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CITY OF BEAUFORT
1911 BOUNDARY STREET
BEAUFORT MUNICIPAL COMPLEX
BEAUFORT, SOUTH CAROLINA 29902
(843) 525-7070
CITY COUNCIL REGULAR MEETING AGENDA
October 26, 2021

STATEMENT OF MEDIA NOTIFICATION

"In accordance with South Carolina Code of Laws, 1976, Section 30-4-80(d), as amended, all local media was duly notified of the time, date, place and agenda of this meeting."

REGULAR MEETING - Council Chambers, 2nd Floor - 7:00 PM

Please note, this meeting will be broadcasted via zoom and live streamed on Facebook. You can view the meeting at the City's page; City Beaufort SC

I. CALL TO ORDER

A. Stephen D. Murray III, Mayor

II. INVOCATION AND PLEDGE OF ALLEGIANCE

A. Mayor Pro Tem, Mike McFee

III. PROCLAMATIONS/COMMENDATIONS/RECOGNITIONS

A. Character Education Proclamation - Aritney Granados Alvarado, Joseph Shanklin Elementary School

IV. PUBLIC COMMENT

V. MINUTES

A. Worksession and Regular Meeting - October 12, 2021

VI. NEW BUSINESS

- A. Resolution approving the issuance by the Beaufort Housing Authority of its Multifamily Housing Revenue Bonds (Spanish Trace Apartments), as required by Section 147(f) of the Internal Revenue Code, in the maximum principal amount of \$12,000,000
- B. Resolution approving the issuance by the Beaufort Housing Authority of its Multifamily Housing Revenue Bonds (Hilton Head Gardens), as required by Section 147(f) of the Internal Revenue Code, in the maximum principal amount of \$14,000,000
- C. Request from Kim Trask for waiver of noise ordinance for a private wedding on April 2, 2022
- D. Request from USCB Center for the Arts for bridge/street closures to host the Women's Wellness 5K run on March 5, 2022
- E. Request from Chabad Greater Hilton Head for Co-sponsorship for Chanukah Public Menorah Lighting on November 28 or 30, 2021, in the Henry C. Chambers Park
- F. Request from Gullah Traveling Theater for co-sponsorship to host A Christmas Taste

- of Gullah on Saturday, December 4, 2021, in the Henry C. Chambers Park
- G. Request for Co-sponsorship from St. Peters Catholic Church for 175 Year Celebration on Sunday, November 14, 2021 at the Henry C. Chambers Park
 - H. Request from BAHA to host an Oyster Festival, permission to sell alcohol , waiver of open container ordinance, permission for street closures for loading/unloading, permission to issue complimentary parking passes, permission to host Arts & Craft Market on January 21 & 22, 2022, at the Henry C. Chambers Park
 - I. Permission to host the Taste of Beaufort, permission to use the park, sell alcohol, waiver of open container ordinance, permission for bridge/street closures for 5K race and loading/unloading, permission to issue complimentary parking passes, permission to host Arts & Craft Market on May 6 & 7, 2022 at the Henry C. Chambers Park
 - J. Request for Free Holiday Parking in the Marina Parking Lot from Thanksgiving to New Year's Day
 - K. Park and Tree Advisory Commission Ordinance amending Part 3, Chapter 3, Sections 3-3002, 3-3003, and 3-3006, of the Code of Ordinances - 1st reading
 - L. Resolution authorizing purchase of Fire Truck on Lease

VII. REPORTS

- City Manager's Report
- Mayor Report
- Reports by Council Members

VIII.ADJOURN



PROCLAMATION

WHEREAS, the character education movement reinforces the social, emotional, and ethical development of students; and

WHEREAS, schools, school districts and states are working to instill important core ethical and performance values including caring, honesty, diligence, fairness, fortitude, responsibility, and respect for self and others; and

WHEREAS, character education provides long-term solutions to moral, ethical, and academic issues that are of growing concern in our society and our schools; and

WHEREAS, character education teaches students how to be their best selves and how to do their best work; and

WHEREAS, the Eleven Principles of Effective Character Education include: Promoting core ethical and performance values; Teaching students to understand, care about and act upon these core ethical and performance values; Encompassing all aspects of the school culture; Fostering a caring school community; Providing opportunities for moral action; Supporting academic achievement; Developing intrinsic motivation; Including whole-staff involvement; Requiring positive leadership of staff and students; Involving parents and community members; and assess results and strives to improve; and

WHEREAS, the Beaufort County School District's Character Education program was formed to support parents' efforts in developing good character in their children; and

WHEREAS, the purpose of the Character Education program is to integrate good character traits into the total school environment, as well as into the community; and

WHEREAS, each school's counselor identified a list of character words and definitions deemed important regardless of a person's political leanings, race, gender, or religious convictions; and

WHEREAS, the words are friendship, kindness, acceptance, courage, tolerance, respect, gratitude, compassion, citizenship, perseverance, honesty, integrity, self-control, forgiveness responsibility and cooperation; and

WHEREAS, Aritney Granados Alvarado was selected as the winner by Joseph Shanklin Elementary School as the student of the month.

NOW, THEREFORE, the City Council of the City of Beaufort, South Carolina, hereby proclaims September 2021 as

ARITNEY GRANADOS ALVARADO AS JOSEPH FRANKLIN ELEMENTARY STUDENT OF THE MONTH

The City of Beaufort thereby pronounces *Acceptance* as the word for the month of September and applauds Aritney Granados Alvarado, the Beaufort County School District, and Joseph Shanklin Elementary School for their work and specifically honors Aritney Granados Alvarado as Joseph Shanklin Elementary School student of the month.

IN WITNESS THEREOF, I hereunto set my hand and caused the Seal of the City of Beaufort to be affixed this 26th day of October 2021.

STEPHEN D. MURRAY III, MAYOR

ATTEST:

TRACI GULDNER, CITY CLERK



City Council Worksession

Meeting Minutes – Planning Conference Room – 1st Floor

October 12, 2021

I. CALL TO ORDER

5:00PM

Mayor Stephen D. Murray III

Members of Council in attendance - Neil Lipsitz, Mike McFee, Mitch Mitchell, and Mayor Murray.

Absent - Phil Cromer.

II. PRESENTATIONS

A. Regional Housing Trust Fund, Eric Greenway, Beaufort County Administrator.

Eric Greenway, Beaufort County Administrator, gave a presentation of the Regional Housing Trust Fund. This is a joint effort between eight jurisdictions in Beaufort and Jasper Counties. The purpose of the study was to make recommendations for the process of forming, funding, and staffing the Housing Trust Fund. He said that a Housing Trust Fund is established to support the production and/or preservation of affordable housing. He then went over the five priorities they established. Number 1 is to provide accessible, affordable housing to the region to support the workforce in the service economy, as well as others with high housing cost burdens.

One of the objectives is to create new housing units, or remodel existing housing, with a strong focus on households that are at or below 60% of the Area Median Income. In Beaufort County, the Annual Mean Wage is \$48,080. Jasper County is \$37,160.00. Another objective is to increase awareness of existing and new financial products that serve the Beaufort-Jasper community.

Step 1 is to fund the Housing Trust. In year one they are asking each jurisdiction that participates in the Housing Trust Fund to allocate 3% of their individual American Rescue Plan Act (ARPA) allocations. He stated that, if possible, this would come from State and Local Recovery pool funds, which are the most flexible. In year two and moving forward, the contribution would be \$500,000 based on population shares per jurisdiction. This figure would rise slightly each year because of inflation. Other funding sources could be Banks and Corporations.

Mr. Greenway stated that we must also be able to balance affordable housing with transportation and infrastructure, or we will not see any progress being made.

Councilman Mitchell, inquired about how it will be determined where these affordable homes will be built.

Mr. Greenway said that has not been established at this time. A Board and By-Laws will need to be established first. Land availability will also be a determining factor.

Mayor Murray stated that a developer will go where the land is the cheapest and wants those that work in Beaufort County to be able to live in the County. He also realizes that transportation is a major factor as well.

Councilman Lipsitz asked how we can make sure that this stays affordable housing long term.

Mr. Greenway, responded by stating it will need to be Deed Restricted.

Bill Prokop, City Manager, asked who would be responsible for paying the Impact Fees. The city/town where the development is being built, or the Housing Trust.

Mr. Greenway, replied by saying that once the Housing Trust is set up, it should come from there. They could offer a program to cover Impact Fee waivers for developers from a jurisdictional, and water and sewer fee standpoint.

Mayor Murray said that the challenge is keeping the housing affordable once built. An affordable home can be built at a lower cost due to local incentives given to a entities like a charitable organization. Then when that homeowner is able to sell the house, it is then sold at current market value. This no longer makes the house affordable. We need to figure out how to keep these homes in the affordable range for eternity.

III. DISCUSSION ITEMS

A. Proposed changes to the Parks and Tree Advisory Committee Ordinance.

Bill Prokop, started off by stating that there are only 3 certified Arborists in the region. He stated that one of the requirements as stated in the Ordinance is to have a certified Arborist on the Board. Due to the fact that we have not been able to get any applicants, he has consulted with Barbara Farris, who has been on the Board for many years. In their talks, she mentioned the use of Master Gardeners. Instead of having a certified Arborist, we could replace that with two Master Gardeners. We would change the two Design Professionals/Landscape Architects/Landscapers to one and keep the two citizen representatives. He stated if a Design Professional was not available, the commission may utilize the services of a city approved certified Arborist. We would also add that all terms will expire on June 30th, and terms will be staggered.

Council recommended that we move the word Landscaper up to the area with Master Gardener.

Mayor Murray also stated that in section 3-3006 that the sentence (The commission shall make its own rules and regulations) be removed.

IV. EXECUTIVE SESSION

Mayor Pro Tem, McFee made a motion to go into Executive Session and seconded by Councilman Lipsitz.

A. Pursuant to Title 30, Chapter 4, Section (70) (a) (2) of the South Carolina Code of Law: Discussion regarding Contractual Services.

Mayor Pro Tem, McFee made a motion to come out of Executive Session and seconded by Councilman Lipsitz.

No actions from Executive Session.

Disclaimer: This document is a summary. All City Council Worksession and Regular Meetings are recorded. Live stream can be found on the City's website at www.cityofbeaufort.org (Agenda section). Audio recordings are available upon request by contacting the City Clerk, Traci Guldner at 843-525-7024 or by email at tguldner@cityofbeaufort.org.

DRAFT



City Council Regular Meeting
Meeting Minutes – City Hall Council Chambers - 2nd Floor

October 12, 2021

I. CALL TO ORDER

7:05PM

Mayor Stephen D. Murray III

Council members in attendance - Neil Lipsitz, Mike McFee, Mitch Mitchell, and Mayor Murray.

Absent - Phil Cromer

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Pro Tem, McFee

III. PROCLAMATIONS/COMMENDATIONS/RECOGNITIONS

- A. Resolution recognizing Aimee Whitesell as the 2021-2022 Beaufort County School District Teacher of the Year.

Motion to approve was made by Mayor Pro Tem, McFee and seconded by Councilman Lipsitz.

Approval was unanimous.

IV. PUBLIC COMMENT

No public comment.

V. MINUTES

- B. Worksession and Regular Meeting - September 28, 2021.

Motion to approve was made by Councilman Lipsitz and seconded by Mayor Pro Tem, McFee.

Minutes approved as presented.

VI. NEW BUSINESS

- A. ATAX Grant Recommendations.

Motion to approve was made by Mayor Pro Tem, McFee and seconded by Councilman Lipsitz.

Approval was unanimous.

- B. Authorize City Manager to enter into a contract with Financial Advisor.

Motion to approve was made by Mayor Pro Tem, McFee and seconded by Councilman Mitchell.

