CITY OF BEAUFORT
1911 BOUNDARY STREET
BEAUFORT MUNICIPAL COMPLEX
BEAUFORT, SOUTH CAROLINA 29902
(843) 525-7070

CITY COUNCIL REGULAR MEETING AGENDA
January 14, 2020

NOTE: IF YOU HAVE SPECIAL NEEDS DUE TO A PHYSICAL CHALLENGE, PLEASE CALL IVETTE BURGESS 525-7070 FOR ADDITIONAL INFORMATION

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

I. CALL TO ORDER

A. Mike McFee, Mayor Pro Tem

II. INVOCATION AND PLEDGE OF ALLEGIANCE

A. Phil Cromer, Councilman

III. PROCLAMATIONS/COMMENDATIONS/RECOGNITIONS

A. Character Education Proclamation - Aria Lovejoy, Robert Smalls International Academy

B. Proclamation Proclaiming Beaufort County School Choice Week, January 26 - February 1, 2020

IV. PUBLIC COMMENT

V. MINUTES

A. Worksession and Regular Meeting November 12, 2019

VI. OLD BUSINESS

A. Ordinance annexing a portion of parcel R200 015 000 0875 0000 into the corporate limits of the City of Beaufort, South Carolina - 2nd Reading

B. Ordinance amending the City of Beaufort Zoning map to include a portion of parcel R200 015 000 0875 0000 to be Zoned as T5-UC - 2nd Reading

VII. NEW BUSINESS

A. Ordinance amending Part 3 Chapter 2 Sections 3-2002 of City Code of Ordinances concerning fees for docking on the seawall at the Henry C. Chambers Waterfront Park and fines for violation of regulations regarding dicharge into the waterways - 1st Reading

B. Approval to allow the City Manager to enter into a Contractual Agreement with SHM Beaufort Downtown Marina regarding the Pumpout System

VIII.REPORTS

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

IX. ADJOURN

CITY OF BEAUFORT

DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

TO:	CITY COUNCIL	**DATE:**	1/10/2020
FROM:			
AGENDA ITEM TITLE:	Character Education Proclamation - Aria Lovejoy, Robert Smalls International Academy		
MEETING DATE:	1/14/2020		
DEPARTMENT:	City Clerk		

BACKGROUND INFORMATION:

PLACED ON AGENDA FOR:

REMARKS:

ATTACHMENTS:

Description	Type	Upload Date
Proclamation	Backup Material	1/10/2020

P R O C L A M A T I O N

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, Aria Lovejoy was selected as the winner by Robert Smalls International Academy as the student of the month.

NOW, THEREFORE, the City Council of the City of Beaufort, South Carolina, hereby proclaims November 2019 as

ARIA LOVEJOY ROBERT SMALLS INTERNATIONAL ACADEMY STUDENT OF THE MONTH

The City of Beaufort thereby pronounces *Respect/Gratitude* as the words for the month of November and applauds Aria Lovejoy, the Beaufort County School District, and Robert Smalls International Academy for their work and specifically honors Aria Lovejoy as Robert Smalls International Academy 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 14th day of January 2020.

_____

MIKE MCFEE, MAYOR PRO TEM

ATTEST:

_____

IVETTE BURGESS, CITY CLERK

P R O C L A M A T I O N

WHEREAS all children in BEAUFORT should have access to the highest-quality education possible; and,

WHEREAS BEAUFORT recognizes the important role that an effective education plays in preparing all students in BEAUFORT to be successful adults; and,

WHEREAS quality education is critically important to the economic vitality of BEAUFORT; and,

WHEREAS BEAUFORT is home to a multitude of high quality public and nonpublic schools from which parents can choose for their children, in addition to families who educate their children in the home; and

WHEREAS educational variety not only helps to diversify our economy, but also enhances the vibrancy of our community; and,

WHEREAS BEAUFORT has many high-quality teaching professionals in all types of school settings who are committed to educating our children; and,

WHEREAS, School Choice Week is celebrated across the country by millions of students, parents, educators, schools and organizations to raise awareness of the need for effective educational options.

NOW, THEREFORE, the City Council of the City of Beaufort, South Carolina do hereby proclaim January 26 – February 1, 2020 as

BEAUFORT SCHOOL CHOICE WEEK
JANUARY 26 – FEBRUARY 1, 2020

and we call this observance to the attention of all of our citizens.

_____
MIKE MCFEE, MAYOR PRO TEM

ATTEST:

_____
IVETTE BURGESS, CITY CLERK

A work session of Beaufort City Council was held on November 12, 2019 at 5:00 p.m. in the Beaufort Municipal Complex, 1901 Boundary Street. In attendance were Mayor Billy Keyserling, Councilwoman Nan Sutton, Councilmen Stephen Murray, Mike McFee, and Phil Cromer, and City Manager Bill Prokop.

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

CALL TO ORDER

Mayor Keyserling called the work session to order at 5:00 p.m.

EMPLOYEE NEW HIRE RECOGNITION

Kathy Todd introduced **Carrie Scott**, a new business license administrator in the Finance Department.

Neil Desai introduced **Clarence Green**, a new employees in the Public Works parks division. Mr. Prokop said Mr. Desai would be leaving Public Works to work for Beaufort County.

PRESENTATION BY BRIDGES PREPARATORY SCHOOL SENIORS ABOUT A LEGACY PROJECT

Remy Poulon* said the project is a botanical garden at Bellamy Curve, an area that is owned by the City of Beaufort. **Dawson*** showed images of the area in which the students propose to create a labyrinth and swings. He said they would put in the plants and do the landscaping; they are asking that the city maintain the garden. Dawson said the garden would be "a lasting legacy" in a place where there is nothing now, and it would "represent our senior class." [**Because they met with the Bridges' students, I have asked David Prichard 3 times and Joan Furlong twice for the correct names of these students, which were not clear during the meeting or on the recording, but I have never received a response to my queries. – steno*.]

BOARDS AND COMMISSIONS INTERVIEWS

Council members interviewed the following candidates to fill positions on various boards and commissions: **Susan Cosner** for the Metropolitan Planning Commission (MPC), the Historic District Review Board (HDRB), or the Design Review Board (DRB); **William Cox** for the DRB; **Donald "Scott" Whitehead** for the HDRB; **Marc Sviland** for the HDRB; **Douglas Storrs** for the HDRB; **Edward Mouton** for the HDRB; **Mary Ragsdale** for the HDRB, and **Kevin Blank** for the DRB.

PANHANDLING ORDINANCE

Mr. Prokop said this is about public safety, and counsel has not had time to review the ordinance yet. Council agreed to postpone this matter.

DRAFT

ADVANCED NOTICE ON COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT COUNCIL WORK SESSION ITEMS

David Prichard said most of the items going to the MPC next week for a recommendation were discussed in previous council work sessions. The following are suggested changes to elements in the Beaufort Code that could adversely affect affordable housing, he said:

1. Removing the requirement that ground floor heights in single-family residential structures in T4 districts be a minimum of 9' from finished floor to ceiling
2. Removing the requirement that ground floor heights in multi-family residential structures in T4 districts be a minimum of 10' from finished floor to ceiling
3. Removing the requirement that ground floor heights in residential structures in T5 districts be a minimum of 10' from finished floor to ceiling
4. Removing the requirement that apartment building lengths in T4, T5, RMX, and IC districts not exceed 160 feet
5. Removing the requirement in the T4 and T5 districts that finished floor heights for residential structures shall be elevated a minimum of 2 feet and 3 feet, respectively, above the average adjacent sidewalk grade
6. Specifying that MPC's recommendations for tree planting and preservation are for areas outside of public spaces
7. Replacing references to the "Department of Planning and Development" with the "Department of Community and Economic Development"
8. Removing the requirement that one HRB member must also be a member of the HBF board
9. Clarifying the role of the DRB to evaluate aesthetic compatibility as part of major development design review
10. Changing the DRB requirement that 3 members *shall* be design professionals to 3 members *should* be design professionals

Councilman Cromer said he wanted the Affordable Housing Task Force to have a chance to discuss 3 of the items. Mr. Prichard said a public hearing is scheduled on them. They could take the items off of the November 26 council agenda or could have the public hearing about them but postpone the first reading. There was a general discussion about this.

Mr. Prichard said staff had formed a task force with architects and builders, and that task force's members couldn't come up with a reason for the 160 feet. The architects felt it was "somewhat arbitrary" and "maybe unnecessary," he said, because there are other measures in place to protect against what's undesirable.

