



CITY OF BEAUFORT
1911 BOUNDARY STREET
BEAUFORT MUNICIPAL COMPLEX
BEAUFORT, SOUTH CAROLINA 29902
(843) 525-7070
CITY COUNCIL REGULAR MEETING AGENDA
June 11, 2024

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. Philip Cromer, Mayor

II. INVOCATION AND PLEDGE OF ALLEGIANCE

- A. Mayor Pro Tem, Michael McFee

III. CITY COUNCIL ORGANIZATION

- A. Reappointment of Municipal Judges

IV. PROCLAMATIONS/COMMENDATIONS/RECOGNITIONS

- A. Character Education Proclamation - Juliet Pieczonka, Beaufort Middle School

V. PUBLIC COMMENT

VI. MINUTES

- A. Worksession - May 21, 2024
- B. Worksession and Regular Meeting - May 28, 2024

VII. OLD BUSINESS

- A. Ordinance to Amend Fiscal Year 2024 Budget for Revenues and Expenditures of TIF II Fund and Capital Projects Fund- second reading
- B. Authorization for City Manager to enter into a contract for SC Highway 170 Sidewalk Extension
- C. Ordinance authorizing the execution and delivery of an easement for the placement of utility infrastructure on real property known as Southside Park by the City of Beaufort to Dominion Energy of South Carolina, Inc. - second reading
- D. An ordinance to provide for the levy of taxes for the City of Beaufort for Fiscal Year beginning July 1, 2024, and ending June 30, 2025; to provide for execution of and to put into effect the consolidated budget; and to provide budgetary control of the City's fiscal

affairs - second reading

VIII. NEW BUSINESS

- A. Ordinance amending Part 1, Chapter 3, Article A, Section 1-3001 (a) and 1-3003 (b) of the City Code of Ordinances concerning the date and time of council meetings and the rules of order of council meetings - first reading
- B. Resolution adopting City Council Standard Operating Procedures Manual
- C. Appointments/Reappointments to Boards, Commissions and Committees

IX. REPORTS

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

X. EXECUTIVE SESSION

- A. Pursuant to Title 30, Chapter 4, Section (70) (a) (2) of the South Carolina Code of Law: Discussion regarding contracts, leases and agreements

XI. ADJOURN



CITY OF BEAUFORT
DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

TO: CITY COUNCIL **DATE:** 6/5/2024
FROM: JJ Sauve
AGENDA ITEM
TITLE: Reappointment of Municipal Judges
MEETING
DATE: 6/11/2024
DEPARTMENT: City Managers Office

BACKGROUND INFORMATION:

An advertisement for Municipal Judges was open from April 5, 2024 to May 3, 2024.

PLACED ON AGENDA FOR: Action

REMARKS:

These will be two-year appointments running from July 1, 2024 to June 30, 2026.



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, Juliet Pieczonka was selected as the winner by Beaufort Middle School as the student of the month.

NOW, THEREFORE, the City Council of the City of Beaufort, South Carolina, hereby proclaims May 2024 as

JULIET PIECZONKA, BEAUFORT MIDDLE SCHOOL STUDENT OF THE MONTH

The City of Beaufort thereby pronounces *Responsibility/Cooperation* as the word for the month of May and applauds Juliet Pieczonka, the Beaufort County School District, and Beaufort Middle School for their work and specifically honors Juliet Pieczonka, Beaufort Middle 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 11th day of June 2024.

Philip E. Cromer, Mayor

Attest:

Traci Guldner



City Council Worksession

Meeting Minutes – Planning Conference Room – 1st Floor

May 21, 2024

I. CALL TO ORDER

5:00 PM

Michael McFee, Mayor Pro Tem

Members of Council in attendance - Neil Lipsitz, Michael McFee, Mitch Mitchell, Josh Scallate.

Absent: Philip Cromer.

II. DISCUSSION ITEMS

A. Beaufort Development Code proposed changes.

Curt Freese, Community and Economic Development Director updated Council that the Planning Commission is in the process of considering all previous amendments. They have chosen to actively address the Historic District Preservation Standards. The recommendations should come back to Council for consideration within the next few months.

Public Utility Easements - New Section 7.1.6.

Mr. Freese stated that staff recommends the dedication of a public utility easement with all new developments to aid in efficiently providing public services. He indicated that this is a common practice around the country. This would require the dedication of a public utility easement on the property that is agreed to by all the companies before the creation of any development. The easement should be at least 10 feet. One of the drawbacks is that the deeding process may take a little longer.

Staff will reach out to the utility companies to gain their perspective. It will also be vetted by legal counsel. Mr. Freese feels this would be a benefit to the utility companies.

Open Space requirements - Section 7.4.2.

Staff recommend increasing the open space requirements to address the concerns over the loss of greenspace and tree coverage. Many districts were exempt from open space requirements. He then went over the different zones with the recommended percentages of green and open spaces.

There was a discussion about imposing some type of requirement on land where the acreage is 5 acres or less. Should there be any provisions placed on them. Also discussed was the fact that there is no requirement in T5-UC. They are exempt. Should there be a minimum percentage, or square footage requirement in this zone. Should there be an exemption placed on minor subdivisions in certain zones.

Adding subdivision regulations to the land development standards - Sections 7.5, 9.1.4, 9.8.1, and 9.9.2.

In these sections, the intent is to add more requirements when submitting Sketch and Site Plans to show more detail as it pertains to open space, tree canopies, pedestrian layout, traffic and utility plans, and others. This would give the approving body more information up front. This would add predictability, transparency and set standards as to what will be expected when submitting these plans. There would also be a Public Hearing and Notice requirement at the Sketch Plan process prior to the Planning Commission meeting.

Under Section 7.5.3.B.1.iii Sketch Plan, there was discussion about adding any potential adjoining future development. Could add any approved or vested developments per Mr. Freese.

Under Section 7.5.2.C.1.c.5, there was discussion about omitting the first sentence “There is a need or desirability within the community for the development and”.

Under 7.5.1 General Provisions, third paragraph down, should the Historic District Review Board be added since the Beaufort Preservation Manual is in the paragraph above. Under the fourth paragraph regarding the final sentence, should this remain. Staff will think about the implications of this and discuss with legal before proceeding.

It was brought up that a 10 feet easement is being proposed, but in other places in the code it references 8 feet. Mr. Freese stated that 10 feet is more reasonable.

Under Section 7.5.4.B.2.m, should an ecological resource survey be a requirement for all, or only applicable in certain circumstances.

Under Section 7.2.1.C.1.a, this section will be revised regarding 4- and 5-foot sidewalk requirements.

Under Minor Subdivisions, regarding the subdivision of lots, should there be reference to minimum lots sizes.

Under Section 7.1.1 Purpose, the proposed item F will be removed.

There was discussion about in what order the proposed changes should go to the Planning Commission.

The following interacted with Council on the issues discussed:

Paul Trask, 610 Bladen Street.
Mike Tomy, 1103 Craven Street.
Grant McClure, Coastal Conservation League.

A copy of the presentation is attached to these minutes.

III. ADJOURN

6:40 PM

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In accordance with South Carolina Code of Laws, 1976, Section 30-4-80 (a)(d)(e), as amended, notification of regular meetings was given at the beginning of the calendar year. A copy of the agenda was posted on the City's bulletin board and website www.cityofbeaufort.org twenty-four hours prior to the meeting. A copy of the agenda was given to the local news media and requested public on file.

DRAFT



City Council Worksession

Meeting Minutes – Planning Conference Room – 1st Floor

May 28, 2024

I. CALL TO ORDER

5:00 PM

Philip Cromer, Mayor

Members of Council in attendance - Philip Cromer, Neil Lipsitz, Michael McFee, Mitch Mitchell, Josh Scallate.

II. DISCUSSION ITEMS

A. Interviews of applicants for Boards, Commissions and Committees.

Council held a question-and-answer session with Chetan Patel, for the Tourism Development Advisory Committee.

III. PRESENTATION

A. Proposed City Council Standard Operating Procedures Manual.

JJ Sauve, Assistant City Manager, started off by saying there was discussion in the Strategic Planning Session about possibly changing the Council meeting schedule and adopting formal rules of procedure. He stated that this was put together using manuals from the International City/County Management Association (ICMA), and the National League of Cities.

Mayor Cromer stated that the Municipal Association of South Carolina (MASC) recommends having Council Standard Operating Procedures.

Scott Marshall, City Manager, said the recommendations that are coming before Council tonight were made during the Council Retreat. They seemed to have been generally accepted. Having this discussion now allows us to proceed with these procedures. If accepted, they would be enacted with the start of the new Fiscal Year. If adopted, a new meeting schedule will be adopted to accommodate. Nothing is set in stone. These are recommendations based on best practices. Based on the discussions, there may be a need to change one or two ordinances.

Mr. Sauve then went over the different chapters. Council asked their individual questions regarding the manual.

Under Chapter 2, there was discussion about the proposed process of how the casting of ballots for Boards, Commissions and Committees would be handled. How applicants are notified. How long applications should be kept on file, and about the notifications to Council when a Board member resigns.

Under Chapter 5, there was talk about Council communications with the public through email.

Under Chapter 7, they discussed outside agencies being contacted directly by City Advisory Boards. If they wish to do this, Council will need to review and approve any correspondence

ahead of time. This would not apply if the board reaches out to have the staff liaison contact the outside agency.

Chapter 8, Sections 8.01, 8.03, 8.04. There was conversation about the various meeting types, what is considered a special meeting, and processes needed to amend a meeting schedule. How would individual members of Council go about getting a worksession scheduled.

Section 8.07, there was discussion about the statement of keeping electronic video recordings for only 6 years.

Section 8.08C, extensive conversation occurred regarding public comment periods. Should the period be a maximum of 3 minutes, or 5 minutes. The mayor would have the authority to allow the comment period to go a little longer as warranted. How would priority be given to individuals that wish to speak.

Section 8.08H, Consent Agenda. There was debate regarding a few of the topics that were being permitted under this category. Should Final approval of leases and agreements, Final acceptance of grants, deeds, or easements, and Second reading of ordinances, be removed from the items listed. Items placed here can always be pulled off and discussed in another section of the agenda by making a motion to do so.

Under Chapter 9, there was a brief discussion about parliamentary procedures.

Scrivener errors and language changes were annotated throughout these discussions.

The following addressed Council:

Graham Trask, 1211 Bay Street.
Dan Blackmon, 1010 Duke Street.
Paul Trask, 610 Bladen Street. Written comments are attached.
Rob Cahill, 608 Waters Street.

IV. EXECUTIVE SESSION

Councilman Lipsitz made a motion to postpone Executive Session until after the completion of the Regular Meeting. Councilman Scallate seconded the motion.

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

- A. Pursuant to Title 30, Chapter 4, Section (70) (a) (1) of the South Carolina Code of Law: Discussion regarding personnel - Boards, Commissions and Committees.
- B. Pursuant to Title 30, Chapter 4, Section (70) (a) (1) of the South Carolina Code of Law: Discussion regarding personnel appointed by Council.

Councilman Lipsitz made a motion to come out of Executive Session and seconded by Councilman Scallate.

No actions from Executive Session.

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DRAFT



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

May 28, 2024

I. CALL TO ORDER

7:00 PM

Philip Cromer, Mayor

Members of Council in attendance - Philip Cromer, Neil Lipsitz, Michael McFee, Mitch Mitchell, Josh Scallate.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Pro Tem, McFee

III. PRESENTATIONS

- A. Recognizing Communications Manager, Kathleen Williams, and Lindsey Edwards with the Police Department, on winning Silver Wing Awards at the South Carolina Chapter of the Public Relations Society of America, at their annual Mercury Awards.

City Manager, Scott Marshall, recognized Kathleen Williams on receiving the Silver Wing Award of Merit for the City of Beaufort’s website redesign. The Police Department was honored with a Silver Wing Award of Excellence in the Social Media Facebook Engagement category for its entry “Connecting the Police Department and the Community”. This is a well-earned recognition for the social media manager, Lindsey Edwards.