Kathy Todd, Finance Director, stated that a Request for Proposal RFP2022-102 was issued on August 19, 2021, for a Financial Advisor. Three proposals were received. The committee is recommending First Tryon Advisors as the most responsible bidder.

Approval was unanimous.

- C. Approval for the City Manager to negotiate and enter into Intergovernmental Service Agreements (IGSA) between Marine Corps Air Station Beaufort (MCAS Beaufort) as they arise.

Motion to approve was made by Mayor Pro Tem, McFee and seconded by Councilman Mitchell.

Bill Prokop, City Manager, stated that this type of agreement is common to utilize shared resources and services. Each agreement would be tailored to a specific need.

Approval was unanimous.

VII. REPORTS

City Manager's Report

Thanked all the partners who helped put on another successful Shrimp Festival.

Thanked Beaufort Memorial Hospital Staff for all their efforts that were put forth in the care of one of our Police Officers who was in the hospital with COVID. After a month, he was able to be discharged.

Reported that September was the largest month in the last 5 years for the collection of permit fees.

Stated that if all stays as it is now, come Monday, October 18, 2021, the mask requirements in all city facilities will be lifted. We will still continue to follow DHEC and CDC guidelines.

Public Education materials have been released regarding the upcoming referendum for the Local Option Sales Tax (LOST), that will be on the ballot in November on the city's website. You can use the calculator to give you an idea of the tax credits that you will potentially receive.

The City of Beaufort and Town of Port Royal Fire Department have a new fire truck that has been delivered and will be placed into service shortly. It will be housed at Station 4 on Robert Smalls Parkway.

Thanked all that gave input on the Comprehensive Plan. The plan is on schedule and will be available for the public to review within the next couple of weeks.

Stated that the next stormwater engineering projects are about to begin. They will be working in The Point, Mossy Oaks, and in the area of Johnny Morrall Circle.

Thanked all the people who made it a point to tell him how much they care about our city.

Mayor's Report

Congratulated the Lowcountry Jaycees on a successful Food Truck Festival.

Reported that early voting is open and encouraged all citizens to get out and vote.

Stated that the MASC Legislative Policy Committee, which he is a member, approved the Legislative Priorities for this year which mirrored last years.

Councilman Mitchell

Stated that there is life being breathed into the Charles Lind Brown Center. Love House Ministries had an event there recently. He reported that the Committee will be presenting the survey results to the County Council on October 18, 2021.

Mayor Pro Tem, McFee

Invited all to attend the Carteret Street United Methodist Church Bizarre that will be taking place this Saturday, October 16, 2021.

Councilman Lipsitz

Nothing to report.

VIII. ADJOURN

7:37PM

Motion to adjourn was made by Councilman Lipsitz and seconded by Councilman Mitchell.

All in favor.

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CITY OF BEAUFORT
DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

TO: CITY COUNCIL **DATE:** 10/12/2021
FROM: Bill Prokop, City Manager
AGENDA ITEM TITLE: Resolution approving the issuance by the Beaufort Housing Authority of its Multifamily Housing Revenue Bonds (Spanish Trace Apartments), as required by Section 147(f) of the Internal Revenue Code, in the maximum principal amount of \$12,000,000
MEETING DATE: 10/26/2021
DEPARTMENT: City Managers Office

BACKGROUND INFORMATION:

Angela Childers, Executive Director of the Beaufort Housing Authority will be leading this presentation.

PLACED ON AGENDA FOR: Action

REMARKS:

ATTACHMENTS:

Description	Type	Upload Date
Beaufort Housing Authority Resolution 04-21	Backup Material	10/12/2021
Resolution	Backup Material	10/12/2021

RESOLUTION NO. 04-21

PROVIDING THAT THE BEAUFORT HOUSING AUTHORITY, SOUTH CAROLINA, WILL, UNDER CERTAIN CONDITIONS, ISSUE NOT TO EXCEED \$12,000,000 MULTIFAMILY HOUSING REVENUE BONDS (SPANISH TRACE APARTMENTS) TO FUND A MORTGAGE LOAN TO SPANISH TRACE HOUSING PARTNERS, LP (OR AN ENTITY AFFILIATED THEREWITH) TO FINANCE THE ACQUISITION AND RENOVATION OF A MULTIFAMILY HOUSING RENTAL PROJECT IN BEAUFORT, SOUTH CAROLINA, AND TAKE CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH INCLUDING SEEKING CERTAIN APPROVALS BY THE CITY OF BEAUFORT AND THE SOUTH CAROLINA STATE FISCAL ACCOUNTABILITY AUTHORITY.

WHEREAS, the Beaufort Housing Authority, South Carolina (the "*Authority*"), was created by a resolution adopted by the City Council of the City of Beaufort (the "*City*") pursuant to Article 5 of Chapter 3 of Title 31 of the Code of Laws of South Carolina 1976, as amended; and

WHEREAS, the Authority acting by and through its Board of Commissioners (the "*Commissioners*"), is authorized and empowered under and pursuant to the provisions of Section 31-13-90 of the Code of Laws of South Carolina 1976, as amended (the "*Enabling Act*"), to have the same powers as the State Housing Finance and Development Authority pursuant to the provisions of Sections 31-13-160 through 31-13-330 of the Code of Laws of South Carolina 1976, as amended; and

WHEREAS, in accordance with the terms of the Enabling Act, the Authority is authorized and empowered to make mortgage loans in such amounts and on such terms and conditions as the Authority shall approve to housing sponsors for residential housing and housing development and to make loans to or purchase securities from mortgage lenders upon such terms and conditions as the Authority shall approve, including a requirement that the proceeds thereof be used by such mortgage lender for the making of mortgage loans for residential housing all for the purpose of providing decent, safe, and sanitary residential housing to persons in the beneficiary classes (as provided for in the Enabling Act) with respect to multifamily housing; and

WHEREAS, the Authority is authorized and empowered by the Enabling Act to make commitments for any programs over which the Authority has jurisdiction; and

WHEREAS, upon obtaining the approval of the South Carolina State Fiscal Accountability Authority, the Authority is authorized by the Enabling Act to issue its notes or bonds and to use the proceeds thereof to fund any of the programs authorized by the Enabling Act under the terms and conditions provided for therein; and

WHEREAS, Spanish Trace Housing Partners, LP, a South Carolina limited partnership (the "*Applicant*"), has requested the Authority to assist the Applicant in providing financing for a portion of the costs of an approximately 10.60 acre tract of land located at 2400 Southside Boulevard (the "*Site*") in the City of Beaufort, South Carolina and renovating the existing 88-unit

apartment community located thereon, and comprised of eleven two-story buildings such improvements, including amenities functionally related and subordinate thereto, and a portion of the costs of financing (collectively, the "*Project*"); and

WHEREAS, on the conditions described herein, and subject to the availability of adequate credit enhancement or other reserves, the Authority is willing to issue up to \$12,000,000 of its notes or bonds to provide for acquisition and renovation of the Project (the "*Bonds*"); and

WHEREAS, the Applicant will borrow the proceeds of the sale of the Bonds and undertake the Project and intends that the interest on obligations issued by the Authority will be excluded from gross income for federal income tax purposes under Sections 103 and 142 of the Internal Revenue Code of 1986, as amended (the "*Tax Code*"); and

WHEREAS, the total cost of the Project is expected to be approximately \$21,400,000, to be financed by a combination of sources; and

WHEREAS, the Authority desires to formally indicate its present intent to provide such assistance to the Applicant through the proceeds of the Bonds pursuant to the Enabling Act but subject to the terms and conditions hereof;

NOW, THEREFORE, be it resolved by the Authority as follows:

SECTION 1. *Undertakings of Authority.* In the event the Applicant meets the requirements set forth herein, the Authority will undertake:

(a) to issue the Bonds under the provisions of the Enabling Act in the amount necessary to fund one or more mortgage loans to the Applicant, either directly, by purchase, or through a mortgage lender, in an amount of not to exceed \$12,000,000 to provide funds for the acquisition of the Site and existing improvements thereon and the renovation thereof as affordable rental housing;

(b) to petition the South Carolina State Fiscal Accountability Authority for (i) an allocation of private activity bond volume cap under Section 146 of the Tax Code, and (ii) approval of the undertakings of the Authority hereunder;

(c) to request the City of Beaufort (the "*City*"), in accordance with the provisions of Section 147(f) of the Tax Code, to approve the proposal of the Authority to issue the Bonds; and

(d) to do all things reasonably appropriate to seek the approval of the State Fiscal Accountability Authority and the City.

Any obligation of the Authority hereunder is subject to (i) the requirements that (A) the Project receive such approval, if any, as is required under the Enabling Act, (B) that any bonds not secured by an external credit enhancement or adequate reserves and rated at least "investment grade" by at least one of the nationally recognized municipal bond rating agencies be acquired solely as an

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investment by institutional investors for their own account, and (C) the Bonds be approved by the South Carolina State Fiscal Accountability Authority; (ii) the payment of an acceptable fee to compensate the Authority for the services of its staff and for its participation in the transaction; and (iii) the right of the Authority, in its sole discretion, to rescind this resolution and elect not to issue the Bonds or fund such mortgage loan or loans at some future date.

The Bonds will not be a debt or grant or loan of credit of the Authority, the City, or the State of South Carolina (the "State") or any other political subdivision of the State. Neither the State nor any political subdivision of the State will be liable for the Bonds, nor shall the Bonds be payable out of any funds other than those revenues of the Authority pledged to the payment of the Bonds under the Bond documents.

SECTION 2. *Filing of Petition.* The Executive Director, assistant Executive Director, and the staff of the Authority are hereby authorized and directed to execute and deliver a Petition to the South Carolina State Fiscal Accountability Authority requesting an allocation of private activity bond volume cap for the Bonds under Section 146 of the Tax Code and Section 1-11-500 *et. seq.* of the Code of Laws of South Carolina 1976, as amended (the "*Allocation Act*"), and a Petition for approval of the Bonds under Sections 13-3-90 and 31-13-220 Code of Laws of South Carolina, 1976, as amended and to take such other action as is necessary or desirable to effect the purposes hereof without further action by the Commissioners; provided, however, that no Bonds shall be issued hereunder until the Commissioners have adopted a further resolution approving the terms and conditions thereof.

SECTION 3. *Obligations of Applicant.* In order to utilize the authorization referred to herein, the Applicant shall enter into agreements or documents containing the following agreements:

(a) to make the Project available for occupancy by persons in the beneficiary classes, as provided for in the Enabling Act, for such period and subject to such conditions as the Authority may determine;

(b) to provide such security for any of its obligations or mortgages to the Authority, or of the obligations of any other person to the Authority, as the Authority may in its sole discretion request;

(c) to enter into a mortgage loan agreement or agreements with respect to the Project on such terms and conditions as the Authority may deem necessary or desirable;

(d) to pay all costs and expenses incurred by the Authority which are either (i) ordinary costs and expenses of the Authority or its counsel, or (ii) approved in advance by the Applicant, including the Authority's reasonable counsel fees and the Authority's other reasonable fees and expenses, in furtherance of the undertakings of the Authority hereunder, regardless of whether any Bonds are issued with respect to the Project;

(e) to provide the Authority with such information and material with respect to the Project, including financial statements and information, reports, tests, surveys, appraisals,

plans, specifications, drawings, occupancy rates or rent rolls, studies or feasibility studies, legal opinions, descriptions, and access for inspection of the Project or any other such items as may be required by the Authority;

(f) to enter into such agreements, execute such documents and provide such proofs or evidence as the Authority may, in its sole discretion, request in connection with its undertakings hereunder; and

(g) to make no use of the proceeds of the mortgage loan that is prohibited by the Tax Code or the Enabling Act, or that will jeopardize the exclusion of the interest income paid on the Bonds from the gross incomes of the recipients thereof.