Councilman Murray said the MPC is an advisory body, and the Affordable Housing Task Force is also advisory to city council and would look at how the issues affect affordable housing. He thinks it might be advisable for both bodies to weigh in on this and present their recommendations for council to consider in January.

Mr. Prichard said if there are things that council wants the Affordable Housing Task Force to weigh in on, those could be removed from the MPC's agenda. Councilman Cromer said he thinks if the task force is going to be weighing in on the issues, their comments could be given to the MPC to hear when the commission makes its recommendations to council. Mr. Prichard said the MPC would have the benefit of hearing what the Affordable Housing Task Force had discussed.

Councilman McFee suggested taking items 1, 2, 3, and 5 off the MPC's agenda for now. Councilman Cromer said he would put those items on the Affordable Housing Task Force's agenda.

Mr. Prichard said the public hearing on November 26 has been advertised, but he could advertise that these items have been taken off. There was general discussion about the public hearing, and it was decided that all of the items would remain on the agenda for the public hearing.

Mr. Prichard said there was language in the code that would be "cleaned up," which he reviewed. There was a discussion about the language for the requirements to serve on the MPC. Mr. Prichard said he'd determine if the language about text amendments comes from the state statutes. Everything going to the MPC is scheduled for a public hearing on November 26, he said.

Mr. Prichard reviewed what would be changed in the ordinance about the DRB's role and changing "shall" to "should" for the requirement that three people on the board must be design professionals.

Also, the MPC would provide a recommendation on an annexation petition for the former Lady's Island movie theater, Mr. Prichard said. The county won't let the applicant move the petition line unless the property is annexed into the City of Beaufort, he said.

Mr. Prichard said he would present ideas about monument signs for council's direction at the November 19 work session.

There being no further business to come before council, the work session was adjourned at 6:06 p.m.

DRAFT

A regular session of Beaufort City Council was held on November 12, 2019 at 7:00 p.m. in the Beaufort Municipal Complex, 1901 Boundary Street. In attendance were Mayor Billy Keyserling, Councilwoman Nan Sutton, Councilmen Stephen Murray, Mike McFee, and Phil Cromer, and City Manager Bill Prokop.

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

CALL TO ORDER
Mayor Keyserling called the regular council meeting to order at 7:02 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE
Councilman McFee led the invocation and the Pledge of Allegiance.

CHARACTER EDUCATION PROCLAMATION
Councilman McFee made a motion, second by Councilman Murray, to proclaim Olivia Renforth Beaufort High School's student of the month. **The motion passed unanimously.** Councilman McFee read the proclamation, and Mayor Keyserling presented it to Ms. Renforth's teacher.

PROCLAMATION OF THE ZONTA CLUB OF BEAUFORT 100TH ANNIVERSARY
Councilman Murray made a motion, second by Councilman McFee, to proclaim the Zonta Club's 100th anniversary. The motion passed unanimously. Councilman McFee read the proclamation, and Mayor Keyserling presented it to representatives of Zonta.

PUBLIC COMMENT
Patricia Jaudon discussed a new organization, S.T.A.R.S., which presents activities at the Charles Lind Brown Center on Sunday afternoons. Councilman Murray said the organization's website is StarsBeaufortSC.com.

PUBLIC HEARING: ANNEXING A PORTION OF PARCEL R200 018 00A 0079 0000 INTO THE CORPORATE LIMITS OF THE CITY OF BEAUFORT, SOUTH CAROLINA
Mayor Keyserling opened this public hearing. Mr. Prichard said the applicant is Distant Island Company Limited Partnership, which is proposing to move a lot line. The annexation would change the jurisdictional boundary, he said, and he showed the parcel and the portion to be annexed. The City of Beaufort would be able to provide all services, he said, and the millage rate would be 25.77 mils. It would not need a new zoning designation because it would still be in the Distant Island PUD. The MPC voted unanimously in favor of recommending the annexation, Mr. Prichard said. **Mayor Keyserling closed this public hearing**.

MINUTES
Councilman McFee made a motion, second by Councilman Murray, to approve the

minutes of the city council work session and regular meeting on October 8, 2019. Councilman Cromer said on page 2, in the third line of the third paragraph, "pavement to on Bay Street" should be "pavement to Bay Street." **The motion to approve the minutes as amended passed unanimously**.

Councilman McFee made a motion, second by Councilman Murray, to approve the minutes of the city council work session on October 15, 2019. Councilman Cromer said on page 3, in the 6th paragraph, 5th line, "without have task forces" should be "without having task forces." On page 4, in the 4th paragraph, he said, "about establish a meeting" should be "about establishing a meeting." **The motion to approve the minutes as amended passed unanimously**.

ORDINANCE AMENDMENT TO CHAPTER 3 PARK AND TREE ADVISORY COMMISSION (PTAC), DUTIES

Councilman Cromer made a motion, second by Councilman McFee, to approve the amendment on second reading. **The motion passed unanimously.**

REQUEST FOR CO-SPONSORSHIP FOR USE OF WATERFRONT PARK FROM THE FRIENDS OF CAROLINE TO HOST RELEASE AND REMEMBER EVENT

Councilman McFee made a motion, second by Councilman Murray, to approve the request for the March 28, 2020 event. **Rhonda Carey** introduced **LaNelle Fabian** from Friends of Caroline, which is requesting co-sponsorship of the event. Ms. Fabian said at the end of the annual memorial event, there is a butterfly release, and this year they are opening it up to the community. People can purchase a butterfly in memory of a loved one. **The motion passed unanimously.**

REQUEST FOR PERMISSION TO HOST ANNUAL MOTORCYCLE TOY RUN PARADE

Councilman Murray made a motion, second by Councilman Cromer, to approve the request for the December 15, 2019 event. **Ivette Burgess** said this request is the same as it has been in the past. **The motion passed unanimously.**

APPROVAL OF PLACEMENT OF AWARDED PLAYGROUND EQUIPMENT

Mr. Prokop said there was a question about whether the equipment should be placed at Washington Street Park or Southside Park. A new, updated plan will be done for Southside Park, he said, but staff believes that the equipment should go to Washington Street Park, on which the city has a 30-year lease. **Councilman Cromer made a motion, second by Councilwoman Sutton, to approve the placement of the equipment**. **The motion passed unanimously.**

APPROVAL OF CITY COUNCIL HOLIDAY BREAK

Councilman Cromer made a motion, second by Councilwoman Sutton, to approve the break for council. The break would begin after the December 10, 2019 meeting to January 14, 2020. There was a general discussion about the proposed dates of the break. **The motion passed unanimously.**

ANNEXING A PORTION OF PARCEL R200 018 00A 0079 0000 INTO THE CORPORATE LIMITS OF THE CITY OF BEAUFORT, SOUTH CAROLINA

Councilman McFee made a motion, second by Councilman Murray, to approve the annexation on first reading. **Joe MacDermant** asked to speak about Southside Park because Mayor Keyserling hadn't asked for public comment before the playground equipment vote; Mayor Keyserling said he could speak after this item or at the end of the meeting. **The motion passed unanimously.**

Mr. MacDermant said the city, not a grant, paid for the dog park at Southside Park. People say there's nothing to do in Beaufort, he said, and whatever the city puts on the park's 30 acres, some people won't be happy with it. Mr. MacDermant feels the park has been "seriously neglected," and he questioned what the hold-up is in putting more into Southside Park.

CITY MANAGER'S REPORT

Mr. Prokop said the city will be moving forward during the holiday season. The new roof at The Arsenal has been put in, and new restrooms and windows are being installed. The goal is to have the project done by the end of January. The Greenlawn Drive streetscape is "coming along," he said; plantings will be done in March.

The Mossy Oaks stormwater project is still awaiting permits, Mr. Prokop said; staff has asked state representatives for help. The piling project at Waterfront Park is ongoing; the entire project should be completed by the end of December, he said.

Mr. Prokop said permits for commercial building projects, especially on Highway 170, are "coming in rapidly," and so are residential building permits.

Mr. Prokop said the first annual business roundtable would be held November 21.

The city's audio-visual system has been upgraded, Mr. Prokop said, and he described what is being installed so that all city meetings will be recorded with "the latest technology."

MAYOR'S REPORT

Mayor Keyserling discussed the Veteran's Day parade and event.

Mayor Keyserling said he had an inquiry from Friends of Hunting Island, who have gotten permission to move "the iconic tree trunk" to Waterfront Park as "a marketing tool." He feels it should be put somewhere in Beaufort.

Mayor Keyserling said he was asked about a partnership with Beaufort Digital Corridor and high school students at a school district meeting.