IV. PROCLAMATIONS/COMMENDATIONS/RECOGNITIONS

- A. Character Education Proclamation - Kevin Doctor, Beaufort High School.

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

All were in favor, motion carried.

V. PUBLIC COMMENT

Paul Trask, 610 Bladen Street spoke regarding meeting minutes and the Woods Bridge. Written communication is attached.

VI. MINUTES

- A. Special Worksession - May 8, 2024.

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

Minutes approved as presented.

B. Worksession and Regular Meeting - May 14, 2024.

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

Mayor Pro Tem, McFee, abstained from the vote, as he was not in attendance at the meetings.

Minutes approved as presented.

C. Special Worksession - May 17, 2024.

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

Minutes approved as presented.

VII. OLD BUSINESS

A. Ordinance to amend Fiscal Year 2024 Budget for Revenues and Expenditures of TIF II Fund and Capital Projects Fund - second reading.

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

First reading was held on May 14, 2024. No changes made since first reading.

Alan Eisenman, Finance Director, gave a brief summary of what is being proposed.

Councilman Scallate made a motion to postpone this discussion until the June 11, 2024, meeting. The motion was seconded by Councilman Lipsitz.

Paul Trask, 610 Bladen Street, addressed Council. Written communication is attached.

VIII. NEW BUSINESS

A. The Davis-Waddell Wedding requests a waiver of alcohol in the park, drinking in public, and a waiver of the noise ordinance for a wedding on Saturday, October 26, 2024, at Whitehall Park.

Motion to approve was made by Councilman Lipsitz and seconded by Councilman Scallate.

All were in favor, motion carried.

B. Request from CAPA and the Exchange Club of Beaufort to host the 30th Annual Ghost Tours, October 11 - 13, 18 - 20, and 25 - 27, and request two (2) complimentary parking spaces from October 10 - 28, 2024.

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

All were in favor, motion carried.

C. Authorization for City Manager to enter into a contract for the S C Highway 170 Sidewalk Extension Project.

Councilman Lipsitz made a motion to postpone this discussion. Councilman Scallate seconded the motion.

All were in favor, motion carried.

- D. A resolution certifying the property located at 1409 King Street, Beaufort, South Carolina, Parcel I.D. No. R120 004 000 1009 0000, +/- .8684 acres as abandoned building sites pursuant to the South Carolina Abandoned Buildings Revitalization Act, Title 12, Chapter 67, Section 12-67-100., seq., of the South Carolina Code of Laws (1976), as amended.

Motion to approve was made by Councilman Lipsitz and seconded by Councilman Scallate.

Curt Freese, Community and Economic Development Director stated that last year the Historic District Review Board approved a revitalization of Justice Square. This includes part of the old jail project. The developer has approached the city to use the South Carolina Abandoned Buildings Revitalization Act to get income tax and property tax credits to develop those properties. They have been vacant for many years. They just need a resolution from City Council to proceed.

All were in favor, motion carried.

- E. Ordinance authorizing the execution and delivery of an easement for the placement of utility infrastructure on real property known as Southside Park by the City of Beaufort to Dominion Energy of South Carolina, Inc. - first reading.

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

JJ Sauve, Assistant City Manager, stated that earlier this year Council approved the Southside Park Project Phase I, which is currently underway. It was determined that a utility easement would be necessary for Dominion Energy to provide electrical infrastructure within the park. Dominion Energy will be responsible for maintaining the lines.

All were in favor, motion carried.

IX. REPORTS

City Manager's Report

Congratulated Chief Price on her selection as the new Police Chief. She is also the first female Police Chief for the City of Beaufort.

Spoke about some of the events that were held over the Memorial Day weekend.

Reported that Beaufort was one of two towns in South Carolina that have been named among the top 20 friendliest cities in the south by Southern Living Magazine. We were number 2 behind Covington, Louisiana.

Stated that upgrades are being made to the Pigeon Point playground equipment.

The permanent Harriet Tubman monument will be unveiled at the historic Tabernacle Baptist Church, 901 Craven Street, on Saturday, June 1, 2024, at 1:00 pm.

First Friday will be held on June 7, 2024. Bay Street will be closed.

The first annual June Music Festival will be held at the Henry C. Chambers Waterfront Park on Saturday, June 8, 2024.

The Police Department Future Guardians Initiative Summer Camp Program will occur June 17 - 19, 2024. Deadline for registering is May 31, 2024. See the Police Department's social media page for more information.

The Fire Department will be holding another CPR Class for high school students on Saturday, June 29, 2024. See their social media page for more information.

Public works will be sponsoring a Touch a Truck event on Saturday, June 15, 2024, at the Pigeon Point Park from 10:00 am - 1:00 pm.

Wished his wife, Ginger, a Happy 20th Anniversary.

Mayor's Report

Attended the American Flood Coalition Local Elected Leaders Summit in Washington, DC.

Will be attending the Harriett Tubman monument unveiling on Saturday, June 1, 2024, at 1:00 pm at the Historic Tabernacle Baptist Church at 901 Craven Street.

Councilman Mitchell

Reported that the artist who sculpted the monument of Harriet Tubman is Ed Dwight. He recently became the oldest person to go into space courtesy of Blue Origin. He was a former test pilot and astronaut and was the first African American to have entered the astronaut training program.

Mayor Pro Tem, McFee

Attended a Northern Regional Plan Implementation Committee (NRPIC) meeting.

Participated in the events at the Gullah Festival.

Councilman Scallate

Thanked the City Manager and staff for a very transparent process concerning the search for a new Police Chief.

He, and Councilman Mitchell, attended a Northwest Quadrant meeting.

Thanked Beaufort County Council, and Department Heads Countywide, for a new alerting system for First Responders.

Councilman Lipsitz

Participated in a Police ride-a-long.

Attended the 103rd birthday celebration for May Lepionka along with other members of Council.

Congratulated Mike Moore, from York County, on being named the next Beaufort County Administrator.

All of Council congratulated Stephanie Price on being named the new Police Chief.

Members of Council participated in the Memorial Day Events.

X. ADJOURN

7:40 PM

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

All were in favor, motion carried.

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DRAFT

Letter To Beaufort City Council

Date: May 30, 2024

From: Paul Trask
610 Bladen Street
Beaufort, SC 29902

To: tguldner@cityofbeaufort.org
cc to: pcromer@cityofbeaufort.org
mmcftee@cityofbeaufort.org
mmitchell@cityofbeaufort.org
pscalle@cityofbeaufort.org
nlipsitz@cityofbeaufort.org
smarshall@cityofbeaufort.org
jsuave@cityofbeaufort.org

Please include the contents of this letter verbatim to the minutes of the next Beaufort City Council Meeting.

The comments contained in this letter are made solely in my capacity as a private citizen. They are **not** made in my capacity as a member of the City of Beaufort Planning Commission. They are **not** made in any capacity as a member of the Trask family. They are **not** made in any capacity as owner and/or manager of any business entity, nor on behalf of any organization.

Contents:

A. Re: City of Beaufort Work Session Agenda Packet May 28, 2024

I appreciate the time and effort made in the preparation of the DRAFT City Council Standard Operating Procedures Manual. Since time ran out at the work session, I was unable to give my comments. I am listing my recommendations for edits below:

1. There should be a paragraph 5 added to Section 5.04 Electronic Communications:

Proposed paragraph 5. "City Council Members are provided with a cityofbeaufort.org email address which should be used for the conduct of all city business. Council members should never use a private email address for the conduct of city business."

Question: Should the City provide members of the various boards and commissions with an email address? I don't know the answer to this question. I believe that an email sent by a citizen to a board member in regard to a project or matter before that City board may constitute a public record under the law and would need to be available for public inspection. This issue should be discussed.

2. 8.07 Electronic Video Recording of Meetings:

As I have mentioned more than once and most recently at the May 28 2024 Council Meeting, I do not believe the City's policy of relying on a video recording to serve as part of the minutes of a public meeting is compliant with South Carolina law. SC 30-4-90 requires **written** minutes to include the **substance** of what is said. The City has discontinued the time-honored policy of capturing the substance of citizen comments at public meetings. I believe the law is intended to capture in writing the substance of what a citizen says at a public meeting just as much as the substance of what a councilman or member of staff says.

1.

Furthermore, the City proposed language in 8.07 states that the video recordings are to be kept for six years. To the extent that the City purports that these recordings are “minutes” then the recordings are in direct violation of the SC Dept of Archives regulation below:

General Records Retention Schedules for Municipal Records 12-604.2. Council Minutes A. Description: Record of proceedings at meetings of the municipal council which includes written descriptions of the financial and administrative business conducted. Information includes dates of meetings, names of council members present, claim approvals, petitions, bids, proposals, other matters discussed by or brought to the attention of the council, and attachments. B. Retention: Permanent. Microfilm for security.

It seems clear that the City’s intention is for the recordings to serve as official minutes, hence the City’s disclaimer which always appears on the written minutes.

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Finally, the videos recordings of all these meetings appear to be linked to Facebook. How can the City be assured that the recordings will even be preserved for 6 years? Does the City have control of the storage of this data? Is there an agreement to that effect? Is reliance on a 3rd party to store video data on behalf of the City complaint with SC law and records retention requirements?

This is an issue that requires thoughtful discussion. The City should return to the policy of accurately and substantially recording the minutes of these public meetings in writing. The video recordings are fine as an adjunct to the written minutes.

3. 8.08 C. Public Comment on Agenda Items Only:

In the first paragraph, the word “Council” should be replaced with “Mayor”. The Mayor runs the meeting and should have the discretion to permit more time for a citizen to speak.

8.08 H. Consent Agenda:

The idea of the consent agenda is a good one for making meetings run smoothly and efficiently. However, items vi. Final approval of leases and agreements and viii. Second reading of ordinances should never be matters included on a consent agenda.

In the last paragraph of this section, it needs to be clarified that “any” or “a” Council Member may request to pull a consent agenda item. The language in the draft reads in the plural and suggests that more than one council member is required to exercise such discretion.

8.08 P. Addressing the Council – Manner – Limits:

In the paragraph, the 2nd and 4th word “Council” need to be replaced with the work “Mayor”.

Again, I think this document will certainly help streamline City meetings and I appreciate the effort to develop this DRAFT.

B. Re: Ordinance to Amend Ordinance 6-23 and the RFP 2024-108 Hwy SC 170 Sidewalk Extension:

Council has tabled the 2nd reading of this amending ordinance in order to study the matter more fully. This matter is a case study of why the City should exercise great caution when entering into a contract for public work and the expenditure of public funds.

It is a given that this project was identified as a priority capital project during the 2024 strategic planning sessions.

However,

The project generated only 2 bids.

The spread between the bids was \$88,355.73 or 31% of the low bid. RED FLAG

The low bid was \$97,621.80 or 52% above the budget. RED FLAG

The low bid included a price of \$123,292.30 for the components to install (4) light poles. RED FLAG

The City should not proceed with a cost overrun of this magnitude just because the project was prioritized.

Under the circumstances, this project should be de-prioritized.

The City should adopt a policy to require tabling and further analysis of any project which comes in above 15% of its budget.

This particular project, while worthy, is not in the best interest of the citizenry at this price. This project should be shelved indefinitely and taken up when the business circumstances are more favorable to secure a reasonable price.

The TIF2 funds should therefore be kept for this future purpose and for other appropriate uses and kept working to earn interest in the meantime. I would appreciate confirmation that the corpus of the TIF2 money is working to earn interest income.

C. Re: County 2024 Transportation Tax Initiative:

My concern is that another decade will go by and the traffic situation flowing from the Woods bridge down Carteret and Boundary and through downtown itself will worsen. The Woods bridge will break down from time to time as it has historically done (perhaps catastrophically).

Why isn't the City at least advocating for the 3rd bridge crossing at Brickyard Point?
Forward thinking and consideration of this issue is vital.