SECTION 4. *Termination; No Personal Liability; Limited Obligations.* (a) The Authority or the Applicant may elect not to proceed with the Project or any issue of notes or bonds hereunder. The Authority shall not be obligated hereby to the Applicant or any other person by virtue of the adoption of this resolution. Neither the Applicant nor any other person shall have the right hereunder and the Authority shall not be liable in any way to the Applicant or such other person for any decision it makes not to proceed hereunder regardless of any action taken by the Applicant or such other person whether known or unknown to the Authority.

(b) No recourse shall be had for the enforcement of any obligation, covenant, promise, or agreement of the Authority contained in the Bonds or any Bond documents against any member of the Board of Commissioners, or any officer or employee of the Authority, as such, in his or her individual capacity, past, present, or future, either directly or through the Authority, whether by virtue of any constitutional provision, statute, or rule of law, or by the enforcement of any assessment or penalty or otherwise; it being expressly agreed and understood that this Resolution, the Bonds and the Bond documents will solely corporate obligations, and that no personal liability whatsoever shall attach to, or be incurred by, any member, officer, or employee as such, past, present, or future, either directly or by reason of any of the obligations, covenants, promises, or agreements, entered into between the Authority and the registered owners or to be implied therefrom as being supplemental hereto or thereto.

SECTION 5. *Amendment.* All orders and resolutions or any parts thereof in conflict herewith are to the extent of such conflict hereby repealed. This resolution shall take effect and be in full force from and upon its adoption by the Authority.

SECTION 6. *Official Action--Reimbursement.* It is the intention of the Authority that this resolution shall constitute an official action by the Authority evidencing its present intent within the meaning of the applicable regulations of the United States Department of the Treasury relating to the issuance of obligations under Section 142 of the Tax Code. In the event the Applicant pays expenditures incurred prior to the date of the issuance of the Bonds, and the Authority issues the Bonds, the Authority will permit the Applicant to be reimbursed for such expenditures from the proceeds of the Bonds as permitted under Treasury Regulation Section 1.150-2.

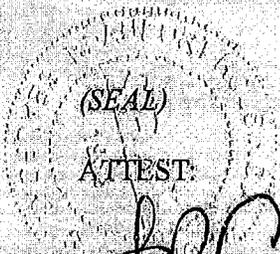
SECTION 7. Transfer. The rights of the Applicant under this resolution are intended to be for the benefit of the Applicant, or any entity affiliated with the Applicant and may be transferred by the Applicant to any such party controlled by the Applicant or, with the consent of the Authority, to any other person. No other transfer of this resolution shall be valid or binding upon the Authority.

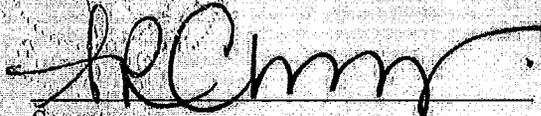
SECTION 8. Inducement Agreement. The Executive Director of the Authority is hereby authorized and directed to execute the Inducement Agreement in substantially the form presented to this meeting in the name and on behalf of the Authority, and the Executive Director is hereby further authorized and directed to deliver the executed Inducement Agreement to the Applicant for execution by the Applicant.

Done in meeting duly assembled this 21 day of April, 2021.

**BEAUFORT HOUSING AUTHORITY, SOUTH
CAROLINA**


Chairman




Secretary

RESOLUTION

APPROVING THE ISSUANCE BY THE BEAUFORT HOUSING AUTHORITY OF ITS MULTIFAMILY HOUSING REVENUE BONDS (SPANISH TRACE APARTMENTS), AS REQUIRED BY SECTION 147(f) OF THE INTERNAL REVENUE CODE, IN THE MAXIMUM PRINCIPAL AMOUNT OF \$12,000,000.

WHEREAS, the Beaufort Housing Authority, South Carolina (the “*Housing Authority*”), was created by a resolution adopted by the City Council of the City of Beaufort (the “*City*”) pursuant to Article 5 of Chapter 3 of Title 31 of the Code of Laws of South Carolina, 1976, as amended; and

WHEREAS, pursuant to Act No. 369 of the Acts and Joint Resolutions of the General Assembly of the State of South Carolina, Regular Sessions of 1986 (the “*Act*”), the Housing Authority is authorized and empowered to make mortgage loans in such amounts and on such terms and conditions as the Housing Authority shall approve to housing sponsors for residential housing to persons in the beneficiary classes (as provided for in the Act) with respect to multifamily housing; and

WHEREAS, upon obtaining the approval of the South Carolina State Fiscal Accountability Authority, the Housing Authority is authorized by the Act to issue its notes or bonds and to use the proceeds thereof to fund any of the programs authorized by the Act under the terms and conditions provided for therein; and

WHEREAS, Spanish Trace Housing Partners, LP, a South Carolina limited partnership (the “*Applicant*”), has requested the Authority to assist the Applicant in providing construction and permanent financing for a portion of the costs of acquisition and rehabilitation of a 88-unit apartment development located at 2400 Southside Boulevard (the “*Site*”) in the City of Beaufort, South Carolina known as “Spanish Trace Apartments” (the “*Project*”); and

WHEREAS, the Housing Authority adopted an Inducement Resolution on April 21, 2021, providing that in the event the Applicant meets the requirements set forth in the Inducement Resolution, the Housing Authority will undertake to issue its multifamily housing revenue bonds or notes (the “*Bonds*”) under the provisions of the Act in the amount necessary to fund one or more mortgage loans to the Applicant in an amount of not to exceed \$12,000,000 to provide funds for the acquisition and rehabilitation of the Project as affordable rental housing; and

WHEREAS, the Applicant will borrow the proceeds of the sale of the Bonds to be issued by the Housing Authority and undertake the Project and intends that the interest on obligations issued by the Housing Authority will be excluded from gross income for federal income tax purposes under Sections 103 and 142 of the Internal Revenue Code of 1986, as amended (the “*Tax Code*”); and

WHEREAS, Section 147(f) of the Tax Code provides that the Bonds may not be issued as tax-exempt bonds under the Code unless the issue of Bonds have been approved by the elected

legislative body of the governmental unit on behalf of which the Bonds are to be issued and having jurisdiction over the area in which the bond financed property is located; and

WHEREAS, the City Council of the City of Beaufort (the “*City Council*”) is the elected legislative body of the governmental unit on behalf of which the Bonds are to be issued and having jurisdiction over the area in which the bond financed property is located, all within the meaning of Tax Code Section 147(f); and

WHEREAS, the Housing Authority has further advised City Council that one of the requirements of the Code is that a public hearing must take place before approval by the elected legislative body; and

WHEREAS, the Housing Authority held a public hearing on September 29, 2021, duly noticed by publication on the Housing Authority website which has an online presence in Beaufort County, statewide and nationally not less than seven days prior to the date thereof, at which all interested persons were given a reasonable opportunity to express their views; and

WHEREAS, the Housing Authority has advised the City Council that it received no expression of views, either in person or in written format, in opposition to the proposal to issue the Bonds to fund a portion of the costs of the Project.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Beaufort, South Carolina, as follows:

SECTION 1. The City Council hereby approves, within the meaning of Section 147(f) of the Tax Code, the issuance of the Bonds, in the maximum principal amount of \$12,000,000, as qualified exempt facility bonds for qualified residential rental projects under Section 142(a)(7) of the Code, to finance a portion of the costs of the Project.

SECTION 2. The Bonds will be issued in one or more issues or series and shall be payable by the Housing Authority solely and exclusively out of payments to be made by the Applicant with respect to the Project. The Bonds will not constitute a debt or grant or loan of the credit of the City of Beaufort, the Housing Authority, the State of South Carolina (the “*State*”), or any other political subdivision of the State within the meaning of any State constitutional provision or statutory limitation or other applicable authority, nor give rise to a pecuniary liability of the City, the Housing Authority, or the State. The Bonds will not constitute a charge against the general credit of the City, the Housing Authority, or the State or the taxing powers of either the City or the State. Neither the State nor the City shall be liable on the Bonds.

SECTION 3. Such approval by the City Council shall not be construed as (i) an endorsement of the creditworthiness of the Housing Authority, the Applicant, or the financial viability of the Project, (ii) a recommendation to any prospective purchaser to purchase the Bonds, (iii) an evaluation of the likelihood of the repayment of the debt service on the Bonds, or (iv) approval of any building or other regulatory permits relating to the Project, and the City Council shall not be construed by reason of its adoption of this Resolution to make any such endorsement, finding, or recommendation, to have waived any rights of the City, or to have

caused the City to be estopped from asserting any rights or responsibilities it may have in such regard. The approval by the City Council of the issuance of the Bonds by the Housing Authority to finance the Project shall not be construed to obligate the City to incur any liability, pecuniary or otherwise, in connection with either the issuance of the Bonds or the acquisition, rehabilitation, or equipping of the Project.

SECTION 4. All resolutions and parts thereof in conflict herewith are to the extent of such conflict hereby repealed, and this resolution shall take effect and be in full force and effect from and after its adoption.

Adopted this ___ day of _____, 2021.

CITY OF BEAUFORT, SOUTH CAROLINA

By: _____
Stephen D. Murray III, Mayor

(SEAL)

ATTEST:

By: _____
Traci Guldner, City Clerk



CITY OF BEAUFORT
DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

TO: CITY COUNCIL **DATE:** 10/12/2021
FROM: Bill Prokop, City Manager
AGENDA ITEM TITLE: Resolution approving the issuance by the Beaufort Housing Authority of its Multifamily Housing Revenue Bonds (Hilton Head Gardens), as required by Section 147(f) of the Internal Revenue Code, in the maximum principal amount of \$14,000,000
MEETING DATE: 10/26/2021
DEPARTMENT: City Managers Office

BACKGROUND INFORMATION:

Angela Childers, Executive Director of the Beaufort Housing Authority will be leading this presentation.

PLACED ON AGENDA FOR: Action

REMARKS:

ATTACHMENTS:

Description	Type	Upload Date
Beaufort Housing Authority Resolution Number 05-21	Backup Material	10/12/2021
Resolution	Backup Material	10/13/2021

RESOLUTION NO. 05-21

PROVIDING THAT THE BEAUFORT HOUSING AUTHORITY, SOUTH CAROLINA, WILL, UNDER CERTAIN CONDITIONS, ISSUE NOT TO EXCEED \$20,000,000 MULTIFAMILY HOUSING REVENUE BONDS (HILTON HEAD GARDENS) TO FUND A MORTGAGE LOAN TO HILTON HEAD HOUSING PARTNERS, LP (OR AN ENTITY AFFILIATED THEREWITH) TO FINANCE THE ACQUISITION AND RENOVATION OF A MULTIFAMILY HOUSING RENTAL PROJECT IN HILTON HEAD ISLAND, SOUTH CAROLINA, AND TAKE CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH INCLUDING SEEKING CERTAIN APPROVALS BY THE TOWN OF HILTON HEAD ISLAND AND THE SOUTH CAROLINA STATE FISCAL ACCOUNTABILITY AUTHORITY.