DRAFT

COUNCIL REPORTS

Councilman Murray discussed a visit to the Upstate last week for a class.

Councilman Cromer thanked Public Works for helping the Beaufort History Museum. A board meeting is coming up Friday, and they are looking at acquiring items for the museum's collection.

The first Higher Education Task Force is next week, Councilman Murray said. Councilman Cromer said the Affordable Housing Task Force would meet December 4.

There being no further business to come before council, Councilman Cromer made a motion, second by Councilman Murray, to adjourn the regular council meeting. The motion passed unanimously, and the meeting was adjourned at 7:45 p.m.

DRAFT

CITY OF BEAUFORT

DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

TO:	CITY COUNCIL	**DATE:**	12/12/2019
FROM:	Community and Economic Development		
AGENDA ITEM TITLE:	Ordinance annexing a portion of parcel R200 015 000 0875 0000 into the corporate limits of the City of Beaufort, South Carolina - 2nd Reading		
MEETING DATE:	1/14/2020		
DEPARTMENT:	City Clerk		

BACKGROUND INFORMATION:

The applicant, Paul Trask, has petitioned the City of Beaufort to annex a 901 Sq. foot portion of parcel R200 015 000 0875 0000 within the County to combine with a parcel within the City jurisdiction identified as R123 015 000 0721 0000 (100 Ladys Island Commons).

First Reading was held on Tuesday, December 10, 2019

PLACED ON AGENDA FOR:

REMARKS:

ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Backup Material	12/12/2019
Plat	Backup Material	12/12/2019
Ordinance	Backup Material	12/12/2019

Staff Report for City Council

From the Department of
Community and Economic Development

10 December 2019

1 Subject

Annexation: The applicant, Paul Trask, has petitioned the City of Beaufort to annex a portion of parcel R200 015 000 0875 0000 within the County to combine with a parcel within the City jurisdiction identified as R123 015 000 0721 0000.

Parcel ID: R200 015 000 0875 0000

Size: 0.021 acres (901 Sq. Feet)

Current Zoning [County]: Hamlet Center Open (T4HCO)

Current Land Use: vacant commercial

Future Land Use: G3 – Corridor Mixed Use

Comprehensive Plan: The parcel to be annexed is contiguous to the primary service area and is therefore in accordance with the 2009 comprehensive plan.

Strategic Plan: N/A

The Beaufort Code: In accordance with 10.2.1.C.3 of the *Beaufort Code* the Metropolitan Planning Commission shall have the power and duty to recommend the annexation of parcels into the City limits for adoption by City Council.

Public Notice: Published in the November 8th addition of the *Beaufort Gazette*

2 Staff Comments

The applicant proposes to add a 0.021 acre portion of a parcel into a 1.21 acre parcel due to the existing structure sitting on the lot and consequently jurisdictional boundary as well.

A small portion of the existing structure crosses the lot line between the two parcels which is also the jurisdictional boundary between the City and the County. The applicant has had a plat drawn up that abandons that lot line and shows a new lot line beyond the entrance of the building. Moving the lot line will bring the existing structure into conformity with the T5-UC front setback regulation of 0’ – 15’.

The City of Beaufort will be able to provide all services upon annexation.

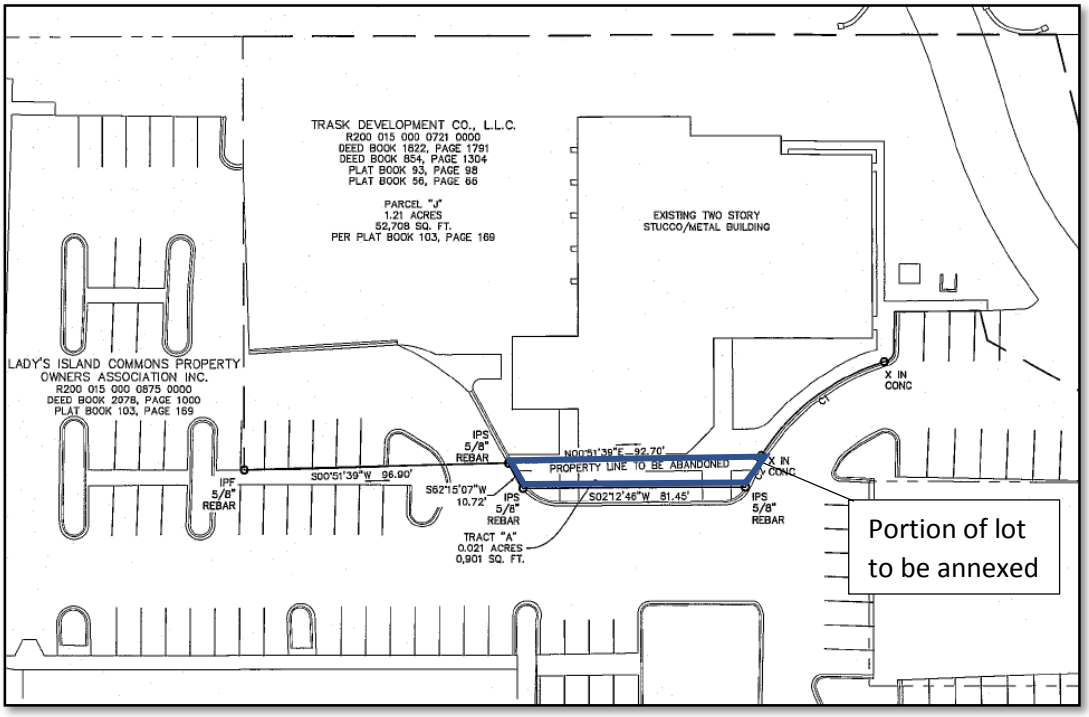
The parcel would be subject to the adopted millage rate at the time of annexation, the adopted millage rate for FY 2020 is 75.77mils.

The portion of property will need a zoning designation, the applicant requests T5 Urban Corridor.

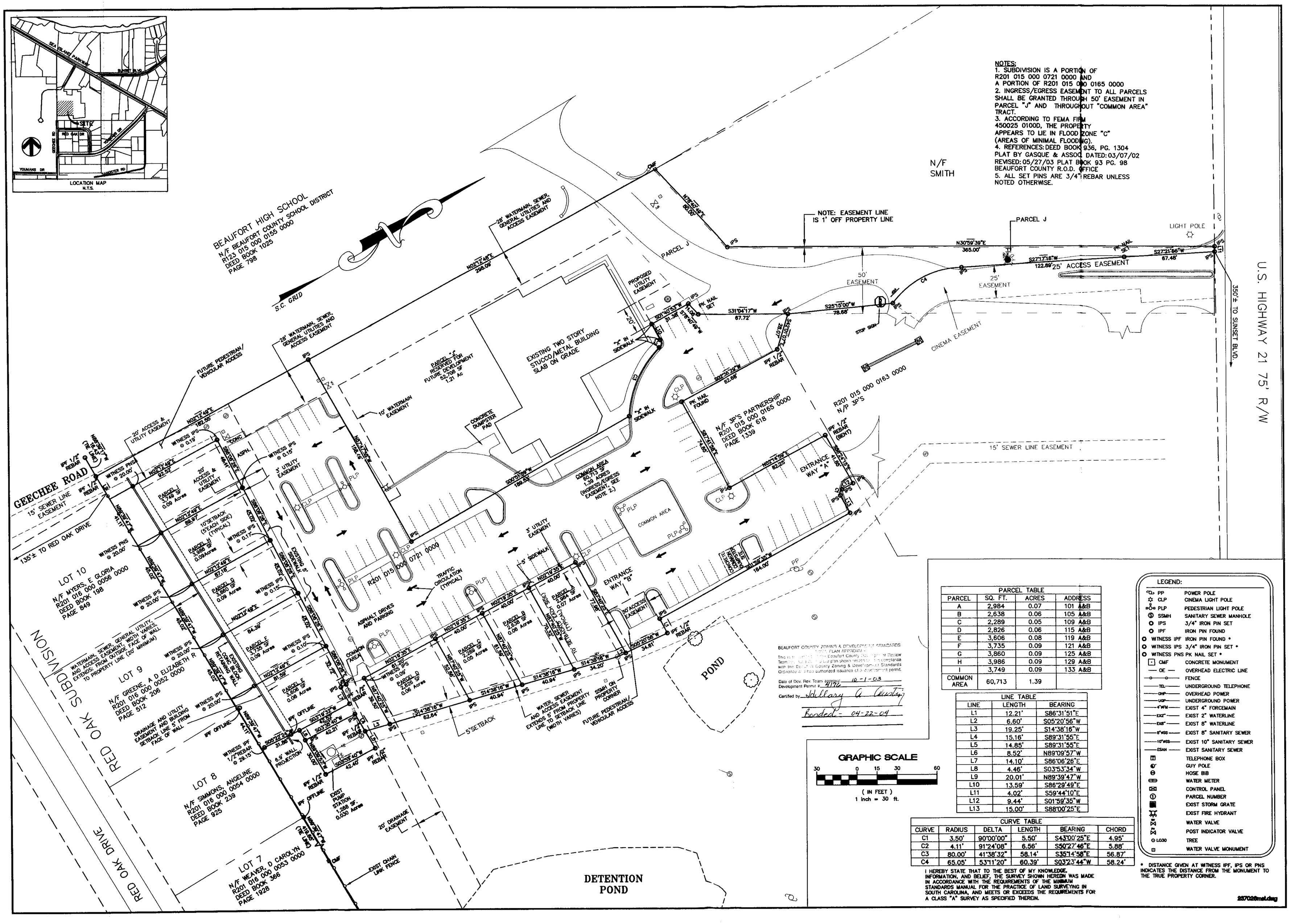
The Metropolitan Planning Commission voted unanimously to recommend to City Council