Summary of Northern Bypass Issues

2003 Wilbur Smith Study

1. Complete bypass loop; Westerly, Northerly, and Easterly
2. Decided to focus on the Northerly across the river from US21 to Brickyard Rd.
 - a. "relieve traffic congestion inn the downtown Beaufort area by providing an alternative to the Woods Memorial Bridge"
3. 2020 projections would reduce Woods bridge traffic by 5,000-7,000 vehicles per day and McTeer bridge traffic by 2,000-3,000 vehicles per day.

3.

2007 Northern Regional Plan

1. Northern Beaufort County expected to grow from +-80,500 to +-123,500 by 2027. 53%
2. Listed transportation improvement projects to be completed by 2025
3. Some completed, some not.
4. Listed need to study 3rd River Crossing – Northern Bypass

2012 Beaufort County 1% Sales Tax Progress Report

1. Thomas & Hutton “Preferred Alignment” environmental assessment for northern bypass completed.
2. “Parallel Road portion of the Boundary Street improvements has been put on hold, with the intention of construction in the future as development occurs.” P23

2018 Ladys Island Area Plan – Single Page

1. Questions whether 3rd crossing will create more growth on Ladys Island – St. Helena
2. Concedes that if growth continues, a 3rd bridge would be necessary

2019 Ladys Island Plan

1. Manage growth:
 - a. Limitations on Sewer/Septic
 - b. Limit Fill Dirt
 - c. Purchase Land & Conservation Easements
2. Continues To Push Bicycle/Pedestrian way but nothing gets done
3. Continues To Push Village/Connector Streets but nothing gets done
4. Projects that additional 8,795 dwelling units are possible which exceeds projected 2035 demand.
5. Admits that continued growth is likely but advocates to avoid need for 3rd bridge by making numerous local street and pathway improvements.

2023 Northern Regional Plan Implementation Committee Agenda

1. Floats concept that 3rd bridge is actually a replacement bridge for Woods as it continues to age.
2. Lists as a future agenda item the concept for the so called “replacement bridge”

Discussion of a 3rd bridge has been ongoing for over 20 years.

Growth continues and will not stop. Traffic will continue to increase. Woods Bridge will continue to age.

Frustration is evident. Traffic on Ladys Island is terrible. Result: the rise of local groups calling for limitations on growth. Traffic snarls and congestion on Carteret, Bay, Ribaut and Boundary will worsen.

Traffic woes cannot be cured by localized connector streets and multi-use paths alone. These are subordinate parts of the full solution which requires the Northern Connector.



CITY OF BEAUFORT
DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

TO: CITY COUNCIL **DATE:** 5/15/2024
FROM: Alan Eisenman, Finance Director
AGENDA ITEM TITLE: Ordinance to Amend Fiscal Year 2024 Budget for Revenues and Expenditures of TIF II Fund and Capital Projects Fund- second reading
MEETING DATE: 6/11/2024
DEPARTMENT: Finance

BACKGROUND INFORMATION:

The City budgeted \$190,244 for SC-170 Sidewalk Extension Project in Fiscal Year 2024 approved capital project fund. The City issued Request for Proposals 2024-108 SC-170 Sidewalk Extension Project on March 7, 2024 and received proposals on April 19, 2024.

The bids received were above the approved SC-170 Sidewalk Extension project budget. City staff recommends a budget amendment for an additional \$150,000 from TIF II Fund to fully fund the capital project.

PLACED ON AGENDA FOR: Action

REMARKS:

Staff recommends Council's consideration to approval of budget ordinance, along with request of authorization for City Manager to enter into a contract for SC-170 Sidewalk Extension Project.

First Reading was held on May 14, 2024.

Second Reading was tabled on May 28, 2024.

ATTACHMENTS:

Description	Type	Upload Date
Ordinance	Backup Material	5/15/2024

ORDINANCE

AN ORDINANCE TO AMEND CITY OF BEAUFORT ORDINANCE 6-23 REGARDING THE FISCAL YEAR 2023-2024 CITY OF BEAUFORT BUDGET TO PROVIDE FOR THE REVENUES AND EXPENDITURES OF TIF II FUND AND CAPITAL PROJECTS FUND.

WHEREAS, Section 5-7-260 of the South Carolina Code of Laws requires that a municipal council act by ordinance to adopt a budget and levy taxes, pursuant to public notice; and

WHEREAS, on June 13, 2023, City of Beaufort adopted Ordinance No. 6-23 which set the City's Fiscal Year 2023-2024 budget and associated expenditures; and

WHEREAS, the City budgeted \$190,244 for SC-170 Sidewalk Extension Project in Fiscal Year 2023-2024 approved capital projects fund; and

WHEREAS, the City issued Request for Proposals 2024-108 SC-170 Sidewalk Extension Project on March 7, 2024 and received proposals on April 19, 2024; and

WHEREAS, the bids received were above the approved SC-170 Sidewalk Extension project budget; and

WHEREAS, the City will allocate an additional \$150,000 from TIF II funds for SC-170 Sidewalk Extension Project; and

WHEREAS, it is necessary and proper to appropriate funds for the above-referenced items; and

WHEREAS, in compliance with South Carolina law and in the interest of maintaining good accounting practices and transparency in the budget process, it is beneficial and necessary to amend the budget to reflect this additional appropriation of funds;

NOW, THEREFORE, BE IT ORDAINED by City of Beaufort Council that the FY 2023-2024 City of Beaufort Ordinance 6-23 is hereby amended by the addition of the following, such that the General Fund FY24 Budget and the Consolidated FY24 Revised Budget are as shown on Exhibits A and B, hereto:

SECTION 1. AMENDMENT

TIF II Fund

Expenditures

Transfers Out- SC 170 Sidewalk Extension

150,000

Total Expenditures

\$ 150,000

Capital Projects Fund

Revenues

Transfers In- SC 170 Sidewalk Extension

150,000

Total Revenues

\$ 150,000

Expenditures

Capital- SC 170 Sidewalk Extension

150,000

Total Expenditures

\$ 150,000

SECTION 2. EFFECTIVE DATE

This Ordinance shall be effective upon its enactment by the City Council for the City of Beaufort.

PHILIP E. CROMER, MAYOR

ATTEST:

TRACI GULDNER, CITY CLERK

1ST Reading May 14, 2024

2nd Reading & Adoption _____

Exhibits:

- A. General Fund FY24 Budget
- B. Consolidated FY24 Revised Budget

EXHIBIT A

General Fund FY24 Budget

	Adopted FY24 Budget	Budget Amendment #1	Budget Amendment #2	Budget Amendment #3	Revised FY24 Budget
<u>Revenues</u>					
Property Taxes	\$ 9,266,244	\$ -	\$ -	\$ -	\$ 9,266,244
Licenses & Permits	6,120,000	-	-	-	6,120,000
Intergovernmental Revenue	3,504,694	87,370	2,000,000	-	5,592,064
Franchise Fees	2,082,880	-	-	-	2,082,880
Charges for Services	1,922,734	-	-	-	1,922,734
Fines & Forfeitures	71,000	-	-	-	71,000
Miscellaneous	10,000	389,126	-	-	399,126
Interest	230,000	-	-	-	230,000
Release of Committed/Assigned Fund Balance	-	-	-	100,000	100,000
Total General Fund Revenues	\$ 23,207,552	\$ 476,496	\$ 2,000,000	\$ 100,000	\$ 25,784,048
<u>Appropriations</u>					
Non-Departmental	\$ 817,024	\$ -	\$ 2,000,000	\$ -	\$ 2,817,024
City Council	258,494	-	-	-	258,494
City Manager	901,785	-	-	-	901,785
Finance	970,819	-	-	-	970,819
Human Resources	436,714	-	-	-	436,714
Information Technology	873,426	-	-	-	873,426
Municipal Court	542,487	-	-	-	542,487
Community & Economic Development	1,411,171	-	-	-	1,411,171
Police Operations	5,394,584	87,370	-	-	5,481,954
School Resource Officer	542,311	-	-	-	542,311
School Crossing Guard	19,865	-	-	-	19,865
Victims Rights	98,135	-	-	-	98,135
Beaufort Fire	6,069,619	389,126	-	-	6,458,745
Public Works	485,367	-	-	-	485,367
Streets & Traffic	1,108,770	-	-	-	1,108,770
Facilities Maintenance	759,832	-	-	-	759,832
Solid Waste	1,125,115	-	-	-	1,125,115
Debt Service	1,843,232	-	-	-	1,843,232
Transfers Out	-	-	-	100,000	100,000
Total General Fund Appropriations	\$ 23,658,750	\$ 476,496	\$ 2,000,000	\$ 100,000	\$ 26,235,246

EXHIBIT B

	General Fund	ARPA Fund	Parks & Tourism Fund	Stormwater Fund	State Accommodations Fund	Fire Impact Fund	TIF II Fund	Capital Project Fund	Total
Revenues	\$ 25,684,048	\$ 100,000	\$ 4,393,852	\$ 1,332,779	\$ 800,000	\$ 405,000	\$ 100,000	\$ 8,794,785	\$ 41,610,464
Transfers In	63,750	-	-	-	-	-	-	18,396,976	18,460,726
Issuance of Revenue Bonds	-	-	6,945,000	-	-	-	-	-	6,945,000
Total Other Financing Sources	63,750	-	6,945,000	-	-	-	-	18,396,976	25,405,726
Release of Committed Fund	1,565,476	-	-	-	-	-	-	-	1,565,476
Release of Fund Balance	-	4,707,485	590,585	1,655,915	60,000	-	3,875,054	1,245,866	12,134,905
Salaries	\$ 9,847,643	\$ -	\$ 1,851,930	\$ 413,857	\$ 17,226	\$ -	\$ -	\$ -	\$ 12,130,656
Benefits	3,766,377	-	716,025	174,512	6,675	-	-	-	4,663,589
Operating	10,046,213	215,091	1,396,199	232,610	712,349	-	-	-	12,602,462
Capital	552,570	500,000	120,600	-	-	-	100,000	28,437,627	29,710,797
Debt	1,922,443	-	309,098	511,800	-	129,239	-	-	2,872,580
Total Expenditures	\$ 26,135,246	\$ 715,091	\$ 4,393,852	\$ 1,332,779	\$ 736,250	\$ 129,239	\$ 100,000	\$ 28,437,627	\$ 61,980,084
Transfers Out	1,178,028	4,092,394	7,535,585	1,655,915	123,750	-	3,875,054	-	18,460,726
Total Other Financing Uses	1,178,028	4,092,394	7,535,585	1,655,915	123,750	-	3,875,054	-	18,460,726
Contribution to Fund Balance	-	-	-	-	-	275,761	-	-	275,761
Net (Deficit) Surplus	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -



CITY OF BEAUFORT
DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

TO: CITY COUNCIL **DATE:** 5/20/2024
FROM: Alan Eisenman, Finance Director
AGENDA ITEM TITLE: Authorization for City Manager to enter into a contract for SC Highway 170 Sidewalk Extension
MEETING DATE: 6/11/2024
DEPARTMENT: Finance

BACKGROUND INFORMATION:

On March 7, 2024, the City solicited a request for proposals, RFP 2024-108 SC Hwy 170 Sidewalk Extension. The city received two bids by the submittal deadline of April 19th, at 10:00 AM.

KTC Enterprises, Inc.	Moncks Corner, SC	\$287,865.80
Gulfstream Construction Company, Inc.	Charleston, SC	\$376,221.53

On April 25th, the selection committee, and representatives from Infrastructure, Consulting & Engineering (ICE) met to review the proposals. The line-item costs from KTC Enterprises were determined to be reasonable. The reference responses received from the public and private sectors stated that KTC Enterprises, Inc. is very experienced, delivers high quality work and completes projects on time. The responders also stated that KTC's electrical subcontractor, Reds Electrical Designs, a Disadvantaged Business Enterprise, is very knowledgeable, professional, and great to work with.