WHEREAS, the Beaufort Housing Authority, South Carolina (the "*Authority*"), was created by a resolution adopted by the City Council of the City of Beaufort (the "*City*") pursuant to Article 5 of Chapter 3 of Title 31 of the Code of Laws of South Carolina 1976, as amended; and

WHEREAS, the Authority acting by and through its Board of Commissioners (the "*Commissioners*"), is authorized and empowered under and pursuant to the provisions of Section 31-13-90 of the Code of Laws of South Carolina 1976, as amended (the "*Enabling Act*"), to have the same powers as the State Housing Finance and Development Authority pursuant to the provisions of Sections 31-13-160 through 31-13-330 of the Code of Laws of South Carolina 1976, as amended; and

WHEREAS, in accordance with the terms of the Enabling Act, the Authority is authorized and empowered to make mortgage loans in such amounts and on such terms and conditions as the Authority shall approve to housing sponsors for residential housing and housing development and to make loans to or purchase securities from mortgage lenders upon such terms and conditions as the Authority shall approve, including a requirement that the proceeds thereof be used by such mortgage lender for the making of mortgage loans for residential housing all for the purpose of providing decent, safe, and sanitary residential housing to persons in the beneficiary classes (as provided for in the Enabling Act) with respect to multifamily housing; and

WHEREAS, the Authority currently is authorized to operate its programs in the Town of Hilton Head Island, South Carolina (the "*Town*") and, may exercise its powers to finance costs of affordable housing in the Town by the issuance of its bonds and notes as provided herein; and

WHEREAS, the Authority is authorized and empowered by the Enabling Act to make commitments for any programs over which the Authority has jurisdiction; and

WHEREAS, upon obtaining the approval of the South Carolina State Fiscal Accountability Authority, the Authority is authorized by the Enabling Act to issue its notes or bonds and to use the proceeds thereof to fund any of the programs authorized by the Enabling Act under the terms and conditions provided for therein; and

WHEREAS, Hilton Head Housing Partners, LP, a South Carolina limited partnership (the “*Applicant*”), has requested the Authority to assist the Applicant in providing financing for a portion of the costs of an approximately 10 acre tract of land located at 11 Southwood Park Drive (the “*Site*”) in the Town of Hilton Head Island, South Carolina and renovating the existing 112-unit apartment community located thereon, and comprised of eight one and two-story buildings, including amenities functionally related and subordinate thereto, and a portion of the costs of financing (collectively, the “*Project*”); and

WHEREAS, on the conditions described herein, and subject to the availability of adequate credit enhancement or other reserves, the Authority is willing to issue up to \$20,000,000 of its notes or bonds to provide for acquisition and renovation of the Project (the “*Bonds*”); and

WHEREAS, the Applicant will borrow the proceeds of the sale of the Bonds and undertake the Project and intends that the interest on obligations issued by the Authority will be excluded from gross income for federal income tax purposes under Sections 103 and 142 of the Internal Revenue Code of 1986, as amended (the “*Tax Code*”); and

WHEREAS, the total cost of the Project is expected to be approximately \$28,000,000, to be financed by a combination of sources; and

WHEREAS, the Authority desires to formally indicate its present intent to provide such assistance to the Applicant through the proceeds of the Bonds pursuant to the Enabling Act but subject to the terms and conditions hereof;

NOW, THEREFORE, be it resolved by the Authority as follows:

SECTION 1. *Undertakings of Authority.* In the event the Applicant meets the requirements set forth herein, the Authority will undertake:

(a) to issue the Bonds under the provisions of the Enabling Act in the amount necessary to fund one or more mortgage loans to the Applicant, either directly, by purchase, or through a mortgage lender, in an amount of not to exceed \$20,000,000 to provide funds for the acquisition of the Site and the existing improvements thereon and the renovation of the Project as affordable rental housing;

(b) to petition the South Carolina State Fiscal Accountability Authority for (i) an allocation of private activity bond volume cap under Section 146 of the Tax Code, and (ii) approval of the undertakings of the Authority hereunder;

(c) to request the City and the Town, in accordance with the provisions of Section 147(f) of the Tax Code, to approve the proposal of the Authority to issue the Bonds; and

(d) to do all things reasonably appropriate to seek the approval of the State Fiscal Accountability Authority.

Any obligation of the Authority hereunder is subject to (i) the requirements that (A) the Project receive such approval, if any, as is required under the Enabling Act, (B) that any bonds not secured by an external credit enhancement or adequate reserves and rated at least "investment grade" by at least one of the nationally recognized municipal bond rating agencies be acquired solely as an investment by institutional investors for their own account, and (C) the Bonds be approved by the South Carolina State Fiscal Accountability Authority; (ii) the payment of an acceptable fee to compensate the Authority for the services of its staff and for its participation in the transaction; and (iii) the right of the Authority, in its sole discretion, to rescind this resolution and elect not to issue the Bonds or fund such mortgage loan or loans at some future date.

The Bonds will not be a debt or grant or loan of credit of the Authority, the City, the Town, or the State of South Carolina (the "**State**") or any other political subdivision of the State. Neither the State nor any political subdivision of the State will be liable for the Bonds, nor shall the Bonds be payable out of any funds other than those revenues of the Authority pledged to the payment of the Bonds under the Bond documents.

SECTION 2. *Filing of Petition.* The Executive Director, assistant Executive Director, and the staff of the Authority are hereby authorized and directed to execute and deliver a Petition to the South Carolina State Fiscal Accountability Authority requesting an allocation of private activity bond volume cap for the Bonds under Section 146 of the Tax Code and Section 1-11-500 *et. seq.* of the Code of Laws of South Carolina 1976, as amended (the "**Allocation Act**"), and a Petition for approval of the Bonds under Sections 13-3-90 and 31-13-220 Code of Laws of South Carolina, 1976, as amended and to take such other action as is necessary or desirable to effect the purposes hereof without further action by the Commissioners; provided, however, that no Bonds shall be issued hereunder until the Commissioners have adopted a further resolution approving the terms and conditions thereof.

SECTION 3. *Obligations of Applicant.* In order to utilize the authorization referred to herein, the Applicant shall enter into agreements or documents containing the following agreements:

- (a) to make the Project available for occupancy by persons in the beneficiary classes, as provided for in the Enabling Act, for such period and subject to such conditions as the Authority may determine;
- (b) to provide such security for any of its obligations or mortgages to the Authority, or of the obligations of any other person to the Authority, as the Authority may in its sole discretion request;
- (c) to enter into a mortgage loan agreement or agreements with respect to the Project on such terms and conditions as the Authority may deem necessary or desirable;
- (d) to pay all costs and expenses incurred by the Authority which are either (i) ordinary costs and expenses of the Authority or its counsel, or (ii) approved in advance by the Applicant, including the Authority's reasonable counsel fees and the Authority's other reasonable fees

and expenses, in furtherance of the undertakings of the Authority hereunder, regardless of whether any Bonds are issued with respect to the Project;

(e) to provide the Authority with such information and material with respect to the Project, including financial statements and information, reports, tests, surveys, appraisals, plans, specifications, drawings, occupancy rates or rent rolls, studies or feasibility studies, legal opinions, descriptions, and access for inspection of the Project or any other such items as may be required by the Authority;

(f) to enter into such agreements, execute such documents and provide such proofs or evidence as the Authority may, in its sole discretion, request in connection with its undertakings hereunder; and

(g) to make no use of the proceeds of the mortgage loan that is prohibited by the Tax Code or the Enabling Act, or that will jeopardize the exclusion of the interest income paid on the Bonds from the gross incomes of the recipients thereof.

SECTION 4. *Termination; No Personal Liability; Limited Obligations.* (a) The Authority or the Applicant may elect not to proceed with the Project or any issue of notes or bonds hereunder. The Authority shall not be obligated hereby to the Applicant or any other person by virtue of the adoption of this resolution. Neither the Applicant nor any other person shall have the right hereunder and the Authority shall not be liable in any way to the Applicant or such other person for any decision it makes not to proceed hereunder regardless of any action taken by the Applicant or such other person whether known or unknown to the Authority.

(b) No recourse shall be had for the enforcement of any obligation, covenant, promise, or agreement of the Authority contained in the Bonds or any Bond documents against any member of the Board of Commissioners, or any officer or employee of the Authority, as such, in his or her individual capacity, past, present, or future, either directly or through the Authority, whether by virtue of any constitutional provision, statute, or rule of law, or by the enforcement of any assessment or penalty or otherwise; it being expressly agreed and understood that this Resolution, the Bonds and the Bond documents will solely corporate obligations, and that no personal liability whatsoever shall attach to, or be incurred by, any member, officer, or employee as such, past, present, or future, either directly or by reason of any of the obligations, covenants, promises, or agreements, entered into between the Authority and the registered owners or to be implied therefrom as being supplemental hereto or thereto.

SECTION 5. *Amendment.* All orders and resolutions or any parts thereof in conflict herewith are to the extent of such conflict hereby repealed. This resolution shall take effect and be in full force from and upon its adoption by the Authority.

SECTION 6. *Official Action--Reimbursement.* It is the intention of the Authority that this resolution shall constitute an official action by the Authority evidencing its present intent within the meaning of the applicable regulations of the United States Department of the Treasury relating to the issuance of obligations under Section 142 of the Tax Code. In the event the Applicant pays expenditures incurred prior to the date of the issuance of the Bonds, and the

{10373-05/00087420/V2}

Authority issues the Bonds, the Authority will permit the Applicant to be reimbursed for such expenditures from the proceeds of the Bonds as permitted under Treasury Regulation Section 1.150-2.

SECTION 7. *Transfer.* The rights of the Applicant under this resolution are intended to be for the benefit of the Applicant, or any entity affiliated with the Applicant and may be transferred by the Applicant to any such party controlled by the Applicant or, with the consent of the Authority, to any other person. No other transfer of this resolution shall be valid or binding upon the Authority.

SECTION 8. *Inducement Agreement.* The Executive Director of the Authority is hereby authorized and directed to execute the Inducement Agreement in substantially the form presented to this meeting in the name and on behalf of the Authority, and the Executive Director is hereby further authorized and directed to deliver the executed Inducement Agreement to the Applicant for execution by the Applicant.

Done in meeting duly assembled this 25th day of April, 2021.

BEAUFORT HOUSING AUTHORITY, SOUTH CAROLINA



Chairman



(SEAL)

ATTEST:



Secretary

RESOLUTION

APPROVING THE ISSUANCE BY THE BEAUFORT HOUSING AUTHORITY OF ITS MULTIFAMILY HOUSING REVENUE BONDS (HILTON HEAD GARDENS), AS REQUIRED BY SECTION 147(f) OF THE INTERNAL REVENUE CODE, IN THE MAXIMUM PRINCIPAL AMOUNT OF \$14,000,000.