3 Maps

1. Circled portion depicts the City zoning and the portion of the existing structure that sits outside of the City Jurisdiction



2. Revised Lot Line for R123 015 000 0721 0000 as per new Plat



NOTES:
1. SUBDIVISION IS A PORTION OF R201 015 000 0721 0000 AND A PORTION OF R201 015 000 0165 0000
2. INGRESS/EGRESS EASEMENT TO ALL PARCELS SHALL BE GRANTED THROUGH 50' EASEMENT IN PARCEL "J" AND THROUGHOUT "COMMON AREA" TRACT.
3. ACCORDING TO FEMA FIRM 450025 0100D, THE PROPERTY APPEARS TO LIE IN FLOOD ZONE "C" (AREAS OF MINIMAL FLOODING).
4. REFERENCES: DEED BOOK 936, PG. 1304 PLAT BY GASQUE & ASSOC. DATED: 03/07/02 REVISED: 05/27/03 PLAT BOOK 93 PG. 98 BEAUFORT COUNTY R.O.D. OFFICE
5. ALL SET PINS ARE 3/4" REBAR UNLESS NOTED OTHERWISE.

PARCEL TABLE			
PARCEL	SQ. FT.	ACRES	ADDRESS
A	2,984	0.07	101 A&B
B	2,638	0.06	105 A&B
C	2,289	0.05	109 A&B
D	2,826	0.06	115 A&B
E	3,606	0.08	119 A&B
F	3,735	0.09	121 A&B
G	3,860	0.09	125 A&B
H	3,986	0.09	129 A&B
I	3,749	0.09	133 A&B
COMMON AREA	60,713	1.39	

LINE TABLE		
LINE	LENGTH	BEARING
L1	12.21'	S86°31'51"E
L2	6.60'	S05°20'56"W
L3	19.25'	S14°38'16"W
L4	15.16'	S89°31'55"E
L5	14.85'	S89°31'55"E
L6	8.52'	N89°09'57"W
L7	14.10'	S86°06'26"E
L8	4.46'	S03°53'34"W
L9	20.01'	N89°39'47"W
L10	13.59'	S86°29'49"E
L11	4.02'	S59°44'10"E
L12	9.44'	S01°59'35"W
L13	15.00'	S88°00'25"E

CURVE TABLE					
CURVE	RADIUS	DELTA	LENGTH	BEARING	CHORD
C1	3.50'	90°00'00"	5.50'	S43°00'25"E	4.95'
C2	4.11'	91°24'08"	6.56'	S50°27'46"E	5.88'
C3	80.00'	41°38'32"	58.14'	S35°14'58"E	56.87'
C4	65.05'	53°11'20"	60.39'	S03°23'44"W	58.24'

I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "A" SURVEY AS SPECIFIED THEREIN.

GRAPHIC SCALE
30 0 15 30 60
(IN FEET)
1 inch = 30 ft.

LEGEND:

PP	POWER POLE
CLP	CINEMA LIGHT POLE
PLP	PEDESTRIAN LIGHT POLE
SSMH	SANITARY SEWER MANHOLE
IPS	3/4" IRON PIN SET
IPF	IRON PIN FOUND
WITNESS IPF	IRON PIN FOUND *
WITNESS IPS	3/4" IRON PIN SET *
WITNESS PNS	PK NAIL SET *
CMF	CONCRETE MONUMENT
OE	OVERHEAD ELECTRIC LINE
	FENCE
TEL	UNDERGROUND TELEPHONE
OHP	OVERHEAD POWER
UGP	UNDERGROUND POWER
4"FM	EXIST 4" FORCEMAIN
EW2"	EXIST 2" WATERLINE
EW8"	EXIST 8" WATERLINE
8"SS	EXIST 8" SANITARY SEWER
10"SS	EXIST 10" SANITARY SEWER
ESAN	EXIST SANITARY SEWER
	TELEPHONE BOX
	GUY POLE
	HOSE BIB
	WATER METER
	CONTROL PANEL
	PARCEL NUMBER
	EXIST STORM GRATE
	EXIST FIRE HYDRANT
	WATER VALVE
	POST INDICATOR VALVE
LG30	TREE
	WATER VALVE MONUMENT

* DISTANCE GIVEN AT WITNESS IPF, IPS OR PNS INDICATES THE DISTANCE FROM THE MONUMENT TO THE TRUE PROPERTY CORNER.

237026mst.dwg

PLAN REVISIONS

NO.	DESCRIPTION	DATE	BY
1	-	-	-
2	-	-	-
3	-	-	-
4	-	-	-
5	-	-	-
6	-	-	-
7	-	-	-
8	-	-	-

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SOUTH CAROLINA PROFESSIONAL ENGINEER No. 18239 GARY BLAIR BURGESS 03/24/04

SOUTH CAROLINA ANDREWS ENGINEERING CO. No. C00008 CERTIFICATE OF AUTHORIZATION

Andrews Engineering Co., Inc.
40-A Shanklin Road
Beaufort, S.C. 29906
(843) 466-0366 FAX (843) 466-0766

SUBDIVISION PLAT
FOR
TRASK DEVELOPMENT CO. LLC

BEAUFORT COUNTY SC - ROD
BK 00103 PG 0189
FILE NUM 2005000918
01/05/2005 08:33:31 AM
REC'D BY P BAXLEY RCPT# 289132
RECORDING FEES 10.00

LADY'S ISLAND COMMONS
BEAUFORT COUNTY, S.C.
Rte. 21 LADY'S ISLAND

DATE DRAWN:	05/12/03
LAST REVISED:	3/23/04
DRAWN BY:	PBJ/MVEB
ENGINEER:	GARY B. BURGESS

SHEET #
1

JOB: 237026

O R D I N A N C E

ANNEXING A PORTION OF PARCEL R200 015 000 0875 0000 INTO THE CORPORATE LIMITS OF THE CITY OF BEAUFORT, SOUTH CAROLINA

WHEREAS, an annexation petition for a portion R200 015 000 0875 0000 located in Beaufort County has been presented to the City Council; and

WHEREAS, a proposed lot line revision, as shown in Attachment A, would move the western boundary (running N 00 degrees, 51 minutes, 70 seconds E measuring 92.70 feet) approximately 10 feet to the east, and, thereby, create a new western boundary running S 02 degrees, 12 minutes, 46 seconds W measuring 81.45 feet ; and

WHEREAS, the plat (attachment A) has been recorded at Plat Book 148 Page 31 in Beaufort County, but will not be published until the re-subdivision resides in a single jurisdiction, in this case the City of Beaufort, SC; and

WHEREAS, the properties are within the Northern Regional Plan growth boundary; and

WHEREAS, the properties are contiguous to the boundaries of the City of Beaufort, South Carolina; and

WHEREAS, the petition sets forth that this proposed annexation is requested pursuant to § 5-03-150 of the *Code of Laws of South Carolina, 1976*, as amended and contains the signatures of all freeholders of the property to be annexed; and

WHEREAS, a public hearing before the Beaufort City Council was held regarding the proposed change to the city boundary on December 10, 2019, with notice of the hearing published in *The Beaufort Gazette* on November 8, 2019;

WHEREAS, the petition contains a description of the parcels of land to be annexed.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Beaufort, South Carolina, duly assembled and by authority of same, that the described area is annexed into the City of Beaufort, South Carolina:

The petitioning area to be annexed includes all that certain piece, parcels, or tracts of land, together with improvements thereon, situate, lying, and being in Beaufort County, South Carolina, as follows:

- Approximately 0.021 acres created by the lot line revision recorded with Beaufort County, SC Register of Deeds in Plat Book 148, Page 31 and shown in Attachment A.