The selection committee is unanimous in recommending KTC Enterprise, Inc. as the lowest most responsive bidder for this project. Upon your approval, a Notice of Intent to Award and a contract will be sent to KTC Enterprises, Inc.

PLACED ON AGENDA FOR: Action

REMARKS:

Staff recommends authorization for City Manager to enter into a contract for Highway SC 170 Sidewalk Extension with KTC Enterprises, Inc. as presented for consideration.

Discussion was tabled on May 28, 2024.

ATTACHMENTS:

Description	Type	Upload Date
Recommendation Memo	Cover Memo	5/20/2024

Bid Proposal
Contract

Cover Memo
Cover Memo

5/20/2024
5/20/2024

CITY OF BEAUFORT - INTERNAL MEMORANDUM

TO: SCOTT MARSHALL
FROM: JAY PHILLIPS
SUBJECT: RECOMMENDATION MEMO FOR RFP 2024-108 HWY SC 170 SIDEWALK EXTENSION
DATE: 04/30/2024
CC: JJ SAUVE, ALAN EISENMAN, NATHAN FARROW, CARRIE GORSUCH

On March 7, 2024, the City solicited a request for proposals, RFP 2024-108 SC Hwy 170 Sidewalk Extension. The public notice was posted on the City's website via Vendor Registry, the State of South Carolina (SCBO) procurement website and was advertised in the Island News. A non-mandatory pre-bid meeting was held on March 19th. Questions were received by the March 26th deadline and answers were posted on Vendor Registry on April 5th. The city received two bids by the submittal deadline of April 19th, at 10:00 AM. The bids were opened during a public meeting at 10:01 AM on that day.

KTC Enterprises, Inc.	Moncks Corner, SC	\$287,865.80
Gulfstream Construction Company, Inc.	Charleston, SC	\$376,221.53

On April 25th, the selection committee, and representatives from Infrastructure, Consulting & Engineering (ICE) met to review the proposals. The line-item costs from KTC Enterprises were determined to be reasonable. The reference responses received from the public and private sectors stated that KTC Enterprises, Inc. is very experienced, delivers high quality work and completes projects on time. The responders also stated that KTC's electrical subcontractor, Reds Electrical Designs, a Disadvantaged Business Enterprise, is very knowledgeable, professional, and great to work with.

The selection committee is unanimous in recommending KTC Enterprise, Inc. as the lowest most responsive bidder for this project. Upon your approval, a Notice of Intent to Award and a contract will be sent to KTC Enterprises, Inc.



KTC ENTERPRISES, INC

CONCRETE, TRUCKING & CURBING

April 19, 2024

City of Beaufort Procurement Department
ATTN: Jay Phillips
1911 Boundary Street
Beaufort, SC 29902

Subject: Transmittal Letter – Request for Proposal #2024-108
SC – 170 Sidewalk Extension

Dear Jay Phillips,

KTC Enterprises, INC is pleased to submit our proposal in response to RFP #2024-108 issued by the City of Beaufort for SC-170 Sidewalk Extension. This transmittal letter accompanies our proposal and outlines the necessary information as per the requirements outlined in the RFP.

I. Name of the Firm Responding

Name of Firm: KTC Enterprises, INC
Mailing Address: 119 Memory Lane Moncks Corner, SC 29461
Email Address: hugh@ktcconcrete.com
Cell Number: 843-834-3170
Contact Person: Hugh R Murchison, Jr.

II. Authorized Representatives:

As President of KTC, I, Hugh R Murchison, Jr am authorized to make representations and bind this firm to a contract as well as bind our offer for ninety (90) calendar days following the RFP due date.

III. Executive Summary:

Our understanding of the project is summarized as follows: Sidewalk extension on Robert Smalls Parkway with minimal storm drainage work, site lighting and landscaping. It is our responsibility to coordinate with the city and utility companies for all utility relocation, if necessary.

IV. Agreement to Specifications and Terms:

We affirm that we have thoroughly reviewed and agree to comply with all specifications outlined within the RFP documents, as well as the City of Beaufort's General Terms and Conditions as posted on the City website. We commit to adhering to these terms as a component of the contract documents.

Our firm is enthusiastic about the opportunity to collaborate with the City of Beaufort on this project. We believe our proposal aligns well with the project requirements and objectives outlined in the RFP.

Sincerely,
KTC Enterprises, INC

Hugh R. Murchison, Jr
President



KTC ENTERPRISES, INC

CONCRETE, TRUCKING & CURBING

Subject: References and Recent Projects

Banks Construction Company INC:

Projects: Charleston Resurfacing – Completed January 2023

Clement's Ferry – 3 Year contract to be completed in 2024

Contact: Wes Bull

Office: 843-844-8621

Email: wesbull@banksconstruction.com

Scope of Work: Sidewalk, Curb, Asphalt, Storm Structures, Throats, Ramps

Berkeley County School District:

Projects: Concrete IDC – Ongoing

Cane Back Track Resurfacing – Completed March 2024

Contact: Stephen Barnes

Office: 843-819-5715

Email: barness@bcstdschools.net

Scope of Work: Sidewalk, Curb, Storm Drainage, Asphalt, Trench Drainage

City of North Charleston:

Projects: Ashley Villas Phase 3 Drainage – Completed September 2021

CDBG – Completed September 2023

Sidewalk Package #1 – Completed January 2024

Sidewalk Package #2A – To be completed April 2024

Contact: Warren "Barry" Givens

Office: 843-745-1026

Email: wgivens@northcharleston.org

Scope of Work: Sidewalks, Curb, Ramps and Driveways, Storm Drainage

Charleston County:

Projects: Azalea Drive Sidewalks – Completed September 2022

Cottingham Sidewalks – Completed August 2023

Contact: Christopher Yaw

Office: 843-202-7848

Email: cyaw@charlestoncounty.org

Scope of Work: Sidewalks, Curb, Ramps, Driveways and Storm Drainage



KTC ENTERPRISES, INC

CONCRETE, TRUCKING & CURBING

IPW Construction Group, LLC:

Projects: Arc Billow Drainage – Completed March 2024
Forrest Hills Drainage – Completed June 2022
Herbert Jessen Boat Landing – Completed August 2023
James Island Highland Drainage – Completed February 2022
Mt Pleasant On Call Sidewalk 5 Year IDC – Completed December 2022
Quarterman Lake – Completed June 2022
Quail Run James Island – In progress to be completed in 2024
Laurel Bay Shared Use Path – In progress to be completed in 2024

Contact: Bryan Rembert

Office: 843-3080524

Email: brembert@ipwco.com

Scope of Work: Sidewalks, Curb, Ramps, Driveways, Storm Drainage and Structures, Asphalt

Landmark Construction Company, INC:

Projects: Avalon Apartments – Completed in September 2020
Camp Hall 4B – Completed December 2023
Carnes Crossroads Apartments – Completed in November 2020
Charleston Civic HUB – Completed May 2023
MUSC Kingstree – Completed December 2022
Nexton Downtown Infrastructure - In progress to be completed in 2024
Omni Turn Lane – Completed February 2023
Preserve @ Ridgeville Apartments – Completed February 2023
Port 95 @ Winding Woods – In progress to be completed in 2024

Contact: Konrad Householder

Office: 843-552-6186

Email: khouseholder@landmark-sc.com

Contact: Kendall Barringer

Email: kbarringer@landmark-sc.com

Contact: Jon Roberson

Email: jroberson@landmark-sc.com

Scope of Work: Sidewalks, Curb, Ramps, Storm Drainage and Structures, Roof Drains, Asphalt

**SUBMITTAL PROPOSAL FORM /
SCHEDULE OF VALUES**

IFB TITLE: SC-170 SIDEWALK EXTENSION
RFP NUMBER: 2024-108

SC 170 Sidewalk Extension Bid Form					
PAY ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL PRICE
1031000	MOBILIZATION	1.00	LS	16500	\$ 16,500.00
1032010	BONDS AND INSURANCE	1.00	LS	10153	\$ 10,153.00
1050800	CONSTRUCTION STAKES, LINES & GRADES	1.00	EA	6000	\$ 6,000.00
1071000	TRAFFIC CONTROL	1.00	LS	19800	\$ 19,800.00
1090200	ASBUILT CONSTRUCTION PLANS	1.00	LS	2500	\$ 2,500.00
2012000	CLEARING & GRUBBING WITHIN ROADWAY	1.00	LS	19000	\$ 19,000.00
2021010	REMOVAL & DISPOSAL OF EXISTING DROP INLET	1.00	EA	2270	\$ 2,270.00
2024100	REMOVAL & DISPOSAL OF EXISTING CURB	265.00	LF	10	\$ 2,650.00
2027000	REMOVAL & DISPOSAL OF EXISTING CONCRETE	360.00	SY	20	\$ 7,200.00
2031000	UNCLASSIFIED EXCAVATION	20.00	CY	70	\$ 1,400.00
2033000	BORROW EXCAVATION	90.00	CY	70	\$ 6,300.00
2034000	MUCK EXCAVATION	100.00	CY	60	\$ 6,000.00
6020005	PERMANENT CONSTRUCTION SIGNS (GROUND MOUNTED) SCHEME D	100.00	SF	20	\$ 2,000.00
6271015	8" WHITE SOLID LINES THERMOPLASTIC - 125 MIL.	236.00	LF	14	\$ 3,304.00
6651091	SINGLE DECORATIVE LIGHT POLE WITH SINGLE LIGHT	4.00	EA	15887.29	\$ 63,549.16
675027Y	FURNISH & INSTALL 4.0" SCHD 80 PVC CONDUIT(DIRECTION BORED)	120.00	LF	59.63	\$ 7,155.60
6760020	2" SCHEDULE 80 PVC CONDUIT	560.00	LF	21.38	\$ 11,972.80
6770319	#8Cu,1,600V,RHH,RHW,USE	1760.00	LF	6.62	\$ 11,651.20
6800530	17X30X28D.ELEC.UNGRD.ENCLOS/HD	2.00	EA	2731.77	\$ 5,463.54
6888110	INSTALL STREET LIGHT LUMINAIRE	4.00	EA	2475	\$ 9,900.00
7198320	JUNCTION BOX - CONVERT DROP INLET 24" X 36"	2.00	EA	6800	\$ 13,600.00
7198392	JUNCTION BOX - CONVERT CB T-16	1.00	EA		\$
7204100	CONCRETE SIDEWALK(4" UNIFORM)	374.00	SY	82	\$ 30,668.00
7204900	DETECTABLE WARNING MATERIAL	50.00	SF	85	\$ 4,250.00
7209000	PEDESTRIAN RAMP CONSTRUCTION	100.00	SY	150	\$ 15,000.00
8100100	PERMANENT COVER	0.08	ACRE	5000	\$ 400.00
8100200	TEMPORARY COVER	0.08	ACRE	5000	\$ 400.00
8104005	FERTILIZER (NITROGEN)	8.00	LB	10	\$ 80.00
8104010	FERTILIZER (PHOSPHORIC ACID)	8.00	LB	10	\$ 80.00
8104015	FERTILIZER (POTASH)	8.00	LB	10	\$ 80.00
8105005	AGRICULTURAL GRANULAR LIME	160.00	LB	5	\$ 800.00
8110001	LANDSCAPING	1.00	LS	3500	\$ 3,500.00
8151203	HYDRAULIC EROSION CONTROL PRODUCT (HECP) - TYPE 3	0.05	ACRE	20000	\$ 1,000.00
8153000	SILT FENCE	510.00	LF	6	\$ 3,060.00
8153090	REPLACE/REPAIR SILT FENCE	51.00	LF	1	\$ 51.00
8154050	REMOVAL OF SILT RETAINED BY SILT FENCE	127.50	LF	1	\$ 127.50
				PROJECT TOTAL	\$ 287,865.80

Request for Proposal (RFP) signature page must be signed and submitted with the above Schedule of Values Bid Form to verify the total bid amount as indicated herein, is inclusive of all costs, including all labor, supervision, materials, supplies, equipment, taxes, insurance, permits and any other costs incidental or otherwise.