WHEREAS, the Beaufort Housing Authority, South Carolina (the “*Housing Authority*”), was created by a resolution adopted by the City Council of the City of Beaufort (the “*City*”) pursuant to Article 5 of Chapter 3 of Title 31 of the Code of Laws of South Carolina, 1976, as amended; and

WHEREAS, pursuant to Act No. 369 of the Acts and Joint Resolutions of the General Assembly of the State of South Carolina, Regular Sessions of 1986 (the “*Act*”), the Housing Authority is authorized and empowered to make mortgage loans in such amounts and on such terms and conditions as the Housing Authority shall approve to housing sponsors for residential housing to persons in the beneficiary classes (as provided for in the Act) with respect to multifamily housing; and

WHEREAS, upon obtaining the approval of the South Carolina State Fiscal Accountability Authority, the Housing Authority is authorized by the Act to issue its notes or bonds and to use the proceeds thereof to fund any of the programs authorized by the Act under the terms and conditions provided for therein; and

WHEREAS, Hilton Head Housing Partners, LP, a South Carolina limited partnership (the “*Applicant*”), has requested the Authority to assist the Applicant in providing construction and permanent financing for a portion of the costs of acquisition and rehabilitation of a 112-unit apartment development located at 11 Southwood Park Drive in the Town of Hilton Head Island, South Carolina known as “Hilton Head Gardens” (the “*Project*”); and

WHEREAS, the Housing Authority adopted an Inducement Resolution on April 21, 2021, providing that in the event the Applicant meets the requirements set forth in the Inducement Resolution, the Housing Authority will undertake to issue its multifamily housing revenue bonds or notes (the “*Bonds*”) under the provisions of the Act in the amount necessary to fund one or more mortgage loans to the Applicant in an amount of not to exceed \$14,000,000 to provide funds for the acquisition and rehabilitation of the Project as affordable rental housing; and

WHEREAS, the Applicant will borrow the proceeds of the sale of the Bonds to be issued by the Housing Authority and undertake the Project and intends that the interest on obligations issued by the Housing Authority will be excluded from gross income for federal income tax purposes under Sections 103 and 142 of the Internal Revenue Code of 1986, as amended (the “*Tax Code*”); and

WHEREAS, Section 147(f) of the Tax Code provides that the Bonds may not be issued as tax-exempt bonds under the Code unless the issue of Bonds have been approved by the elected legislative body of the governmental unit on behalf of which the Bonds are to be issued; and

WHEREAS, the City Council of the City of Beaufort (the “*City Council*”) is the elected legislative body of the governmental unit on behalf of which the Bonds are to be issued, all within the meaning of Tax Code Section 147(f); and

WHEREAS, the Housing Authority has further advised City Council that one of the requirements of the Code is that a public hearing must take place before approval by the elected legislative body; and

WHEREAS, the Housing Authority held a public hearing on September 29, 2021, duly noticed by publication on the Housing Authority website which has an online presence in Beaufort County, statewide and nationally not less than seven days prior to the date thereof, at which all interested persons were given a reasonable opportunity to express their views; and

WHEREAS, the Housing Authority has advised the City Council that it received no expression of views, either in person or in written format, in opposition to the proposal to issue the Bonds to fund a portion of the costs of the Project.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Beaufort, South Carolina, as follows:

SECTION 1. The City Council hereby approves, within the meaning of Section 147(f) of the Tax Code, the issuance of the Bonds, in the maximum principal amount of \$14,000,000, as qualified exempt facility bonds for qualified residential rental projects under Section 142(a)(7) of the Code, to finance a portion of the costs of the Project.

SECTION 2. The Bonds will be issued in one or more issues or series and shall be payable by the Housing Authority solely and exclusively out of payments to be made by the Applicant with respect to the Project. The Bonds will not constitute a debt or grant or loan of the credit of the City of Beaufort, the Housing Authority, the State of South Carolina (the “*State*”), or any other political subdivision of the State within the meaning of any State constitutional provision or statutory limitation or other applicable authority, nor give rise to a pecuniary liability of the City, the Housing Authority, or the State. The Bonds will not constitute a charge against the general credit of the City, the Housing Authority, or the State or the taxing powers of either the City or the State. Neither the State nor the City shall be liable on the Bonds.

SECTION 3. Such approval by the City Council shall not be construed as (i) an endorsement of the creditworthiness of the Housing Authority, the Applicant, or the financial viability of the Project, (ii) a recommendation to any prospective purchaser to purchase the Bonds, (iii) an evaluation of the likelihood of the repayment of the debt service on the Bonds, or (iv) approval of any building or other regulatory permits relating to the Project, and the City Council shall not be construed by reason of its adoption of this Resolution to make any such endorsement, finding, or recommendation, to have waived any rights of the City, or to have

caused the City to be estopped from asserting any rights or responsibilities it may have in such regard. The approval by the City Council of the issuance of the Bonds by the Housing Authority to finance the Project shall not be construed to obligate the City to incur any liability, pecuniary or otherwise, in connection with either the issuance of the Bonds or the acquisition, rehabilitation, or equipping of the Project.

SECTION 4. All resolutions and parts thereof in conflict herewith are to the extent of such conflict hereby repealed, and this resolution shall take effect and be in full force and effect from and after its adoption.

Adopted this ___ day of _____, 2021.

CITY OF BEAUFORT, SOUTH CAROLINA

By: _____
Stephen D. Murray III, Mayor

(SEAL)

ATTEST:

By: _____
Traci Guldner, City Clerk



CITY OF BEAUFORT
DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

TO: CITY COUNCIL **DATE:** 10/19/2021
FROM: Andrea Hackenberger
AGENDA ITEM TITLE: Request from Kim Trask for waiver of noise ordinance for a private wedding on April 2, 2022
MEETING DATE: 10/26/2021
DEPARTMENT: Downtown Operations

BACKGROUND INFORMATION:

Ms Trask is requesting a noise ordinance waiver for a private wedding on April 2, 2022 between the hours of 6:30 pm to 11 pm.

PLACED ON AGENDA FOR: *Action*

REMARKS:

See attached request.

ATTACHMENTS:

Description	Type	Upload Date
Request from Kim Trask for Noise Ordinance Waiver	Cover Memo	10/19/2021

**Robert and Kim Trask
741 Ribaut Road
Beaufort, SC 29902**

October 8, 2021

Ms. Andrea Hackenberger
Downtown Manager and Events Coordinator
City of Beaufort
500 Carteret Street, Suite B2
Beaufort, SC 29902

Dear Andrea,

Please be advised my husband and I wish to host our daughter, Ruthie Trask's wedding reception and I understand we need prior approval from City Council.

Her wedding is scheduled for April 2, 2022. The ceremony will take place at First Presbyterian Church and the reception at our family's home at 741 Ribaut Road. The reception will begin at approximately 6:30 pm and will end around 11:00 pm. We are utilizing trolleys to transport guests from the church to our home due to parking limitations. We would like to have a live band to provide music for 4 hours, therefore ending around 10:30 pm.

We will be outdoors and the band will be staged in our backyard. The band will have regular speakers. Our immediate neighbors have been informed (and invited) to the event. We plan on alerting the general neighborhood of our plans in advance of the event. We will be mindful to end the live music by 11:00. I only anticipate the band playing past 10:30 should the reception start later than 6:30 pm.

Her wedding plans were put on hold due to Covid last year and we are looking forward to celebrating. Should you need any additional information, please don't hesitate to let me know. Thank you in advance for your consideration.

Respectfully,

Kim Trask
(812) 268 2006

Who: USCB Center for the Arts

What: Women's Wellness Race

When: March 5, 2022. 8 AM

Why: The Women's Only 5 K Race/Walk is part of Women's Wellness initiative start by the CFA in 2021. The inaugural race was held on-SATURDAY, MARCH 27 at 8AM in historic Port Royal on a certified 5K course. Over 120 walkers and runners of all ages enjoyed the race. Participants were encouraged to dress up as a woman who has been influential in their lives. The mission of Women's Wellness Retreat is to elevate, empower, enlighten, and enrich women of all ages through a series of networking events, workshops and lectures. Beaufort Memorial will be hosting a Wellness Fair in partnership with Women's Wellness Retreat in 2022.

We would like to move the race to the City of Beaufort to gain more exposure to the only Women's 5 K in the lowcountry. The race has the potential to bring over 300 walker/runners to our beautiful downtown.



5K RUN/WALK APPLICATION

City of Beaufort-Downtown Operations & Community Services
Attn: Andrea Hackenberger-Downtown Manager & Events Coordinator
500 Carteret Street, Suite B2 Beaufort, SC 29902
Phone: (843) 379-7063 / Email: ahackenberger@cityofbeaufort.org | www.cityofbeaufort.org

To be filed NOT LESS than 120 days before event

- **Fee:** \$25.00 non-refundable application fee is payable when the application is submitted
- **Run/Walk Route:** City of Beaufort has a standard route in place that everyone must follow

Name of Applicant: USCB Center for the Arts Women's Wellness Retreat

Address: 801 Carteret Street, Beaufort, SC 29902 Phone # 843- 521-3145

Email: bhargrov@uscb.edu

Name of Sponsoring Organization: USCB Center for the Arts Women's Wellness Race

Address: 801 Carteret Street, Beaufort SC 29902

Date of 5K Run/Walk: March 5, 2022

Time of 5K Run/Walk will Begin: 8 AM 5K Run/Walk will Terminate: 10 AM

Time 5K Run/Walk Line-Up Begins: 7:45 Location(s) of Line-Up Area(s): Freedom Mall

Approximate Number of Persons, Animals in the 5K Run/Walk: 300

5K Run/Walk will occupy all the width of the streets to be traversed: yes

5K Run/Walk will occupy only a portion of the width of the streets to be traversed: yes

OFFICE USE ONLY: Application received by: Andrea Hackenberger Date Received: 9/29/21

Receipt #: _____ Approved By: _____

NOTE: IF THE 5K RUN/WALK IS DESIGNED TO BE HELD BY AND ON BEHALF OF OR FOR ANY PERSON OTHER THAN THE APPLICANT, THE APPLICANT FOR SUCH PERMIT SHALL FILE A LETTER FROM THAT PERSON WITH THE CITY MANAGER AUTHORIZING THE APPLICANT TO APPLY FOR THE PERMIT ON HIS BEHALF.

Signature of Applicant: Bonnie Hargrove Date: 9/29/21



CITY OF BEAUFORT
DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

TO: CITY COUNCIL **DATE:** 10/19/2021
FROM: Andrea Hackenberger
AGENDA ITEM TITLE: Request from Chabad Greater Hilton Head for Co-sponsorship for Chanukah Public Menorah Lighting on November 28 or 30, 2021, in the Henry C. Chambers Park
MEETING DATE: 10/26/2021
DEPARTMENT: Downtown Operations

BACKGROUND INFORMATION:

Request for co-sponsorship of Chanukah Public Menorah Lighting in the Henry C. Chambers Park on November 28 or 30, 2021.

PLACED ON AGENDA FOR: Action

REMARKS:

See attached letter

ATTACHMENTS:

Description	Type	Upload Date
Request for Menorah Lighting Nov 2022	Cover Memo	10/19/2021

10/19/2021

Ms. Hackenberger

The holiday of Chanukah is taking place this year from the evening of November 28 through December 6th. Each year, there are thousands of centers across the globe that host a Public Menorah Lighting for the community.

We have done the past years one in Shelter cove on Hilton Head and are planning one this year.

We were hoping it would be a possibility to have one also this year in Beaufort South Carolina near the pavilion at the Bay. For the Beaufort Jewish Community on Sunday evening November 28th 2021, or Tuesday November 30 2021.

We will bring along music and if possible, some refreshments. It is around a 45-minute celebration.

The menorah is around 9 foot tall and made from steel and very safe.

If you have additional questions, feel free to contact me.

Rabbi Mendel Hertz

REQUEST FOR CO-SPONSORSHIP

Henry C. Chambers Waterfront Park

Name of Event - Chanukah Public Menorah Lighting _____

Date of Event: Nov 28 or 30 ___

Contact person: Mendel Hertz
8433011819 Telephone:

Please check all that apply.

	Yes	No
<i>Are you a "For Profit" entity?</i>		***
<i>Is this a fund-raising event?</i>		/
<i>Is this event open to the public?</i>	/	
<i>Is there a required fee / donation to attend this event?</i>		
<i>Are you requesting more than two (2) park areas for this event?</i>		/
<i>Will there be any type of "sales" for this event?</i>		/
<i>Will this event require more than four (4) hours (includes setup & take down)? This is a multiple day display</i>		/
<i>Will alcohol be sold / served?</i>		/

**If you answered "no" to the first question, what is your non-profit status? (501 (C) (3), (4) or (6))? 501C3

Request for waivers/co-sponsorship of events must be approved by City Council prior to the event.