This ordinance shall become effective immediately upon adoption.

BILLY KEYSERLING, MAYOR

(SEAL) Attest:

_____

IVETTE BURGESS, CITY CLERK

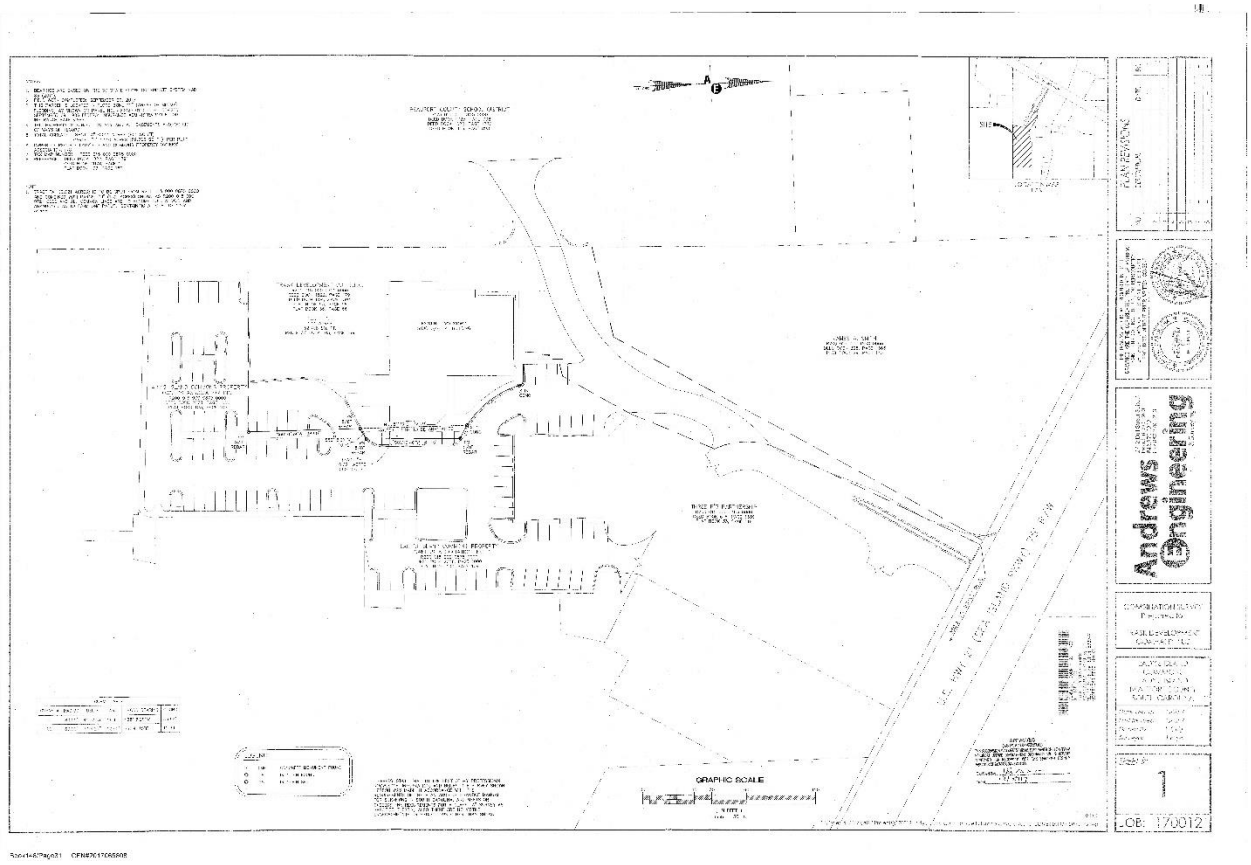
1st Reading _____

2nd Reading & Adoption _____

Reviewed by: _____

WILLIAM B. HARVEY, III, CITY ATTORNEY

Attachment "A"



CITY OF BEAUFORT

DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

TO:	CITY COUNCIL	**DATE:**	12/12/2019
FROM:	Community and Economic Development		
AGENDA ITEM TITLE:	Ordinance amending the City of Beaufort Zoning map to include a portion of parcel R200 015 000 0875 0000 to be Zoned as T5-UC - 2nd Reading		
MEETING DATE:	1/14/2020		
DEPARTMENT:	City Clerk		

BACKGROUND INFORMATION:

The applicant, Paul Trask, has petitioned the City of Beaufort to annex a portion of parcel R200 015 000 0875 0000 within the County to combine with a parcel within the City jurisdiction identified as R123 015 000 0721 0000. Upon annexation the applicant requests the zoning designation to mirror the zoning existing portion of the larger parcel currently in the city, T5-UC.

First Reading was held on Tuesday, October 10, 2019

PLACED ON AGENDA FOR:

REMARKS:

ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Backup Material	12/12/2019
Survey	Backup Material	12/12/2019
Ordinance	Backup Material	12/12/2019

Staff Report for City Council

From the Department of
Community and Economic Development

10 December 2019

1 Subject

Zoning Designation: The applicant, Paul Trask, has petitioned the City of Beaufort to annex a portion of parcel R200 015 000 0875 0000 within the County to combine with a parcel within the City jurisdiction identified as R123 015 000 0721 0000. Upon annexation the applicant requests the zoning designation to mirror the zoning existing portion of the larger parcel currently in the city, T5-UC.

Parcel ID: R200 015 000 0875 0000

Size: 0.021 acres (901 Sq. Feet)

Current Zoning [County]: Hamlet Center Open (T4HCO)

Current Land Use: vacant commercial

Future Land Use: G3 – Corridor Mixed Use lists T5-Urban Center as an acceptable zoning designation in a G3 future land use designation.

Strategic Plan: N/A

The Beaufort Code: In accordance with 10.2.1.C.4 of the *Beaufort Code* the Metropolitan Planning Commission shall have the power and duty to review and make recommendations concerning all requests for zoning within the growth area.

Public Notice: Published in the November 8th addition of the *Beaufort Gazette*

2 Staff Comments

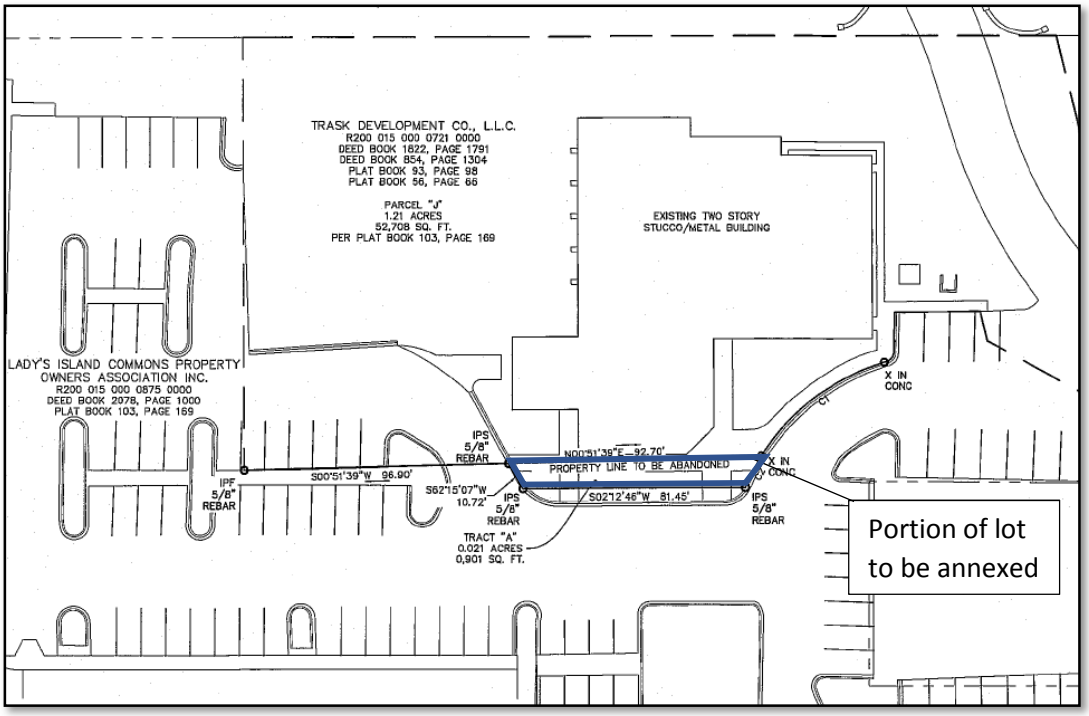
The applicant proposes to add a 0.021 acre portion of a parcel into a 1.21 acre parcel due to the existing structure sitting on the lot and consequently jurisdictional boundary.