4/5/2024 Revisions in red font regarding Q&A questions #7, 8, 11.

*Grey shaded cells indicate locked cells

CONSTRUCTION AGREEMENT

THIS AGREEMENT (hereinafter the “Agreement”) is made this _____ day of _____ 2024, by and between the City of Beaufort, a political subdivision of the State of South Carolina (hereinafter referred to as the “City”) and **KTC Enterprises, Inc.** (hereinafter referred to as “Contractor” or “successful vendor”).

1. The Project. The Contractor agrees to furnish and pay for all supervision, contract administration, services, labor, materials, equipment, tools, and other costs necessary to perform all requirements as stated herein for the scope of work described herein (hereinafter the “Project”). The Contractor shall perform the Project in a workmanlike manner and in strict accordance with this Agreement. The Contractor shall be solely responsible for all construction means, methods, techniques, sequences, procedures, and safety precautions or programs, and for supervising, coordinating and performing all of the work associated with the Project. This Agreement contains the general terms and conditions which will govern all specifications and scope to be performed by Contractor with respect to the Project.

The Project is also known as “**SC HIGHWAY 170 SIDEWALK EXTENSION**” and the terms, conditions, specifications and provisions of the Project are as shown in **RFP 2024-108 SC HWY 170 SIDEWALK EXTENSION** (hereinafter referred to as the “RFP” and included herewith as Exhibit A), the Contractor’s response to the RFP (hereinafter referred to as the “Response” and included herewith as Exhibit B), and the City of Beaufort General Terms and Conditions (included herewith as Exhibit C), all of which are made a part hereof and incorporated herein by reference.

In the event that there is any conflict or inconsistency between the terms and conditions of this Agreement, the RFP, and/or the Response, the terms of this Agreement shall control and govern the rights and obligations of the Parties.

2. Payment. The City shall pay the Contractor for the Contractor’s performance of its obligations under this Agreement the sum of Two Hundred Eighty-Seven Thousand, Eight Hundred Sixty-five dollars and Eighty cent (\$287,865.80) pursuant to and in conformity with the following payment procedures. Any terms or phrases used in this section but not defined in this Agreement shall have the same meaning as those terms or phrases as they are defined in the RFP.

2.1 Schedule of Values.

- A. Definition: A statement furnished by Contractor allocating portions of the Contract Sum to various portions of the Project and used as the basis for reviewing Contractor's Applications for Payment.
- B. Coordination: Coordinate preparation of the Schedule of Values with preparation of Contractor's construction schedule.

1. Correlate line items in the Schedule of Values with other required administrative forms and schedules, including the following:
 - a. Application for Payment forms with Continuation Sheets.
 - b. Submittals schedule.
 - c. Contractor's construction schedule.
 - d. List of subcontractors.
 - e. Schedule of allowances.
 - f. Schedule of alternates.
 - g. List of products.
 - h. List of principal suppliers and fabricators.
 2. Submit the Schedule of Values to the City at earliest possible date but no later than 7 days before the date scheduled for submittal of initial Applications for Payment.
 3. Subschedules: Where the Project is separated into phases that require separately phased payments, provide subschedules showing values correlated with each phase of payment.
- C. Format and Content: Use the Project Manual table of contents as a guide to establish line items for the Schedule of Values. Provide at least one line item for each Specification Section.
1. Identification: Include the following Project identification on the Schedule of Values:
 - a. Project name and location.
 - b. Name of Contractor.
 - c. Contractor's project number.
 - d. Contractor's name and address.
 - e. Date of submittal.
 2. Submit draft of AIA Document G703 Continuation Sheets.
 3. Arrange the Schedule of Values in tabular form with separate columns to indicate the following for each item listed:
 - a. Related Specification Section or Division.
 - b. Description of the Project.
 - c. Name of subcontractor.
 - d. Name of manufacturer or fabricator.
 - e. Name of supplier.
 - f. Change Orders (numbers) that affect value.
 - g. Dollar value: Percentage of the Contract Sum to nearest one-hundredth percent, adjusted to total 100 percent.

4. Provide a breakdown of the Contract Sum in enough detail to facilitate continued evaluation of Applications for Payment and progress reports. Coordinate with the Project Manual table of contents. Provide several line items for principal subcontract amounts, where appropriate. Include separate line items under required principal subcontracts for operation and maintenance manuals, punch list activities, Project Record Documents, and demonstration and training in the amount of 5 percent of the Contract Sum.
5. Round amounts to nearest whole dollar; total shall equal the Contract Sum.
6. Provide a separate line item in the Schedule of Values for each part of the Project where Applications for Payment may include materials or equipment purchased or fabricated and stored, but not yet installed. Differentiate between items stored on-site and items stored off-site. If specified, include evidence of insurance or bonded warehousing.
7. Provide separate line items in the Schedule of Values for initial cost of materials, for each subsequent stage of completion, and for total installed value of that part of the Project.
8. Allowances: Provide a separate line item in the Schedule of Values for each allowance. Show line-item value of unit-cost allowances, as a product of the unit cost, multiplied by measured quantity. Use information indicated in the Contract Documents to determine quantities.
9. Each item in the Schedule of Values and Applications for Payment shall be complete. Include total cost and proportionate share of general overhead and profit for each item. Temporary facilities and other major cost items that are not direct cost of actual work-in-place may be shown either as separate line items in the Schedule of Values or distributed as general overhead expense, at Contractor's option.
10. Schedule Updating: Update and resubmit the Schedule of Values before the next Applications for Payment when Change Orders or Construction Change Directives result in a change in the Contract Sum.

2.2 Applications for Payment.

- A. Each Application for Payment shall be consistent with previous applications and payments as certified by Contractor and paid for by City.

- B. Payment Application Times: Submit progress payments to Contractor by the 25th day of the month. The period covered by each Application for Payment is one month, ending on the last day of the month.
- C. Payment Application Forms: Use AIA Document G702 and AIA Document G703 Continuation Sheets as the form for Applications for Payment.
- D. Application Preparation: Complete every entry on form. Notarize and execute by a person authorized to sign legal documents on behalf of Contractor. City will return incomplete applications without action.
 - 1. Entries shall match data on the Schedule of Values and Contractor's construction schedule. Use updated schedules if revisions were made. Submit schedule with Application for Payment, regardless of whether revised or not.
 - 2. Include amounts of Change Orders and Construction Change Directives issued before last day of construction period covered by application. For Change Orders resulting in an increase in the Contractor's costs associated with the Project, Contractor's overhead & profit shall be 15% of the value of materials and labor of work performed by Contractor; and 7.5% of the value of materials and labor of work performed by a Subcontractor. For Change Orders which do not result in an increase in the Contractor's costs associated with the Project, no additional amount shall be paid to the Contractor.
 - 3. Submit copies of invoices for each item of material/equipment listed in the Application For Payment. If material/equipment is stored off-site, submit certificate of insurance to substantiate that the materials/equipment are stored in a bonded warehouse.
- E. Transmittal: Submit 3 signed and notarized original copies of each Application for Payment to City by a method ensuring receipt within 24 hours. Each copy shall include waivers of lien and similar attachments.
- F. Waivers of Mechanic's Lien: With each Application for Payment, submit waivers of mechanic's lien from every entity who is lawfully entitled to file a mechanic's lien arising out of the Contract and related to the Project covered by the payment.
 - 1. Submit partial waivers on each item for amount requested in previous application, after deduction for retainage, on each item. Retainage shall equal 10% of the payment application until the project is complete.
 - 2. When an application shows completion of an item, submit final or full waivers.

3. City reserves the right to designate which entities involved in the Project must submit waivers.
 4. Waiver Forms: Submit waivers of lien on forms, executed in a manner acceptable to the City. Submit final Applications for Payment with or preceded by final waivers from every entity involved with performance of the Project covered by the application who is lawfully entitled to a lien.
- G. Initial Application for Payment: Administrative actions and submittals that must precede or coincide with submittal of first Application for Payment include the following:
1. List of subcontractors.
 2. Schedule of Values.
 3. Contractor's construction schedule (preliminary if not final).
 4. Products list.
 5. Schedule of unit prices.
 6. Submittals schedule (preliminary if not final).
 7. List of Contractor's staff assignments.
 8. List of Contractor's Subcontractors.
 9. Copies of building permits.
 10. Copies of authorizations and licenses from authorities having jurisdiction for performance of the Project.
 11. Initial progress report.
 12. Report of preconstruction conference.
 13. Certificates of insurance and insurance policies.
 14. Performance and payment bonds.
 15. Data needed to acquire City's insurance.
 16. Initial settlement survey and damage report if required.
- H. Application for Payment at Substantial Completion: After issuance of the Certificate of Substantial Completion, submit an Application for Payment showing 100 percent completion for portion of the Project claimed as substantially complete.
1. Include documentation supporting claim that the Project is substantially complete and a statement showing an accounting of changes to the Contract Sum.
 2. This application shall reflect Certificates of Partial Substantial Completion issued previously for City occupancy of designated portions of the Project.
- I. Final Payment Application: Submit final Application for Payment with releases and supporting documentation not previously submitted and accepted, including, but not limited, to the following:

1. Evidence of completion of Project closeout requirements.
 2. Insurance certificates for products and completed operations, where required and proof that taxes, fees, and similar obligations were paid.
 3. Updated final statement, accounting for final changes to the Contract Sum.
 4. AIA Document G706, "Contractor's Affidavit of Payment of Debts and Claims."
 5. AIA Document G706A, "Contractor's Affidavit of Release of Liens."
 6. AIA Document G707, "Consent of Surety to Final Payment."
 7. Evidence that claims have been settled.
 8. Final meter readings for utilities and similar data as of date of Substantial Completion or when City took possession of and assumed responsibility for corresponding elements of the Project.
 9. Transmittal of required project construction records to City.
 10. Final, liquidated damages settlement statement.
3. Time. Time is of the essence of this Agreement and the Contractor shall commence work on the Project with adequate force and equipment within ten (10) calendar days from the issuance of all building permits and shall complete the Project within one hundred twenty (120) calendar days from the date work begins. Based on the historical conditions over the past five years as established by NOAA & National Weather Service the Contractor will be entitled to an extension if the severe days extend beyond the following days per month: Jan (4), Feb (4), Mar (5), Apr (4), June (5), July (7), Aug (6), Sept (6), Oct, (3) Nov (4), and Dec (4).
4. Termination. In addition to the provisions for termination as set forth under the heading TERMINATION FOR CONVENIENCE OR FOR CAUSE of Exhibit C, the Agreement may be terminated by either party prior to the commencement of the Contractor's provision of services to the City.
5. Notice. The Contractor and the City shall notify each other of service of any notice of violation of any law, regulation, permit, or license relating to the services; initiation of any proceedings to revoke any permits or licenses which relate to such services; revocation of any permits, licenses or other governmental authorizations relating to such services; or commencement of any litigation that could affect such services. Such notice shall be delivered by U. S. mail with proper postage affixed thereto and addressed to the parties' respective representatives as follows:

To the City: J.J. Sauve, Assistant City Manager
 City of Beaufort
 1911 Boundary Street
 Beaufort, South Carolina 29902

To the Contractor: Hugh R. Murchison, Jr.
KTC Enterprises, Inc.
119 Memory Lane
Moncks Corner, SC 29461

Neither party's representative shall be changed without ten (10) days' written notice to the other party.

6. Execution of Agreement. This Agreement shall be executed in at least three (3) original copies, of which one is to be delivered to the City Director of Finance, one to the Contractor for use in the administration of the Agreement, and one to the City.
7. Amendment. This Agreement may be amended from time to time as agreed upon by the parties in writing. The parties agree to negotiate in good faith to accommodate any necessary amendments.
8. Total Agreement. This Agreement, along with the documents that have been included herewith and made a part of this Agreement by reference, constitute the entire contract between the parties hereto. No representations, warranties or promises pertaining to this Agreement have been made or shall be binding upon any of the parties, except as expressly stated herein.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year first written above.