Events Coordinator Recommendation: Approved: _____ Denied: _____

Explanation: IRS form has them listed as 509(a)(1)
which is a public charity and not a non-profit
(form is attached)

Forward for Council Deliberation: _____

Date of Council Meeting

Council: Approved: _____

Denied: _____

Explanation: _____



Department of the Treasury
Internal Revenue Service

CINCINNATI OH 45999-0038

In reply refer to: 0248188030
Sep. 01, 2020 LTR 4168C 0
84-2338284 000000 00
00013221
BODC: TE

CHABAD GREATER HILTON HEAD
% MENACHEM HERTZ
4 PRATER CREEK CIR
BLUFFTON SC 29909

009266

Employer ID number: 84-2338284
Form 990 required: No

Dear Taxpayer:

We're responding to your request dated Aug. 24, 2020, about your tax-exempt status.

We issued you a determination letter in february 2020, recognizing you as tax-exempt under Internal Revenue Code (IRC) Section 501(c) (3).

We also show you're not a private foundation as defined under IRC Section 509(a) because you're described in IRC Sections 509(a)(1) and 170(b)(1)(A)(i).

Donors can deduct contributions they make to you as provided in IRC Section 170. You're also qualified to receive tax deductible bequests, legacies, devises, transfers, or gifts under IRC Sections 2055, 2106, and 2522.

In the heading of this letter, we indicated whether you must file an annual information return. If you're required to file a return, you must file one of the following by the 15th day of the 5th month after the end of your annual accounting period:

- Form 990, Return of Organization Exempt From Income Tax
- Form 990EZ, Short Form Return of Organization Exempt From Income Tax
- Form 990-N, Electronic Notice (e-Postcard) for Tax-Exempt Organizations Not Required to File Form 990 or Form 990-EZ
- Form 990-PF, Return of Private Foundation or Section 4947(a)(1) Trust Treated as Private Foundation

According to IRC Section 6033(j), if you don't file a required annual information return or notice for 3 consecutive years, we'll revoke your tax-exempt status on the due date of the 3rd required return or notice.

You can get IRS forms or publications you need from our website at www.irs.gov/forms-pubs or by calling 800-TAX-FORM (800-829-3676).

If you have questions, call 877-829-5500 between 8 a.m. and 5 p.m.,



CITY OF BEAUFORT
Waterfront Park Rental Reservation Application
Downtown Operations & Community Services Department 500
Carteret St Ste. B2 Beaufort, SC 29902

Phone: 843-379-7063 Fax: 843-986-5606

Name of Event: Chanukah Public Menorah Lighting	Date(s) of Event: Nov 28 or 30 Setup start/end time: 4pm till 8pm Actual event start/end time: 5:30 till 6:30 Take down start/end time:
Organization/Individual Name: Mendel Hertz Chabad Greater Hilton Head	Address: 83 Kenwood Dr Telephone: 843-301-1819 Email: rabbi@jewishhiltonhead.org

- Completed application must be received and approved by the Events Coordinator. • All reservations require the applicable refundable security deposit be remitted upon approval of application in order to secure the requested date(s).
- Deposits are refundable provided the venue is returned in the same condition it was received.

Please mail completed application to:

City of Beaufort, Attn: Andrea Hackenberger 500 Carteret St. Suite B2 Beaufort, SC 29902,

or scan and email to ahackenberger@cityofbeaufort.org.

All events must abide and are governed by the City's Special Events Policy. To discuss specifics of the policy, contact the Events Coordinator at 843-379-7063 or visit our website at www.cityofbeaufort.org

Is event open to the public? **Yes**

Will admission be charged, or donation required? **no**

Will alcoholic beverages be sold? Served? **no**

Will food be sold? Served? We are not selling. **We would like To serve traditional Chanukah foods like donuts and latkes and cold drinks if possible**

Will there be any retail sales? **no**

Number of people expected to attend: **Around 25 and a Live Stream**

Areas of the Waterfront Park can be reserved/rented for 4, 6, or 12 hour blocks of time. Please factor time for set up and take down of the event into your chosen block of time. Blocks of time **cannot** be reserved or rented in pro rated increments. **NO exceptions will be made to this policy.**

Security Deposit is due upon approval of application

Fee payment due no less than 30 days prior to event.

Fill out by circling venue area(s) and pricing in blocks of time required for your event. Please indicate need for electrical hookup.

WATERFRONT PARK RENTAL RATES FOR PRIVATE EVENTS			
Park Area	<u>4 HR Block</u>	<u>6 HR Block</u>	<u>12 HR Block</u>
Circle of Palms/ Dining	\$ 200.00	\$ 400.00	
Craft Market Lawn	\$ 200.00	\$ 400.00	
Contemplative Garden	\$ 200.00	\$ 400.00	
Pavilion	\$ 350.00	\$ 500.00	
Green 1	\$ 300.00	\$ 500.00	
Green 2	\$ 450.00	\$ 750.00	
Electric Fee	\$ 50.00	\$ 75.00	
Entire Park			\$2,200.00
Refundable Security Deposit	\$ 500.00	\$ 800.00	\$1,100.00

See this link <http://www.cityofbeaufort.org/group-events-business-license.aspx> to obtain a group business license application for vendors.

Did you know?

BEAUFORT PRIDE OF PLACE is a community involvement initiative that helps improve and develop quality of life throughout the city. Individuals, organizations, and visitors can get involved by donating money, equipment or time to assist the City with neighborhood improvement projects, youth programs, upgrading infrastructure and beautifying parks.

If you or your organization are interested in learning more about the program, volunteering or making a monetary or in-kind donation, please contact the City Manager's office @ 843-525-7070 or visit, <http://www.cityofbeaufort.org/270/Beaufort-Pride-of-Place> THANK YOU!

Liability Insurance

•The City of Beaufort requires that any organization/group sponsoring any event at a City owned facility/property or right of way provide the City of Beaufort with evidence of insurance as outlined below.

General Liability as follows:

- \$500,000.00 minimum requirement per occurrence for General Liability and Auto Liability (depending on the size or type of event, this amount may increase)
- Must provide proof one week before event

Alcohol

•To serve alcohol or liquor at your event, you must obtain City Council approval. •If alcohol is served at your event, specific approval must be obtained by the City Manager and liquor liability insurance coverage is required with a minimum of \$1,000,000 per occurrence in coverage. The City of Beaufort must be listed as insured on the policy. If you have questions about the required liquor liability insurance coverage and listing the City as an additional insured, please contact the City Manager’s office at (843)-525-7070. City of Beaufort does not provide nor obtain insurance coverage for any special events. It is the responsibility of the event organizer to obtain and pay for proper insurance coverage.

Lessee/Applicant Signature Date -----**This section for City use**-----

Events Coordinator -Andrea Hackenberger

Date Application Received
Andrea Hackenberger

10/18/2021

Deposit Paid: Deposit to be Refunded: Fees Paid:



CITY OF BEAUFORT
DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

TO: CITY COUNCIL **DATE:** 10/19/2021
FROM: Andrea Hackenberger
AGENDA ITEM TITLE: Request from Gullah Traveling Theater for co-sponsorship to host A Christmas Taste of Gullah on Saturday, December 4, 2021, in the Henry C. Chambers Park
MEETING DATE: 10/26/2021
DEPARTMENT: Downtown Operations

BACKGROUND INFORMATION:

Request for co-sponsorship for A Christmas Taste of Gullah in the Henry C. Chambers Park on December 4, 2021.

PLACED ON AGENDA FOR: *Action*

REMARKS:

See attached letter

ATTACHMENTS:

Description	Type	Upload Date
Request for co-sponsorship for A Christmas Taste of Gullah	Cover Memo	10/19/2021

October 2021

To whom it may concern:

For several years, The Gullah Traveling Theater has sponsored A Christmas Taste of Gullah as a part of Aunt Pearl Sue and Gullah Kinfolk's Theatrical Production: A Gullah Kinfolk Christmas Wish: Freedom Comin'. The Christmas Taste of Gullah Consisted of authentic Gullah Cuisine and live holiday entertainment. Having taken on a life of its own, the Christmas Tate of Gullah outgrew the Theatrical Production and became an event of its own. Tabernacle Baptist Church hosted the Christmas Taste of Gullah for 2 years and in the past, we have partnered with the Beaufort County Black Chamber of Commerce who hosted it as a part of the Sa Island Holiday Celebration.

We are looking to continue the Christmas Taste of Gullah and keep it in the Beaufort Waterfront Park. This event is free and open to the public and will be held on Saturday December 4th, 2021, between the hours of 11am and 4pm. There will be a variety of local entertainment, vendors and caterers offering Gullah Cuisine. With rice being a direct link between the Gullah culture, Africa and the African Diaspora, a Rice Cook-off will also be held with attendees choosing their favorite rice dish.

We are hoping the City of Beaufort will offer support through co=sponsorship for this event in the form of waving Park fees.

Gullah Traveling Theater.

REQUEST FOR CO-SPONSORSHIP Henry C. Chambers Waterfront Park

Name of Event: Saturday, December 4, 2001
 Date of Event: 12/4/01 Contact person: Anita Singleton Prather or
 Telephone: Scott Gibbs
843-263-5229 or 843-812-6111

Please check all that apply.

	Yes	No
<i>Are you a "For Profit" entity?</i>		**
<i>Is this a fund raising event?</i>		✓
<i>Is this event open to the public?</i>	✓	
<i>Is there a required fee / donation to attend this event?</i>		✓
<i>Are you requesting more than two (2) park areas for this event?</i>	✓	
<i>Will there be any type of "sales" for this event?</i>	✓	
<i>Will this event require more than four (4) hours (includes setup & take down)?</i>	✓	
<i>Will alcohol be sold / served?</i>		✓

**If you answered "no" to the first question, what is your non-profit status? (501 (C) (3), (4) or (6))? 501(C)(3)

Request for waivers/co-sponsorship of events must be approved by City Council prior to the event.

Events Coordinator Recommendation: Approved: _____ Denied: _____

Explanation: non-profit not in good standing

Forward for Council Deliberation: _____
 Date of Council Meeting

Council: Approved: _____ Denied: _____

Explanation: _____



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Secretary of State
Mark Hammond

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Gullah Traveling Theater

Public Id: P53500
Ms. Anita Singleton Prather , CEO
1010 Monson Street
Beaufort, SC 29902

Status: Suspended

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CITY OF BEAUFORT
Waterfront Park Rental Reservation Application
Downtown Operations & Community Services Department
500 Carteret St Ste. B2 Beaufort, SC 29902

Phone: 843-379-7063

Fax: 843-986-5606

Name of Event: <u>Taste of Bullah Christmas</u>	Date(s) of Event: <u>Dec. 4, 2021</u> Setup start/end time: <u>10am - 6pm</u> Actual event start/end time: <u>12N - 5pm</u> Take down start/end time: <u>5:00pm - 6:00pm</u>
Organization/Individual Name: <u>Bullah Traveling Theater, Inc.</u>	Address: <u>1010 MONSON ST.</u> <u>BEAUFORT SC 29902</u> Telephone: <u>843-263-5229</u> Email: <u>auntpearliesue@ymail.com</u>

9am
11-4
5pm

- Completed application must be received and approved by the Events Coordinator.
- All reservations require the applicable refundable security deposit be remitted upon approval of application in order to secure the requested date(s).
- Deposits are refundable provided the venue is returned in the same condition it was received.

Please mail completed application to:

City of Beaufort, Attn: [REDACTED], 500 Carteret St. Beaufort, SC 29902,

or scan and email to rcarey@cityofbeaufort.org.

All events must abide and are governed by the City's Special/Private Events Policy. Organizers will receive a copy of the policy for review. To discuss specifics of the policy, contact the Events Coordinator at 843-379-7063.