Moving the lot line will bring the existing structure into conformity with the T5-UC front setback regulation of 0’ – 15’.

The Metropolitan Planning Commission voted unanimously to recommend T5-UC as a zoning designation for the portion to be annexed.

3 Maps

1. Circled portion depicts the City zoning and the portion of the existing structure that sits outside of the City Jurisdiction



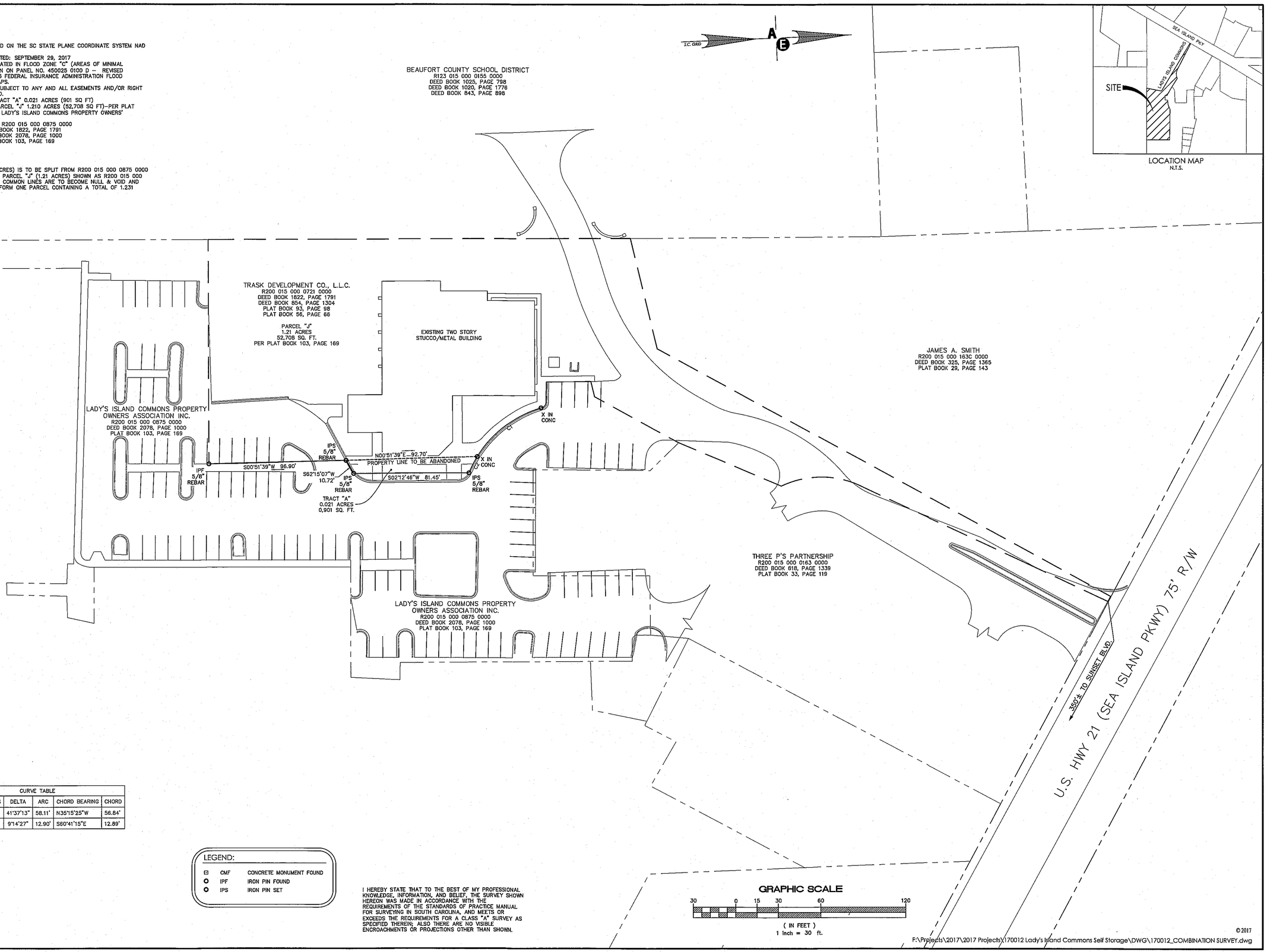
2. Revised Lot Line for R123 015 000 0721 0000 as per new Plat

NOTES:

1. BEARINGS ARE BASED ON THE SC STATE PLANE COORDINATE SYSTEM NAD 83 (2011).
2. FIELD WORK COMPLETED: SEPTEMBER 29, 2017
3. THIS PARCEL IS LOCATED IN FLOOD ZONE "C" (AREAS OF MINIMAL FLOODING) AS SHOWN ON PANEL NO. 450025 0100 D – REVISED SEPTEMBER 29, 1986 FEDERAL INSURANCE ADMINISTRATION FLOOD INSURANCE RATE MAPS.
4. THIS PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS AND/OR RIGHT OF WAYS OF RECORD.
5. TOTAL ACREAGE : TRACT "A" 0.021 ACRES (901 SQ FT)
   PARCEL "J" 1.210 ACRES (52,708 SQ FT)–PER PLAT
6. OWNER OF RECORD: LADY'S ISLAND COMMONS PROPERTY OWNERS' ASSOCIATION, INC.
7. TAX MAP NUMBER : R200 015 000 0875 0000
8. REFERENCE : DEED BOOK 1822, PAGE 1791
   DEED BOOK 2078, PAGE 1000
   PLAT BOOK 103, PAGE 169

NOTE:

1. TRACT "A" (0.021 ACRES) IS TO BE SPLIT FROM R200 015 000 0875 0000 AND COMBINED WITH PARCEL "J" (1.21 ACRES) SHOWN AS R200 015 000 0721 0000 AND ALL COMMON LINES ARE TO BECOME NULL & VOID AND ABANDONED AS TO FORM ONE PARCEL CONTAINING A TOTAL OF 1.231 ACRES.



CURVE TABLE					
CURVE #	RADIUS	DELTA	ARC	CHORD BEARING	CHORD
C1	80.00'	41°37'13"	58.11'	N35°15'25"W	56.84'
C2	80.00'	9°14'27"	12.90'	S60°41'15"E	12.89'

LEGEND:

⊡	CMF	CONCRETE MONUMENT FOUND
O	IPF	IRON PIN FOUND
O	IPS	IRON PIN SET

I HEREBY STATE THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS OF PRACTICE MANUAL FOR SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "A" SURVEY AS SPECIFIED THEREIN; ALSO THERE ARE NO VISIBLE ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN.

GRAPHIC SCALE

30 0 15 30 60 120

(IN FEET)
1 inch = 30 ft.

©2017

F:\Projects\2017\2017 Projects\170012 Lady's Island Commons Self Storage\DWG\170012_COMBINATION SURVEY.dwg

PLAN REVISIONS

NO.	DESCRIPTION:	DATE:	BY:
1	–	–	–
2	–	–	–
3	–	–	–
4	–	–	–
5	–	–	–
6	–	–	–
7	–	–	–
8	–	–	–

THE DESIGNS AND IDEAS PRESENTED IN THESE DRAWINGS ARE THE COPYRIGHTED PROPERTY OF ANDREWS ENGINEERING CO., INC. THE USE OR REPRODUCTION OF THESE PLANS OR THEIR CONTENT IS STRICTLY PROHIBITED WITHOUT PRIOR WRITTEN CONSENT.

SOUTH CAROLINA PROFESSIONAL ENGINEER 13667 JAMES E. HAYES JR.