WITNESSES:

CITY OF BEAUFORT

Signature

By: _____
Scott Marshall, City Manager

Printed Name

Signature

Printed Name

WITNESSES:

KTC Enterprises, Inc.

Signature

Printed Name

Signature

Printed Name

By: _____
Printed Name: _____
Its: _____



CITY OF BEAUFORT
DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

TO: CITY COUNCIL **DATE:** 5/30/2024
FROM: JJ Sauve
AGENDA ITEM TITLE: Ordinance authorizing the execution and delivery of an easement for the placement of utility infrastructure on real property known as Southside Park by the City of Beaufort to Dominion Energy of South Carolina, Inc. - second reading
MEETING DATE: 6/11/2024
DEPARTMENT: City Managers Office

BACKGROUND INFORMATION:

Earlier this year Council approved the Southside Park Project Phase I, which is currently underway. After staff, engineers, and utility providers met to begin construction it was determined that a utility easement would be necessary for Dominion Energy to provide electrical infrastructure within the park. Staff, the City's contracted engineers at Davis & Floyd, and the City Attorney have reviewed the proposed easement and recommend that it be executed.

First reading was held on May 28, 2024.

PLACED ON AGENDA FOR: Action

REMARKS:

ATTACHMENTS:

Description	Type	Upload Date
Southside Park Ordinance	Backup Material	5/30/2024
Southside Park Easement	Backup Material	5/30/2024
Drawing	Backup Material	5/30/2024

ORDINANCE 2024/11

Ordinance authorizing the execution and delivery of an easement for the placement of utility infrastructure on real property known as Southside Park by the City of Beaufort to Dominion Energy of South Carolina, Inc.

WHEREAS, the City of Beaufort (hereinafter the “City”) owns real property known as Southside Park (hereinafter the “Property”) located in the City of Beaufort;

WHEREAS, the City and Dominion Energy of South Carolina, Inc. (hereinafter “Dominion”) are informed and believe that the granting of an easement to Dominion for the placement of utility infrastructure on the Southside Park is necessary for the completion of the Southside Park project;

WHEREAS, Council gave first reading approval of this grant of easement on _____, 2024; and,

WHEREAS, Council now believes it is in the best interest of the City, and its citizens, to approve this grant of easement, and the authority of the City Manager to execute such documents as may be necessary and appropriate to finalize this grant;

NOW THEREFORE, be it Ordained by the Beaufort City Council, in council duly assembled, and by the authority of the same, that the City Manager shall be authorized and empowered to execute and finalize the Easement attached as Exhibit 1, and such other documents as may be necessary and appropriate, for the City to grant an easement to Dominion for the placement of utility infrastructure for the Property.

This Ordinance shall be effective immediately upon adoption.

Philip E. Cromer, Mayor

Attest:

Traci Guldner, City Clerk

First Reading: _____

Second Reading and adoption: _____

Approved in Form: Benjamin T. Coppage

Easement # 905596

INDENTURE, made this _____ day of _____, 2024 by and between **The City of Beaufort** of the State of South Carolina, hereinafter called "Grantor" (whether singular or plural), and **Dominion Energy South Carolina, Inc.**, a South Carolina corporation, having its principal office in Cayce, South Carolina, hereinafter called "Grantee".

WITNESSETH:

That, in consideration of the sum of One Dollar (\$1.00) received from Grantee, Grantor does hereby grant and convey unto the Grantee, its successors and assigns, an easement for the installation and maintenance of the electric facilities more fully shown on DESC Drawing #77616, and any revisions made thereto, and for any natural gas facilities requested by the Grantor, including the right, privilege and authority, from time to time, to enter upon, construct, extend, inspect, operate, replace, relocate, repair and perpetually maintain an overhead or underground electric line or lines consisting of any or all of the following: poles, conductors, lightning protective wires, municipal, public or private communication lines, cables, conduits, pad mounted transformers, guys, push braces and other accessory apparatus and equipment deemed by Grantee to be necessary or desirable, together with the right of ingress, egress, and access across and upon the lands of Grantor as described herein (hereinafter the "Property"), as may be necessary or convenient for the purposes connected therewith.

Together also with the right to lay, construct, maintain, operate, repair, alter, replace and remove pipe lines, together with valves, tieovers, and appurtenant facilities for the transportation of gas, oil petroleum products or any other liquids, gases or substances which can be transported through a pipe line.

Together also with the right, from time to time, to install guy wires upon the Property, to overhang the Property with conductors, cross arms and service wires with the right (but not the obligation) from time to time to trim, cut or remove trees, underbrush and other obstructions that are within, over, under or through the Property, extending fifteen feet (15') on each side of any pole lines and five feet (5') on each side of any underground wires or pipe lines, and within, over, under, or through a section of land extending twelve feet (12') from the door side(s) of any pad mounted transformers, elbow cabinets, switchgears or other devices as they are installed; provided, however, any damage to the Property (other than that caused by trimming, cutting or removing) caused by Grantee in maintaining or repairing said lines, shall be borne by Grantee. Grantor further agrees to maintain minimum ground coverage of thirty-six inches (36") and maximum ground coverage of fifty-four inches (54") inches over all underground primary electric lines. Grantor further agrees to maintain minimum ground coverage of twenty-four inches (24") and maximum ground coverage of forty-two inches (42") over all underground pipe (gas) lines.

Description of the Property: All that certain piece, parcel, or tract of land situate, lying and being in the City of Beaufort, County of Beaufort, State of South Carolina, known as Southside Park, consisting of 34.15 acres, more or less, and designated as Parcel C on the certain plat entitled "Boundary Survey Showing Lot Line Revision of Parcel B and C, Waste Water Treatment Plant Southside Boulevard" prepared by David E. Gasque, R.L.S., dated January 15, 2014 and revised August 14, 2014, a copy of which is recorded in the Office of the Register of Deeds for Beaufort County, South Carolina in Plat Book 142 at Page 181. This being the same property conveyed to the Grantor by Limited Warranty Deed of Beaufort-Jasper Water and Sewer Authority dated January 5, 2016, which is recorded in the Office of the Register of Deeds for Beaufort County, South Carolina in Book 3455 at Page 2704.

TMS No.: R120 008 000 0015 0000

The words "Grantor" and "Grantee" shall include their heirs, executors, administrators, successors and assigns, as the case may be. All rights and privileges, obligations and liabilities created by this instrument shall inure to the benefit of and be binding upon the heirs, designees, administrators, executors, successors and assigns of the parties hereto.

[SIGNATURES TO FOLLOW]

Easement # 905596

IN WITNESS WHEREOF, Grantor has caused this indenture to be duly executed the day and year first above written.

WITNESS:

The City of Beaufort

By: _____(SEAL)

Scott M. Marshall, as City Manager

1st Witness

2nd Witness

ACKNOWLEDGMENT

STATE OF SOUTH CAROLINA)
)
COUNTY OF **Beaufort**)

The foregoing instrument was acknowledged before me, the undersigned Notary, and I do hereby certify that the within named **Scott M. Marshall** as **City Manager** of **The City of Beaufort** personally appeared before me this day and that the above named acknowledged the due execution of the foregoing instrument.

Sworn to before me this _____ day of _____, **2024**

Signature of Notary Public State of SC

My commission expires: _____

Print Name of Notary Public

**RIGHT OF WAY GRANT TO
DOMINION ENERGY SOUTH CAROLINA, INC.**

Line: **SOUTHSIDE PARK IMPROVEMENTS**

County: **Beaufort**

R/W File Number: **27299**

Grantor(s): **The City of Beaufort**

Return to: DESC, C/O Right of Way Dept., 81 May River Road, Bluffton, SC 29910



CITY OF BEAUFORT
DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

TO: CITY COUNCIL **DATE:** 5/24/2024
FROM: Alan Eisenman, Finance Director
AGENDA ITEM TITLE: An ordinance to provide for the levy of taxes for the City of Beaufort for Fiscal Year beginning July 1, 2024, and ending June 30, 2025; to provide for execution of and to put into effect the consolidated budget; and to provide budgetary control of the City's fiscal affairs - second reading
MEETING DATE: 6/11/2024
DEPARTMENT: Finance

BACKGROUND INFORMATION:

The notice of Public Hearing was published in the Beaufort Gazette on April 29, 2024. The fiscal year 2025 budget ordinance and budget presentation is included for reference.

The Public Hearing and First Reading was held on May 14, 2024.

PLACED ON AGENDA FOR: Action

REMARKS:

ATTACHMENTS:

Description	Type	Upload Date
Presentation	Backup Material	6/4/2024
Budget Ordinance	Backup Material	5/24/2024

City of Beaufort, South Carolina



**FISCAL YEAR 2025
CONSOLIDATED BUDGET
SECOND READING
PRESENTED JUNE 11, 2024**



City Manager's Message

May 14, 2024

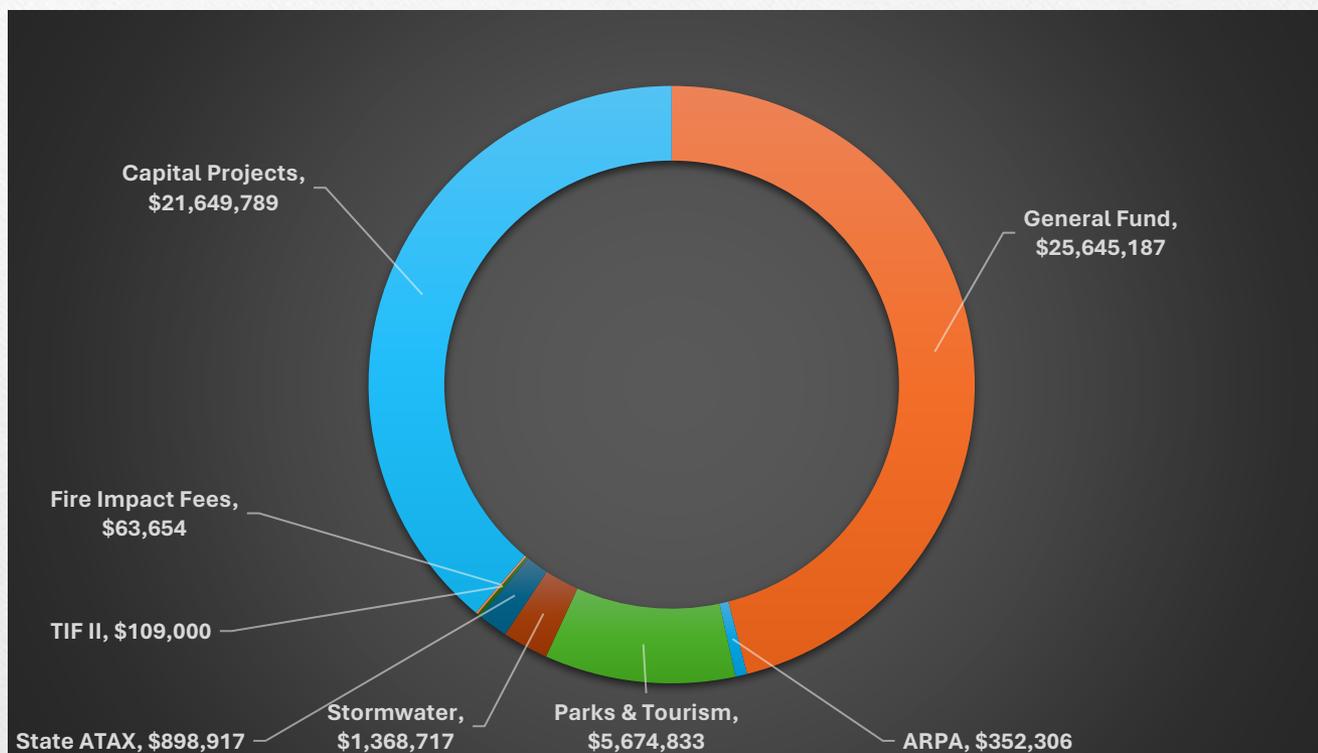
Dear Mayor, Members of City Council and City of Beaufort Stakeholders:

Staff is privileged this year to present for your consideration an overall consolidated budget of \$55.7 million, which will continue to fund priorities set by the City Council in the Fiscal Year 2023-2025 Strategic Plan and reaffirmed and updated during the City's January 2024 Planning Retreat. This amount represents an overall decrease of approximately \$2 million from the approved Fiscal Year 2024 Consolidated Budget.