Is event open to the public? Yes

Will admission be charged, or donation required? No

Will alcoholic beverages be sold? No Served? _____

Will food be sold? Yes Served? _____

Will there be any retail sales? Yes

Number of people expected to attend: 200

Areas of the Waterfront Park can be reserved/rented for 4, 6, or 12 hour blocks of time. Please factor time for set up and take down of the event into your chosen block of time. Blocks of time **cannot** be reserved or rented in pro rated increments. **NO exceptions will be made to this policy.**

Security Deposit is due upon approval of application

Fee payment due no less than 30 days prior to event.

Fill out by circling venue area(s) and pricing in blocks of time required for your event. Please indicate need for electrical hookup.

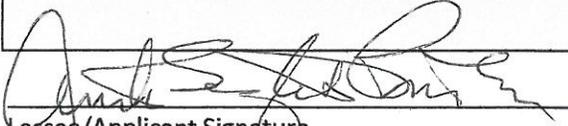
WATERFRONT PARK RENTAL RATES FOR PRIVATE EVENTS			
Park Area	<u>4 HR Block</u>	<u>6 HR Block</u>	<u>12 HR Block</u>
Craft Market Lawn	\$ 200.00	\$ 400.00	
Contemplative Garden	\$ 200.00	\$ 400.00	
Pavilion	\$ 350.00	\$ 500.00	
Green 1	\$ 300.00	\$ 500.00	
Green 2	\$ 450.00	\$ 750.00	
Electric Fee	\$ 50.00	\$ 75.00	
Entire Park			\$2,200.00
Refundable Security Deposit	\$ 500.00	\$ 800.00	\$1,100.00

See this link <http://www.cityofbeaufort.org/group-events-business-license.aspx> to obtain a group business license application for vendors.

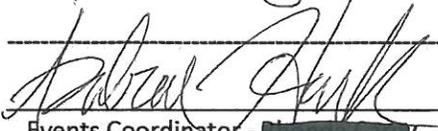
Did you know?

BEAUFORT PRIDE OF PLACE is a community involvement initiative that helps improve and develop quality of life throughout the city. Individuals, organizations, and visitors can get involved by donating money, equipment or time to assist the City with neighborhood improvement projects, youth programs, upgrading infrastructure and beautifying parks.

If you or your organization are interested in learning more about the program, volunteering or making a monetary or in-kind donation, please contact the City Manager's office @ 843-525-7070 or visit, <http://www.cityofbeaufort.org/270/Beaufort-Pride-of-Place> THANK YOU!


 Lessee/Applicant Signature

9/9/21
 Date


 Events Coordinator - ~~Blaine~~
 This section for City use

10/1/2021
 Date Application Received

Deposit Paid: _____ Fees Paid: _____ Deposit to be Refunded: _____



CITY OF BEAUFORT
DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

TO: CITY COUNCIL **DATE:** 10/19/2021
FROM: Linda D. Roper
AGENDA ITEM TITLE: Request for Co-sponsorship from St. Peters Catholic Church for 175 Year Celebration on Sunday, November 14, 2021 at the Henry C. Chambers Park
MEETING DATE: 10/26/2021
DEPARTMENT: Downtown Operations

BACKGROUND INFORMATION:

Request for Co-sponsorship from St. Peters Catholic Church for the use of Henry C. Chambers Park on Sunday, November 14, 2021. This event is a portion of a processional from St. Peters Catholic Church on Lady's Island to the Waterfront Park Pavilion and continues to the St. Peters Catholic Church on Carteret Street.

PLACED ON AGENDA FOR: Action

REMARKS:

ATTACHMENTS:

Description	Type	Upload Date
Request for co-sponsorship from St Peters Catholic Church 2021	Cover Memo	10/19/2021

REQUEST FOR CO-SPONSORSHIP

Henry C. Chambers Waterfront Park

Name of Event ST PETER CATHOLIC CHURCH PROCESSION

Date of Event: 11/14/2021

Contact person: CHRIS PANGLE
 Telephone: 734-545-3492

Please check all that apply.

	Yes	No
<i>Are you a "For Profit" entity?</i>		***
<i>Is this a fund-raising event?</i>		X
<i>Is this event open to the public?</i>	X	
<i>Is there a required fee / donation to attend this event?</i>		X
<i>Are you requesting more than two (2) park areas for this event?</i>		X
<i>Will there be any type of "sales" for this event?</i>		X
<i>Will this event require more than four (4) hours (includes setup & take down)? This is a multiple day display</i>		X
<i>Will alcohol be sold / served?</i>		X

**If you answered "no" to the first question, what is your non-profit status? (501 (C) (3), (4) or (6))? 501c3

Request for waivers/co-sponsorship of events must be approved by City Council prior to the event.

Events Coordinator Recommendation: Approved: _____ Denied: _____

Explanation: Registered. Documents attached

Forward for Council Deliberation: _____
Date of Council Meeting

Council: Approved: _____ Denied: _____

Explanation: _____



CITY OF BEAUFORT
Waterfront Park Rental Reservation Application
Downtown Operations & Community Services Department 500
Carteret St Ste. B2 Beaufort, SC 29902

Phone: 843-379-7063

Fax: 843-986-5606

Name of Event: <u>ST PETER CATHOLIC CHURCH</u> <u>175 YEAR CELEBRATION</u>	Date(s) of Event: <u>11/14/2021</u> Setup start/end time: <u>1:00 PM 12:00</u> Actual event start/end time: <u>1:30 PM</u> Take down start/end time: <u>2:15 PM 4:00</u>
Organization/Individual Name: <u>ST PETERS CHURCH</u> <u>40 CHRIS PANGLE</u>	Address: <u>70 LADY'S ISLAND DR</u> Telephone: <u>734-545-3492</u> Email: <u>CHRIS.PANGLE@ICLOUD.COM</u>

- Completed application must be received and approved by the Events Coordinator.
- All reservations require the applicable refundable security deposit be remitted upon approval of application in order to secure the requested date(s).
- Deposits are refundable provided the venue is returned in the same condition it was received.

Please mail completed application to:

City of Beaufort, Attn: Andrea Hackenberger 500 Carteret St. Beaufort, SC 29902,

or scan and email to ahackenberger@cityofbeaufort.org.

All events must abide and are governed by the City's Special/Private Events Policy. Organizers will receive a copy of the policy for review. To discuss specifics of the policy, contact the Events Coordinator at 843-379-7063.

Is event open to the public? YES

Will admission be charged, or donation required? NO

Will alcoholic beverages be sold? NO Served? _____

Will food be sold? NO Served? _____

Will there be any retail sales? NO

Number of people expected to attend: 50-200

Areas of the Waterfront Park can be reserved/rented for 4, 6, or 12 hour blocks of time. Please factor time for set up and take down of the event into your chosen block of time. Blocks of time cannot be reserved or rented in pro rated increments. **NO exceptions will be made to this policy.**

Security Deposit is due upon approval of application

Full payment due no less than 30 days prior to event.

Fill out by circling venue area(s) and pricing in blocks of time required for your event. Please indicate need for electrical hookup.

WATERFRONT PARK RENTAL RATES FOR PRIVATE EVENTS			
Park Area	<u>4 HR Block</u>	<u>6 HR Block</u>	<u>12 HR Block</u>
Craft Market Lawn	\$ 200.00	\$ 400.00	
Contemplative Garden	\$ 200.00	\$ 400.00	
<u>Pavilion</u>	<u>\$ 350.00</u>	\$ 500.00	
Green 1	\$ 300.00	\$ 500.00	
Green 2	\$ 450.00	\$ 750.00	
Electric Fee	<u>\$ 50.00</u>	\$ 75.00	
Entire Park			\$2,200.00
Refundable Security Deposit	\$ 500.00	\$ 800.00	\$1,100.00

See this link <http://www.cityofbeaufort.org/group-events-business-license.aspx> to obtain a group business license application for vendors.

Did you know?

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If you or your organization are interested in learning more about the program, volunteering or making a monetary or in-kind donation, please contact the City Manager's office @ 843-525-7070 or visit, <http://www.cityofbeaufort.org/270/Beaufort-Pride-of-Place> **THANK YOU!**

[Signature] Lessee/Applicant Signature 10/3/2021 Date

[Signature] Events Coordinator - Rhonda Carey This section for City use 10/18/2021 Date Application Received

Deposit Paid: 10/19/21 Fees Paid: _____ Deposit to be Refunded: _____

South Carolina

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Catholic Charities of South Carolina

Public Id: P5621

Robert E Guglielmo , CEO

901 Orange Grove Road

CHARLESTON, SC 294074242

Status: Registered. Information from this organization's annual financial report is listed below.

The following financial information has been provided to the Secretary of State's Office by the above named organization. The Secretary of State's Office has not independently verified this financial information. If a charity has recently registered with the Secretary of State's Office for the first time, there may not be any financial data available. Below are figures for the organization's fiscal year **7/1/2019 - 6/30/2020**.

Financial Report

TOTAL REVENUE:	\$3,544,356.00
PROGRAM EXPENSES:	\$3,152,128.00
TOTAL EXPENSES:	\$3,624,475.00
NET ASSETS:	\$2,879,673.00
FUNDRAISER COSTS:	\$0.00

Financial Report File



Form 990_FY 2020_Catholic Charities_Final Copy.pdf
(/DisplayFinancialReport.aspx?ReportType=Charity&CopyID=130723)

Next Report: 07/01/2020 - 06/30/2021 Due Date: 11/15/2021

According to the financial information filed with this office, this organization devoted **87.0%** of its total expenses to program services during the year reported.

Disclaimer: The South Carolina Secretary of State's Charities Search Webpage is provided as a service to customers to research charitable organizations on file with our office, or that have been the subject of an administrative action. Users are advised that the Secretary of State, the State of South Carolina, or any agency, office, or employee of the State of South Carolina do not guarantee the accuracy, reliability, or timeliness of the information provided, as it is the responsibility of the charity to inform the Secretary of State of any updated information. Furthermore, the information provided does not constitute legal advice.

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CITY OF BEAUFORT
DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

TO: CITY COUNCIL **DATE:** 10/19/2021
FROM: Linda D. Roper
AGENDA ITEM TITLE: Request from BAHA to host an Oyster Festival, permission to sell alcohol , waiver of open container ordinance, permission for street closures for loading/unloading, permission to issue complimentary parking passes, permission to host Arts & Craft Market on January 21 & 22, 2022, at the Henry C. Chambers Park
MEETING DATE: 10/26/2021
DEPARTMENT: Downtown Operations

BACKGROUND INFORMATION:

Please see attached letter

PLACED ON AGENDA FOR: Action

REMARKS:

Requests co-sponsorship, permission to sell alcohol, waiver of open container ordinance, closure of Charles Street Extension for loading/unloading, permission to issue complimentary parking passes for sponsors and organizers and permission to host a Arts & Craft Market on the green in front of the Marina Store

ATTACHMENTS:

Description	Type	Upload Date
Request for Oyster Festival 2022	Cover Memo	10/19/2021



October 18, 2021
Andrea Hackenberger
Events Coordinator
City of Beaufort
500 Carteret Street
Beaufort, SC 29902

Greetings Andrea,

We are delighted to present the attached Special Event Permit application for the 2nd Annual Beaufort Oyster Festival – Queen of the Carolina Sea Islands, along with a request for co-sponsorship of this event with the City of Beaufort.

The Beaufort Oyster Festival is envisioned to celebrate all aspects of our Lowcountry oystering culture and agri-tourism economy from historical, to architectural, ecological, agricultural, culinary, artisan, and more.

The full event is conceived as an 11-day festival week corresponding with South Carolina Restaurant Week where focus is given to presenting oyster fare at area restaurants, and culminating in a weekend festival in the Henry C. Chambers Waterfront Park. Area businesses, elementary schools, agri-tourism and eco-cultural businesses, agencies and non-profits will be invited to participate in the event throughout the week in educational, art and oystering programs and demonstrations.

