record of the minutes of the meeting.

Mr. Poch stated that millions of dollars in grants are available through the Clean Cities Grant and the Department of energy; the City would be ineligible for grants involving tax credits since the City has no tax liability. He proposed that charging stations should be as Level 2, 240 volts, and he expressed confidence that he could assist the City in acquiring funds for such stations.

8. Miscellaneous Business

Marina Rents Report

Administrator Tucker indicated that Morgan Creek Grill continues to be behind; Mayor Cronin recalled that Ms. Pope had stated that the restaurant would catch up in February. The Administrator stated that, although not a requirement of the lease, the City does send letters to tenants when they get behind with the rent.

Next Meeting Date: 8:30 a.m., Thursday, March 3, 2011.

9. **Executive Session** – not needed

10. **Adjourn**

MOTION: Mayor Cronin moved to adjourn the meeting at 10:44 a.m.; Councilmember Stone seconded and the motion PASSED UNANIMOUSLY.

Respectfully submitted:

Marie Copeland
City Clerk