City Manager's Message

A summary of the expenditure of funds is indicated below.





City Manager's Message

The \$2 million decrease is largely due to an approximate \$5 million decrease to the Capital Projects Fund. Non-recurring dollars in this fund from various grants and the Parks and Tourism Revenue Bond continue to diminish as the City makes progress toward the completion of parks, stormwater projects, streetscapes and other projects. Due to the surge in capital projects over the next several years, this year's budget includes one additional Full-Time Equivalent (FTE) position. It is a three-year temporary FTE for the purpose of hiring a professional project manager or engineer with construction experience.

The overall millage rate remains flat from Fiscal Year 2024 at 73.9 mills. The value of a mill, however, has increased from \$122,069 in Fiscal Year 2024 to \$126,453 in the proposed Fiscal Year 2025 Consolidated Budget. This increase in value allows the City to maintain operations at current levels, fund limited additional initiatives, provide a 3% Cost-of-Living wage increase to employees with an additional up to 2% merit increase, and absorb a 3% increase to health care costs. Recent increases to our solid waste contract were also absorbed while holding the taxpayer's liability for service even at \$270 annually. We are pleased that none of these items were cause to increase ad valorem tax rate.



City Manager's Message

In addition to the above highlights, the Fiscal Year 2025 Consolidated Budget being proposed continues to provide support for our strategic partners and other select non-profits.

- Beaufort Digital Corridor - \$100,000
- Military Enhancement Committee - \$15,000
- South Coast Cyber Center - \$45,000
- Beaufort County Economic Development Corp - \$40,000
- LCOG Northern Beaufort County Transit Study - \$12,500
- SC Nursing Retention Initiative- \$5,000
- Beaufort-Port Royal Convention & Visitors Bureau- \$417,500



City Manager's Message

New features include \$50,000 devoted to pilot programs for neighborhood revitalization and/or assisting with rehabilitation of dilapidated structures in the Historic District, and a full estimation and accounting for revenues and expenditures related to City-sponsored festivals. Previously revenues and expenditures for these events were not projected in the adopted fiscal years' budgets, but were accounted for later entirely through budget amendments.

There are some recommended increases to the Fee Schedule, centered primarily around various fees related to development. Many of our fees have not been updated in several years. These recommended increases were derived from a scan of similar fees imposed by nearby local governments and staff believes the increases represent fair market rates, by comparison. The increases will also better subsidize administrative costs related to development, otherwise not accounted for by other funding streams; essentially helping growth to pay for growth.



City Manager's Message

Staff is confident that this proposed budget represents a fiscally responsible plan to continue to move the City of Beaufort forward despite having limited revenue streams. It is presented to you through the hard work, dedication and cooperation of Finance Director Alan Eisenman and our entire City of Beaufort Senior Leadership Team. Thank you for entrusting us with this responsibility. We look forward to providing a detailed presentation and stand ready to make adjustments deemed necessary by the City Council.

In Service,

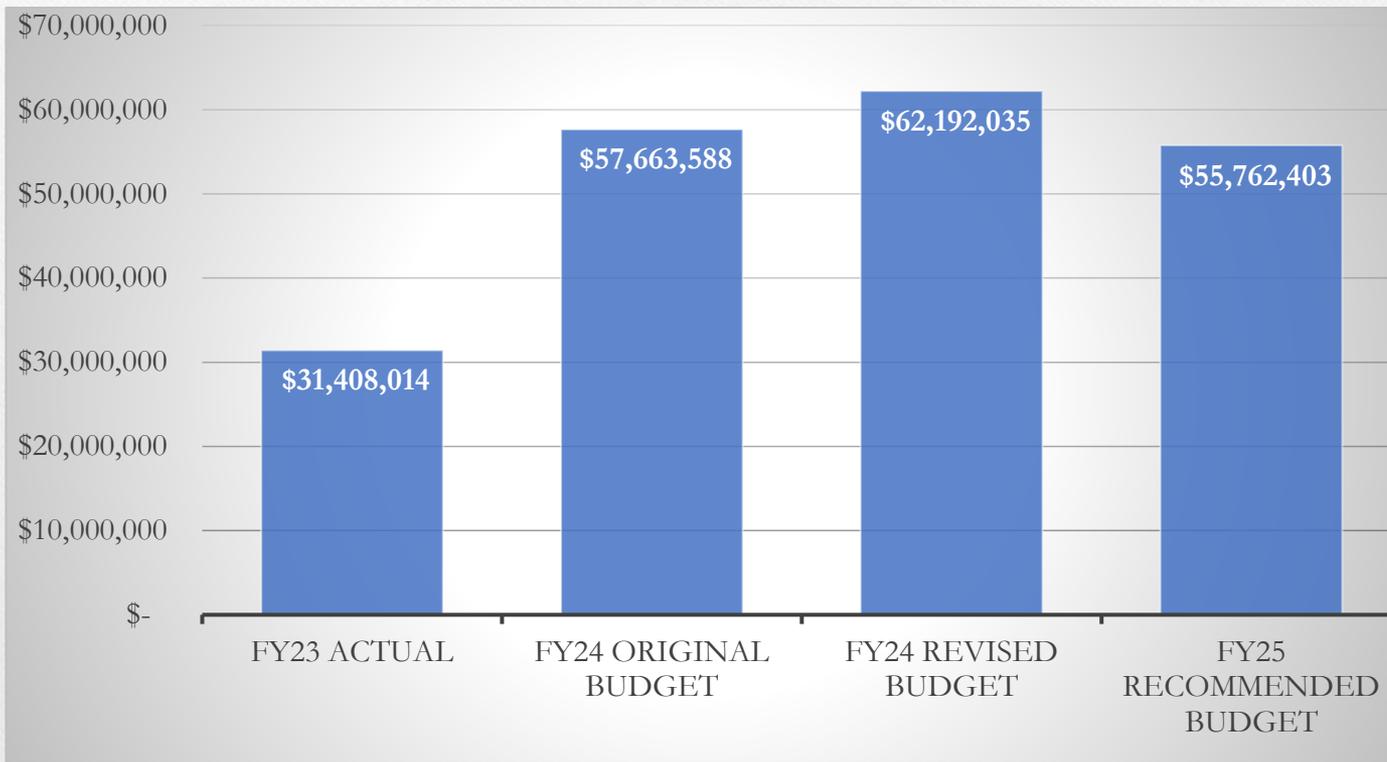
Scott M. Marshall

City Manager

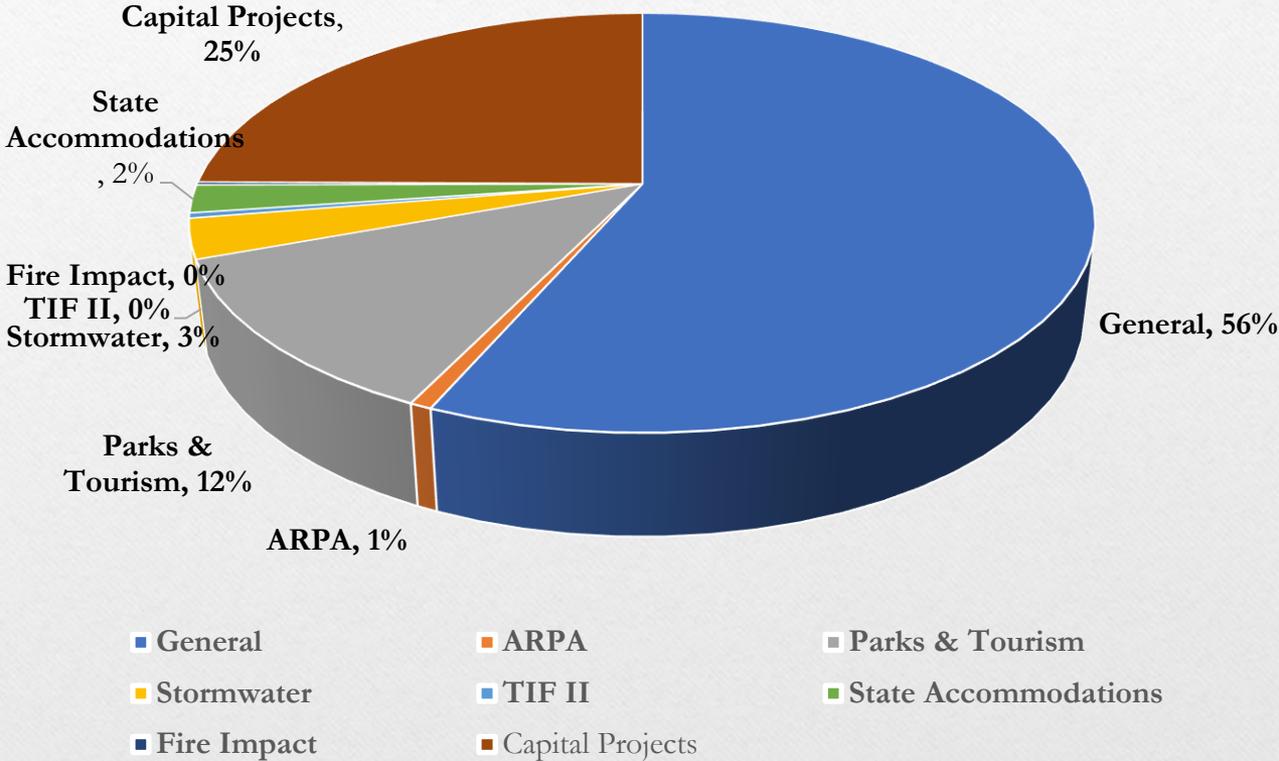
FY25 Recommended Budget

\$55,762,403

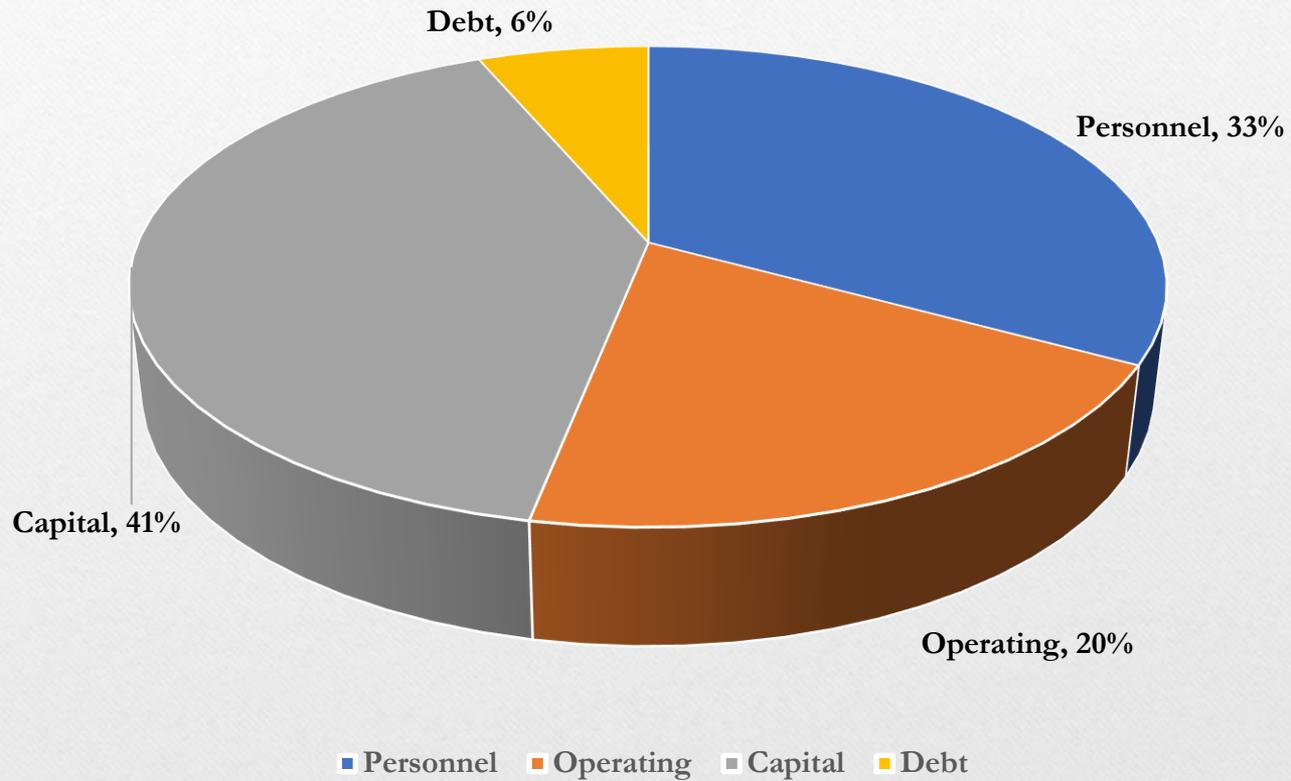
**Includes \$21.6M in Capital Project Fund*