SOUTH CAROLINA ANDREWS ENGINEERING CORPORATION No. C00008 CERTIFICATE OF AUTHORIZATION

Andrews Engineering & Surveying
2712 Bull Street Suite A
Beaufort, SC 29902
843.379.2222
Fax 843.379.2223

COMBINATION SURVEY
Prepared for

TRASK DEVELOPMENT COMPANY, LLC

LADY'S ISLAND
COMMONS
LADY'S ISLAND
BEAUFORT COUNTY
SOUTH CAROLINA

Date Drawn:	10/09/17
Last Revised:	10/10/17
Drawn By:	B. Craig
Surveyor:	J. Hayes

SHEET #:

1

JOB: 170012

O R D I N A N C E

AMENDING THE CITY OF BEAUFORT'S ZONING MAP TO INCLUDE A PORTION OF PARCEL R200 015 000 0875 0000 TO BE ZONED AS T5-UC

WHEREAS, the State of South Carolina has conferred to the City of Beaufort the power to enact ordinances "in relation to roads, streets, markets, law enforcement, health, and order in the municipality or respecting any subject which appears to it necessary and proper for the security, general welfare, and convenience of the municipality or for preserving health, peace, order, and good government in it . . ." as set forth in *Code of Laws of South Carolina*, Section 5-7-20; and

WHEREAS, the City of Beaufort adopted the *Beaufort Code* by reference on June 27, 2017, as set forth in section 5-6001 of the *Code of Ordinances Beaufort, South Carolina*; and

WHEREAS, the amendment of the zoning map is "for the general purpose of guiding development in accordance with existing and future needs and promoting the public health, safety, morals, convenience, order, appearance, prosperity, and general welfare" in accordance with *Code of Laws of South Carolina*, Section 6-29-710; and

WHEREAS, an annexation petition for a portion R200 015 000 0875 0000 located in Beaufort County has been presented to the City Council; and

WHEREAS, a proposed lot line revision, as shown in Attachment A, would move the western boundary (running N 00 degrees, 51 minutes, 70 seconds E measuring 92.70 feet) approximately 10 feet to the east, and, thereby, create a new western boundary running S 02 degrees, 12 minutes, 46 seconds W measuring 81.45 feet ; and

WHEREAS, the plat (attachment A) has been recorded at Plat Book 148 Page 31 in Beaufort County, but will not be published until the re-subdivision resides in a single jurisdiction, in this case the City of Beaufort, SC; and

WHEREAS, the gaining [city] parcel is currently zoned T5-UC; and

WHEREAS, the zoning map amendment is compatible and in accordance with the vision and goals of the City of Beaufort; and

WHEREAS, this vision and these goals were established through a democratic process and with public input and public participation; and

WHEREAS, these goals were recorded in the form of a comprehensive plan for all to see and reference; and

WHEREAS, the comprehensive plan was created through the leadership of the planning commission, responsible for determining a specific plan for the future of the city; and

WHEREAS, the city council of the City of Beaufort adopted the comprehensive plan (and Civic Master Plan) by ordinance; and

WHEREAS, the change of zoning to T5-UC is consistent and compatible with adjacent zoning; and

WHEREAS, it is reasonable to expect that the change of zoning to T5-UC will improve the marketability of the property; and

WHEREAS, any future development of the property will be able to take advantage of existing infrastructure; and

WHEREAS, a public hearing before the Beaufort City Council was held regarding the proposed change to the ordinance on December 10, 2019, with notice of the hearing published in *The Beaufort Gazette* on November 8, 2019;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Beaufort, South Carolina, duly assembled and by authority of same, pursuant to the power vested in the Council by Section 6-29-760, *Code of Laws of South Carolina, 1976*, that the zoning map of the City of Beaufort be amended by establishing the zoning designation of T5-UC on the annexed portion of parcel of R200 015 000 0875 0000.

_____
BILLY KEYSERLING, MAYOR

(SEAL) Attest:

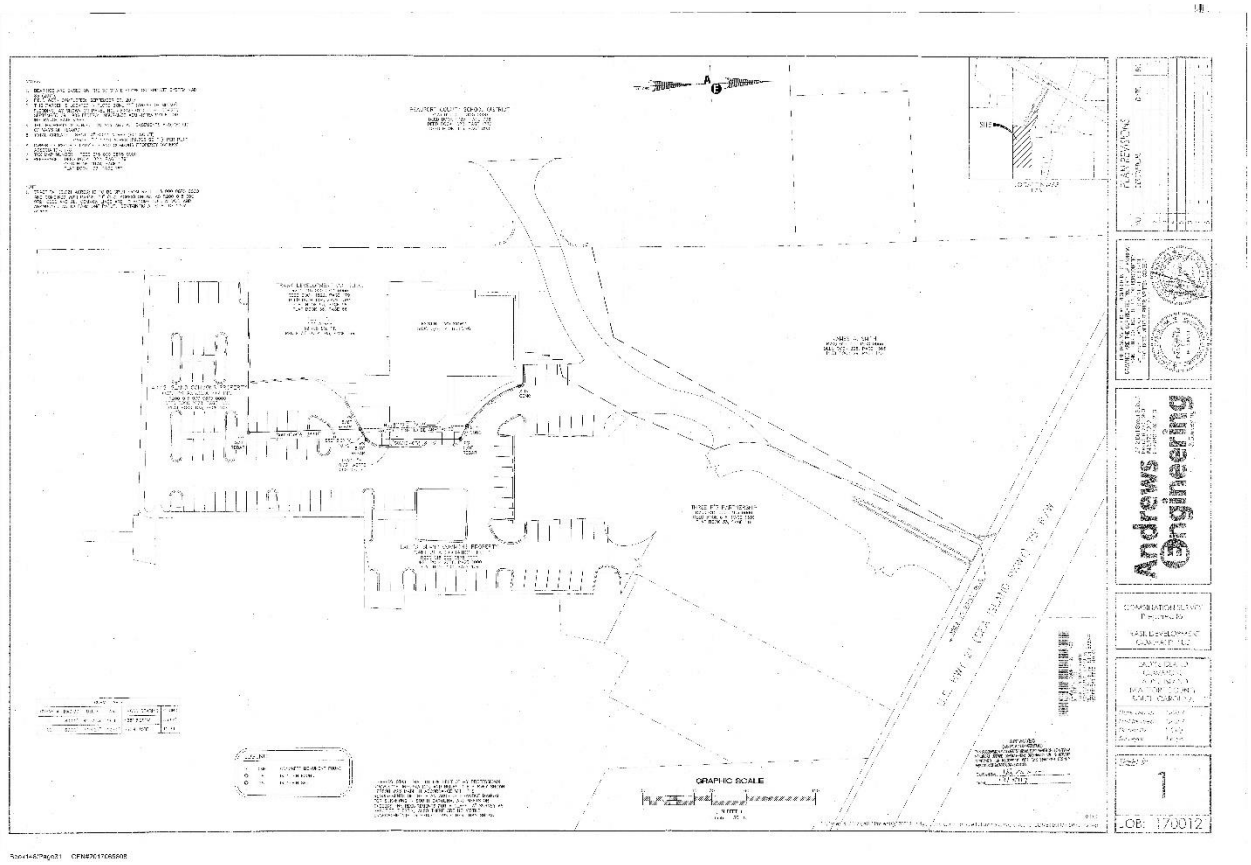
_____
IVETTE BURGESS, CITY CLERK

1st Reading _____

2nd Reading & Adoption _____

Reviewed by: _____
WILLIAM B. HARVEY, III, CITY ATTORNEY

Attachment “A”



CITY OF BEAUFORT

DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

TO:	CITY COUNCIL	**DATE:**	12/23/2019
FROM:	Linda Roper		
AGENDA ITEM TITLE:	Ordinance amending Part 3 Chapter 2 Sections 3-2002 of City Code of Ordinances concerning fees for docking on the seawall at the Henry C. Chambers Waterfront Park and fines for violation of regulations regarding dicharge into the waterways - 1st Reading		
MEETING DATE:	1/14/2020		
DEPARTMENT:	City Clerk		

BACKGROUND INFORMATION:

PLACED ON AGENDA FOR:

REMARKS:

ATTACHMENTS:

Description	Type	Upload Date
Ordinance	Backup Material	12/31/2019

ORDINANCE

Ordinance Amending Part 3 Chapter 2 Section 3-2002 of City Code of Ordinances concerning fees for docking on the seawall at the Henry C. Chambers Waterfront Park and fines for violation of regulations regarding discharge into the waterways

WHEREAS, Section 3-2002 (c) provides regulations for dockage of vessels at the seawall of the Henry C. Chambers Waterfront Park; and,

WHEREAS, dockage of large vessels has caused wear to the seawall that must be regularly maintained and repaired; and,

WHEREAS, staff has recommended an increase of the docking fee to help offset the cost of this constant maintenance; and,

WHEREAS, staff has further recommended that this docking fee be reviewed annually to ensure both the adequacy of the fee, and the competitiveness in the tour boat market; and,

WHEREAS, Section 3-2002(d) provides fines for violation of discharge into the waterways that cause ecological damage; and,

WHEREAS, fines and penalties per the Federal Pollution Control Act have been increased up to fifty thousand ($50,000) dollars; and,

WHEREAS, staff has recommended that Section 3-2002(d)(2) be amended to track the fines and penalties under the Federal Pollution Control Act; and,

WHEREAS, City Council finds that it is in the best interest of the City and its citizens to amend Section 3-2002 to provide for these staff recommendations;

THEREFORE, be it Ordained by City Council of Beaufort, South Carolina, duly assembled, and by the authority of the same, that Section 3-2002 of the City Code of Ordinances be amended as follows:

Section 3-2002(c) be amended to provide that, for vessels docking at the Waterfront Park seawall, "A docking fee of one dollar ($1.00) per linear foot shall be levied to all vessels. This fee shall be reviewed annually by the City Manager, and adjusted if necessary and appropriate."