The full event would be scheduled January 13 – 22, 2020. The Festival Weekend would be January 21-22, 2020 in the Waterfront Park. These dates have been chosen specifically to support our local hospitality industry during a traditionally slow time in our market while generating positive economic activity supporting HTAX and ATAX. It is our hope that this event will grow to become one of the City and Lowcountry's treasured heritage festivals. With this in mind, we are asking the City of Beaufort to partner with BAHA in this inaugural year as we plant the seed.

Our request for co-sponsorship includes waiver and/or cost absorption on the following:

- 1) Use of Henry C. Chambers Waterfront Park and associated fees
- 2) Water and Electric
- 3) And, related services that include park maintenance and load in/out support

Thank you for your consideration of this request. We look forward to working with the City of Beaufort and our community in celebration of this integral Lowcountry culture

Beaufort Area Hospitality Association
PO Box 566 Beaufort, SC 29901 info@bfthospitality.com bfthospitality.com

and agri-tourism industry.

Sincerely,

Ashlee Houck

President & CEO, Beaufort Area Hospitality Association

Cc: William Prokop, City Manager

Linda Roper, Community Services

REQUEST FOR CO-SPONSORSHIP

Henry C. Chambers Waterfront Park

Name of Event 2nd Annual Beaufort Oyster Festival-Queen of the Carolina Sea Islands

Date of Event: Jan 21-22 2022

Contact person: Ashlee Houck

Telephone: 843-707-2705

Please check all that apply.

	Yes	No
<i>Are you a "For Profit" entity?</i>		X
<i>Is this a fund-raising event?</i>		X
<i>Is this event open to the public?</i>	X	
<i>Is there a required fee / donation to attend this event?</i>		X
<i>Are you requesting more than two (2) park areas for this event?</i>	X	
<i>Will there be any type of "sales" for this event?</i>	X	
<i>Will this event require more than four (4) hours (includes setup & take down)? This is a multiple day display</i>	X	
<i>Will alcohol be sold / served?</i>	X	

**If you answered "no" to the first question, what is your non-profit status? (501 (C) (3), (4) or (6))? 501 © 6

Request for waivers/co-sponsorship of events must be approved by City Council prior to the event.

Events Coordinator Recommendation: Approved: _____ Denied: _____

Explanation: In Good Standing. Documents Attached.

Forward for Council Deliberation: _____
Date of Council Meeting

Council: Approved: _____ Denied: _____

Explanation: _____

South Carolina
Secretary of State
(<https://sos.sc.gov/>)

Mark Hammond

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Beaufort Area Hospitality Association

Public Id: P55335

Ashlee Houck , CEO

916 PORT REPUBLIC ST

BEAUFORT, SC 29902-5553

Status: Exempt. This organization is not required to file annual financial reports. For information about exemptions refer to the **Solicitation of Charitable Funds Act.** (<http://www.scstatehouse.gov/code/t33c056.php>)

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guarantee the accuracy, reliability, or timeliness of the information provided, as it is the responsibility of the charity to inform the Secretary of State of any updated information. Furthermore, the information provided does not constitute legal advice.

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CITY OF BEAUFORT

MEMORANDUM

TO: William Prokop, City Manager
City Council

FROM: Linda Roper, Dir. Downtown Operations & Community Service

DATE: October 19, 2021

SUBJECT: Request to hose the Taste of Beaufort, (May 6-7, 2022), at
Henry C. Chambers Park, Downtown Beaufort

Downtown Operations on behalf of the Festival Committee, respectfully requests permission from City Council to allow the following items during A Taste of Beaufort Festival in the Henry C. Chambers Waterfront Park. Friday and Saturday May 6 & 7, 2022. The festival will include a Friday night concert and a Saturday full of activities throughout the Henry C. Chambers Park.

- Permission for alcohol sales, (beer and wine only), and to allow open alcohol containers in the park during the festival from 5-10 pm, Friday May 6, 2022 and 11am-4:00pm Saturday May 7, 2022. A temporary Special Event beer and wine license from the South Carolina Department of Revenue Alcohol and Beverage licensing department will be applied for. Police and Fire will be at the event to ensure the event site is safe.
- Permission to host a 5K Bridge Run/Walk on Saturday, May 7, 2022 and to close streets to accommodate the event for the route, which is the previously approved to the route for 5K's. The route is as follows: Start/Finish line at Freedom Mall down Bay Street, crossing the Woods Memorial Bridge to Lady's Island, down Meridian Road the reverse of the same rout back to Freedom Mall. All street closures and related controls will be coordinated with the City of Beaufort Police Department, Beaufort County Sheriff's Department, SC DOT, and the Bridge section of the Seventh Coast Guard District.
- Permission for street closures at the following times, days, and locations: One direction of Charles Street Extension on Friday May 6, 2022 8am-11pm, and Saturday May 7, 2022 8am-10pm to allow loading and unloading of equipment

for entertainment, craft, and food vendors. Vehicles will be required to move their vehicles to an appropriate parking spot after loading/unloading. The other lanes of Charles Street Extension will be used for Emergency Vehicles.

- Permission to issue complimentary parking passes to paid sponsors to fulfill the benefit commitment of their sponsorship packages, as well as a limited number of parking passes, which will be used to support event operations.
- Permission for use of the Henry C. Chambers Park from Thursday, May 5 to Sunday, May 7, 2022 for set up and take down of the event.
- Permission to host an arts & crafts market on the green area at the west end of Henry C. Chambers Park across from the Downtown Marina Store on Friday May 6, 2022 12pm-10pm and Saturday May 7, 2022 from 11am-8pm.

Thank you for your consideration and support as we continue to plan successful events that draw both residents and tourists to our historic downtown.



CITY OF BEAUFORT
DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

TO: CITY COUNCIL **DATE:** 10/19/2021
FROM: Linda D. Roper
AGENDA ITEM TITLE: Request for Free Holiday Parking in the Marina Parking Lot from Thanksgiving to New Year's Day
MEETING DATE: 10/26/2021
DEPARTMENT: Downtown Operations

BACKGROUND INFORMATION:

Downtown Operations is requesting for free all day parking the only in the Marina Parking Lot from Thanksgiving to New Year's Day for this holiday season. All other parking areas will be paid parking and have the same rates and time limits as outlined in the City's Ordinance and enforced.

This program has been used for the past five (5) years. The merchants, patrons and Park Beaufort have reported it was well received, reduced the abuse by employees and increased availability of on-street parking by allowing turnover of the spaces.

The offering of free parking allows for the businesses to be competitive with the big box stores and retailers in strip malls while the unlimited time limit reduces stress on the patrons giving them the opportunity to shop, dine and enjoy downtown longer.

We will continue to market the holiday parking aggressively with both print and digital ads as well as on street signage to clarify the location of the all-day free parking is in the Marina Lot.

PLACED ON AGENDA FOR: Action

REMARKS:



CITY OF BEAUFORT
DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

TO: CITY COUNCIL **DATE:** 10/13/2021
FROM: Bill Prokop, City Manager
AGENDA ITEM TITLE: Park and Tree Advisory Commission Ordinance amending Part 3, Chapter 3, Sections 3-3002, 3-3003, and 3-3006, of the Code of Ordinances - 1st reading
MEETING DATE: 10/26/2021
DEPARTMENT: City Managers Office

BACKGROUND INFORMATION:

PLACED ON AGENDA FOR: Action

REMARKS:

ATTACHMENTS:

Description	Type	Upload Date
Ordinance	Backup Material	10/13/2021

ORDINANCE

AMENDING PART 3, CHAPTER 3, SECTIONS 3-3002, 3-3003, and 3-3006, OF THE CODE OF ORDINANCES OF THE CITY OF BEAUFORT, SOUTH CAROLINA,

WHEREAS, the City of Beaufort has established a Park and Tree Advisory Commission to comply with the requirements from Tree City USA; and

WHEREAS, it is necessary to change the composition of the Board as written; and

WHEREAS, staff has prepared an amendment that revises Part 3, Chapter 3, Sections 3-3002, 3-3003, and 3-3006 of the Code of Ordinances;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Beaufort, South Carolina, duly assembled and by authority of same, that Chapter 3 Sections 3-3002, 3-3003, and 3-3006 of the *Code of Ordinances of the City of Beaufort, South Carolina*, "Park and Tree Advisory Commission," be amended by replacing the current language with the below:

CHAPTER 3. PARK AND TREE ADVISORY COMMISSION

Section 3-3001 Definitions

Street trees are herein defined as all woody vegetation located in the right-of-way of all publicly owned streets within the city.

Park trees are herein defined as all woody vegetation which is located in publicly owned parks and open spaces within the city.

Section 3-3002. Creation and Establishment of Board.

There is hereby created and established the Parks and Tree Advisory Commission for the City, which shall consist of five (5) members who are either residents of the City of Beaufort, own property within the City, or either hold or are associated with a business that holds a current City of Beaufort business license. Members shall be appointed by the City Council. The Park and Tree Advisory Commission shall include two (2) Master Gardeners or Landscapers, one (1) Design Professional/Landscape Architect, and two (2) Citizen Representatives. If a Design Professional is not available, the commission may utilize the services of a city approved certified arborist.

Section 3-3003. Terms.

All terms shall be for three years. All terms will expire on June 30 of the applicable year. At the end of a term, City Council may re-appoint a Commission member for another term. Council

retains the authority to remove any member of the Commission for cause. In the event a vacancy occurs during the term of any member, a successor shall be appointed by City Council and will serve out the remainder of the unexpired term. Terms shall be staggered.

Section 3-3004. Compensation.

Members of the commission shall serve without compensation. Members may be reimbursed for actual expenses incurred in the performance of their duties from available funds approved in advance by the administrator.

Section 3-3005. Duties and Responsibilities.

It shall be the responsibility of the commission to maintain and periodically update, an urban forestry management plan which supplements and corresponds with the comprehensive plan for the city. The management plan shall define the species of trees to be utilized as street, easement, right-of-way, and park trees when appropriate. It will specify the best practices and horticultural requirements for the planting, maintenance, and preservation of said trees. It shall provide to the city manager, as requested, an assessment of the city parks and will make recommendations as to improvements, decommissioning, and/or the commissioning of parks and public open spaces within the city. It shall be responsible for the planning of the annual Arbor Day celebration and will recommend necessary procurements. It will be responsible for the maintenance of the requisite data for recertification by the Arbor Day Foundation of the city as a Tree City USA. It shall make recommendations to the city council for the prioritized allocation of monies from within the city's tree fund account on an annual basis.

Section 3-3006. Operation.

The commission shall elect a chairperson and a vice-chairperson from its members who shall serve for one (1) year or until reelected, or until a successor is elected.

A simple majority of the available members shall constitute a quorum for the transaction of business. All meetings of the commission shall be open to the public. Commission members may attend any regular, special, or emergency meeting of the commission by telephonic or other electronic means, and shall be considered present for all purposes, if the meeting has been properly noticed, and all commission members and members of the public can hear the public proceedings and be heard. Any number of commission members, including all, may attend telephonically or by other electronic means. Commissioners in attendance by telephonic or other electronic means shall have all rights, including, but not limited to, the right to make motions, second motions, and discuss and vote on all matters under consideration by the commission. All procedural rules of the commission shall be revised in order to permit and allow for electronic meetings.

Section 3-3007. Reserved.

Section 3-3008. Review by City Council.

The City Council shall have the right to review the conduct, acts and decisions of the Parks and Tree Advisory Commission. Any person may appeal any ruling of the Commission to the

City Council who may hear the matter and make final disposition of same.

This Ordinance shall become effective immediately upon adoption.

Stephen D. Murray III, Mayor

Attest

Traci Guldner, City Clerk

First Reading _____

Second Reading and adoption _____