Section 3-2002 (d)(2) be amended to provide that "Violators are subject to a penalty of up to fifty thousand ($50,000) dollars."

All other provisions of Section 3-2002 shall remain unchanged.

This Ordinance shall be effective upon adoption.

_____

_____
BILLY KEYSERLING, MAYOR

Attest:

_____
IVETTE BURGESS CITY CLERK

1st Reading _____
2nd Reading & Adoption _____
Reviewed by: _____
WILLIAM B. HARVEY, III, CITY ATTORNEY

AGREEMENT REGARDING PUMPOUT SYSTEM

This Agreement Regarding Pumpout System (this Agreement), by and between the City of Beaufort, South Carolina (City), and SHM Beaufort, LLC (SHM), is entered into this _____day of _____, 2019.

WHEREAS, SHM has entered into a Lease Agreement with the City, dated June 25, 2019 (the "Lease"), for the lease and operation of the Beaufort Downtown Marina (the Marina); and,

WHEREAS, South Carolina Department of Natural Resources (SCDNR) has received funding by the U. S. Department of Interior/U.S. Fish & Wildlife Service under a project entitled "South Carolina Clean Vessel Act Program–Coastal" to support the purchase of an approved boat-mounted marine pumpout system to be located at the Beaufort Downtown Marina; and,

WHEREAS, City entered into a contract with SCDNR dated September 25, 2017 (the Contract) for the provision to the City of 75% of the cost of a new boat, motor and trailer onto which this approved marine pumpout system will be installed; and,

WHEREAS, City purchased and took title to the boat, motor, trailer, and pumpout system equipment (collectively the Pumpout System) referenced in the Contract under the terms of the Contract; and

WHEREAS, the Contract provides that the City shall be responsible for providing the personnel necessary to operate and maintain the Pumpout System; and,

WHEREAS, SHM has the knowledge and experience to operate and maintain the Pumpout System, and SHM and City wish to enter into this agreement for such services under the terms and conditions stated herein; and,

NOW THEREFORE, for and in consideration of the mutual promises stated herein, the sufficiency of which consideration is acknowledged, SHM and City do hereby agree and stipulate as follows:

1. SHM accepts the designation as the "person" responsible for the operation and maintenance of the Pumpout System in accordance with the Contract. SHM agrees to be bound by the covenants, rights and obligations of the Contract, the terms of which are incorporated herein by reference, with respect to such operation and maintenance and the other obligations specifically set forth in this Agreement. A copy of the Contract is attached hereto has Exhibit A.

2. SHM, and its employees, shall utilize the Pumpout System for the purposes, and under the conditions, set forth in the Contract. In addition SHM, and its employees, may use the Pumpout System for Marina operations and harbor master activities and assistance of a vessel in an emergency only to the Lady's Island Marina. Any other use of the Pumpout System shall be unauthorized, and in violation of this Agreement.

3. SHM agrees to perform the following maintenance on the boat, motor and trailer:

a. SHM shall perform routine maintenance on the boat, motor and trailer in accordance with SHM's standard maintenance practices; provided, the City shall be responsible for correcting any condition in effect as of the date of this Agreement;

b. SHM shall keep the bottom of the boat free all barnacles and any other growth;

c. SHM shall apply anti-foul paint to the bottom of the boat every other year following the year of this Agreement;

d. SHM shall maintain documentation of all maintenance conducted. If maintenance is performed internally by Marina personnel, documentation must include date of maintenance, number of hours attributable to the maintenance, type and detailed description of the maintenance performed, and the name of all personnel performing the maintenance. No travel expenses shall be allowed as maintenance costs under this Agreement.

e. The Contract contains requirements to post and maintain signs, provided by SCDNR, identifying that the pumpout facilities are available at the Marina, and encouraging the public to utilize the facilities. SHM agrees to post and maintain the signs as required by the Contract.

f. SHM agrees to properly and timely fulfill the requirements of Section I(C) of the Contract pertaining to the collection and disposition of sewage.

g. SHM shall ensure that its Certificates of Liability and Workers Compensation insurance provide coverage for the operations of the boat, and SHM shall provide copies of such insurance certificates upon request by the City.

4. City shall pay the annual taxes and insurance on the boat, motor and trailer.

5. City shall have the right to inspect the boat, motor and trailer quarterly, or more frequently as City reasonably deems necessary, to ensure that all are in working order and being maintained as provided.

6. City shall have the right upon reasonable request to review maintenance records to ensure that required documentation is adequate to comply with Contract requirements.

7. If any component of the Pumpout System requires replacement (other than replacement of minor items in the course of routine maintenance), the City shall replace such component at no cost to SHM. If the City performs any replacement pursuant to this Section 7 for which SHM receives grant or other funding from SCDNR or another entity~~,~~ pursuant to paragraph 9 below~~,~~ ("Replacement Funds"), SHM shall reimburse the City for ~~the~~such replacement up to the amount of ~~any component of~~ the ~~Pumpout System, such funds shall be used for the purpose stated in the application for the grant or other funding~~Replacement Funds designated therefor. City shall retain title to any component of the Pumpout System which is replaced.

8. Failure by SHM to comply with the terms of this Agreement shall constitute default. Upon written notice by City to SHM of the circumstances of default, SHM shall cure the default within 30 days or such longer period as may be reasonably necessary to effect such cure. If SHM fails to cure the default within the period prescribed in the preceding sentence, City shall have the right to rescind possession and use of the boat, motor, trailer and pumpout equipment by SHM, and City may take back possession thereof. The Contract with SCDNR requires there to be a designated individual responsible for the maintenance and operation of the pumpout boat. Upon default by SHM, City shall have the right to employ/designate a City employee as the designated individual under the Contract, and to charge the salary or wages of said individual (or the portion thereof attributable to pumpout activities) to SHM under the Lease. Failure by the City to exercise any rights under this Agreement shall not constitute a waiver of any rights herein.

9. The City acknowledges and agrees that SHM intends to enter into an agreement with SCDNR for reimbursement of the costs of operating and maintaining the Pumpout System (the Grant). The City will reasonably cooperate with SHM in connection with applying for the Grant. The City acknowledges and agrees that~~, except for the requirement in paragraph 7 that any funds be used for the purpose stated in the grant or funding application,~~ any funds received by SHM pursuant to the Grant shall be the sole property of SHM and the City shall have no right to or interest in any portion of such funds. Within ten (10) days of receipt of written request therefor, SHM shall provide to the City copies of all documents generated or received in connection with any such application for grant or other outside funding.

10. This Agreement shall terminate upon the earlier of the expiration of the Lease or the disposition of the Pumpout System in accordance with the terms of the Contract.

11. Written consent of SCDNR to this Agreement on or before October 30, 2020, shall be condition precedent to the effectiveness of this Agreement.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this _____ day of _____, 2019.

WITNESSES

_____

_____

City of Beaufort

By:_____

Its:_____

SHM Beaufort, LLC

_____

_____

By:_____

Baxter Underwood,
Chief Executive Officer

Document comparison by Workshare 10.0 on Monday, November 11, 2019 9:32:35 AM

Input:	
Document 1 ID	netdocuments://4821-4884-7531/5
Description	Pumpout Boat Agreement - BDT - City of Beaufort
Document 2 ID	netdocuments://4821-4884-7531/6
Description	Pumpout Boat Agreement - BDT - City of Beaufort
Rendering set	Standard with classic table comparison

Legend:	
Insertion	
~~Deletion~~	
~~Moved from~~	
Moved to	
Style change	
Format change	
~~Moved deletion~~	
Inserted cell	
Deleted cell	
Moved cell	
Split/Merged cell	
Padding cell	

Statistics:	
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Deletions	6
Moved from	0
Moved to	0
Style change	0
Format changed	0
Total changes	12