FY 25 Projected Revenue Sources



FY 25 Projected Expenses



Budget Highlights

- No Millage Increase- Remains at 73.9 mills
- Employee COLA Increase of 3%
- Employee Merit Increase of up to 2%
- New FTE
 - Capital Projects Manager

Budget Highlights

- Provides Funding for Strategic Partners
 - Beaufort Digital Corridor - \$100,000
 - Military Enhancement Committee - \$15,000
 - South Coast Cyber Center - \$45,000
 - Beaufort County Economic Development Corp - \$40,000
 - LCOG Northern Beaufort County Transit Study - \$12,500
 - SC Nursing Retention Initiative- \$5,000
 - Beaufort-Port Royal Convention & Visitors Bureau- \$417,500
- Downtown Twilight Hours Initiative

Budget Highlights

- Changes to City's Fee Schedule include the following:
 - Reviewed Community Development Code Fees to get City more in-line with other local government entities.
 - Individual Inspection Fees from \$40 to \$100
 - Re-inspection Fees increases by \$50
 - Sign inspection fee from \$40 to \$75
 - Landscape Irrigation Permits increases by \$25
 - Plat Review from \$25 to \$50
 - Staff Design Review Fees increases between \$50 and \$150 based on value of improvements.
 - Rezoning to PUD from \$400 to \$750
 - Beaufort Code Text Amendment from \$400 to \$500
 - Flood Hazard Area Verification Letter and Plat Review from \$25 to \$50
 - Traffic Impact Analysis Report Review Fee from \$750 to \$1,250
 - Administrative Adjustment from \$50 to \$100

Consolidated FY 2025 Recommended Budget

	General Fund	ARPA Fund	Parks & Tourism Fund	Stormwater Fund	State		Fire Impact Fund	Capital Projects Fund	Total
					Accommodations Fund	TIF II Fund			
Revenues	\$ 25,361,478	\$ 302,306	\$ 5,480,500	\$ 1,368,717	\$ 969,333	\$ 180,000	\$ 105,000	\$ 11,162,332	\$ 44,929,666
Transfers In	70,416	-	-	-	-	-	-	9,787,457	9,857,873
Total Other Financing Sources	70,416	-	-	-	-	-	-	9,787,457	9,857,873
Release of Committed Fund Balance	-	-	-	-	-	-	-	-	-
Release of Fund Balance	213,293	2,693,960	5,927,349	1,310,480	-	29,000	-	700,000	10,874,082
Salaries	10,478,363	100,000	1,908,435	413,681	16,728	-	-	-	12,917,207
Benefits	4,384,300	43,972	846,815	208,751	6,752	-	-	-	5,490,590
Operating	8,299,933	65,000	1,711,049	232,685	875,437	-	-	-	11,184,104
Capital	492,443	143,333	238,933	-	-	109,000	-	21,649,789	22,633,498
Debt	1,990,148	-	969,601	513,600	-	-	63,654	-	3,537,003
Total Expenditures	25,645,187	352,306	5,674,833	1,368,717	898,917	109,000	63,654	21,649,789	\$ 55,762,403
Transfers Out	-	2,643,960	5,733,016	1,310,480	70,416	100,000	-	-	9,857,872
Total Other Financing Uses	-	2,643,960	5,733,016	1,310,480	70,416	100,000	-	-	\$ 9,857,872
Contribution to Fund Balance	-	-	-	-	-	-	41,346	-	41,346
Net (Deficit) Surplus	\$ (0)	\$ 0	\$ -	\$ (0)	\$ (0)	\$ -	\$ 0	\$ -	\$ 0

Fund Balance

- Fund Balance is defined as the difference between a fund's assets and liabilities. It is intended to serve as a measure of the financial resources available in a governmental fund.
 - Essential that governments maintain adequate levels of fund balance to mitigate current and future risks, ensure stable tax rates, maintain bond ratings and not jeopardize the continuation of necessary public services.
 - City Council has set a fund balance policy for the General Fund at 28% of next year's General Fund expenditure budget to be maintained as Unassigned Fund Balance.
 - No other fund balance policies exists at this time.

General Fund- Fund Balance History

Fund Balance	FY20	FY21	FY22	FY23
Nonspendable				
Inventories	24,198	21,153	72,090	40,304
Restricted for:				
Reserve Mil	348,525	533,429	729,536	938,032
Dominion Energy NSSF	371,439	468,825	339,481	330,668
Committed for:				
Land Acquisition	421,461	652,100	940,438	692,258
Vehicle and Equipment Replacement	591,852	873,842	1,257,180	1,269,000
Redevelopment	390,027	657,302	965,640	977,460
Capital Projects	851,393	1,034,133	639,971	651,791
Assigned for:				
Subsequent year's budget	61,306	35,315	165,392	106,590
Unassigned	5,044,035	5,267,727	5,848,802	6,624,448
Total Fund Balance	8,104,236	9,543,826	10,958,530	11,630,551

Other Funds- FY23 Fund Balances

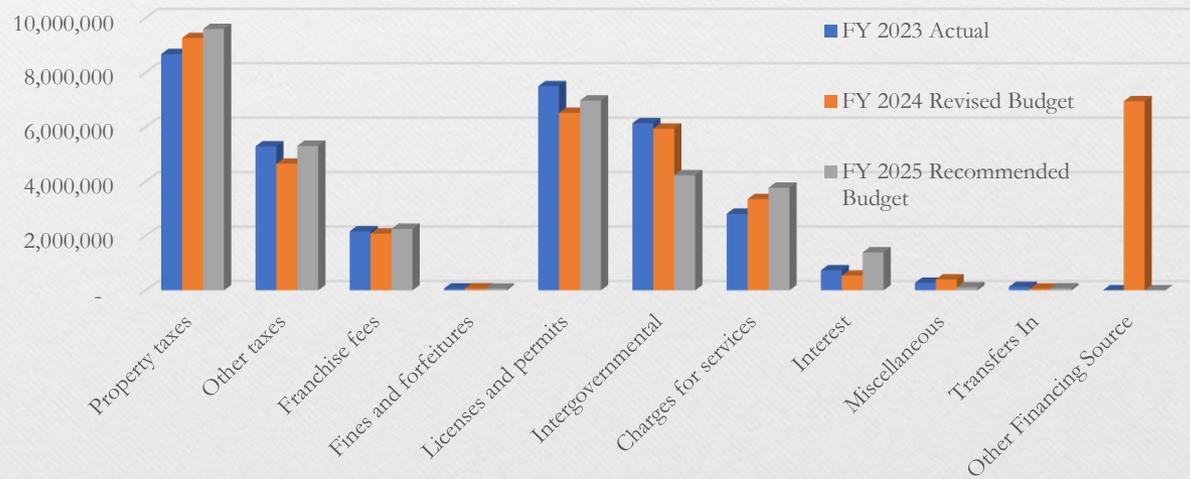
	<u>FY23 Fund Balances</u>
TIF II Fund	3,674,010
Capital Projects Fund	2,522,271
Parks and Tourism Fund	3,471,717
ARPA Fund*	169,934
Stormwater Fund	1,772,251
State Accommodations Tax Fund	854,371
Fire Impact Fee Fund	393,941

* Governmental accounting requires ARPA grant revenue to be recognized as ARPA expenditures are incurred. The City had \$5.8 million in unspent ARPA funds as of 6/30/23.

Consolidated Revenue Budget Summary

	FY 2023 Actual	FY 2024 Original Budget	FY 2024 Revised Budget	FY 2025 Recommended Budget	Change from Prior Year Original Budget	% Change
General Fund	\$ 24,248,918	\$ 23,207,552	\$ 25,684,048	\$ 25,361,478	\$ 2,153,926	8.4%
Special Revenue Funds						
Parks and Tourism Fund	5,167,369	4,393,852	4,393,852	5,480,500	1,086,648	24.7%
State Accommodations Fund	1,033,418	800,000	800,000	969,333	169,333	21.2%
Fire Impact Fund	741,493	405,000	405,000	105,000	(300,000)	-74.1%
Stormwater Fund	1,213,256	1,332,779	1,332,779	1,368,717	35,938	2.7%
TIF II Fund	132,240	-	100,000	180,000	180,000	180.0%
Capital Projects Fund	709,657	8,794,785	8,794,785	11,162,332	2,367,547	26.9%
American Rescue Plan Act Fund	1,118,713	100,000	100,000	302,306	202,306	202.3%
	<u>\$ 34,365,064</u>	<u>\$ 39,033,968</u>	<u>\$ 41,610,464</u>	<u>\$ 44,929,666</u>	<u>\$ 5,895,698</u>	<u>14.2%</u>

Where the money comes from



FY 2025 Consolidated Revenue Budget Highlights

- The proposed millage rate remains flat at 73.9 mils for General Fund property taxes.
- The City has experienced business growth from a strong economy for an anticipated \$600k increase in business licenses in the General Fund.
- An improved tourism industry results in an increase in local hospitality and accommodations taxes by \$500k reported in the Parks and Tourism Fund.
- Other budgeted revenue increases in Parks and Tourism Fund relate to the City including \$287k of festival revenues in recommended budget for the first-time along with an increase of interest revenue of \$250k from a higher interest rate environment.
- Fire impact fees decreased by \$300k as new residential and commercial developments slow down due to rising costs and interest rates.

Consolidated Expenditure Budget Summary

		FY 2024 Original	FY 2024 Revised	FY 2025 Recommended	\$ Change from Prior Year	
	FY 2023 Actual	Budget	Budget	Budget	Original Budget	% Change
General Fund						
Salaries	\$ 8,837,292	\$ 9,828,347	\$ 9,703,347	\$ 10,478,363	\$ 650,016	6.61%
Benefits	3,433,819	4,012,771	3,963,812	4,384,300	371,529	9.26%
Operations	8,888,167	7,429,989	10,051,964	8,299,933	869,944	11.71%
Capital	739,368	465,200	600,270	492,443	27,243	5.86%
Debt	1,826,585	1,922,443	1,922,443	1,990,148	67,706	3.52%
Total General Fund	\$ 23,725,230	\$ 23,658,750	\$ 26,241,836	\$ 25,645,187	\$ 1,986,437	7.57%
Parks and Tourism Fund						
Salaries	\$ 1,454,989	\$ 1,851,930	\$ 1,851,930	\$ 1,908,435	\$ 56,506	3.05%
Benefits	538,967	750,320	750,320	846,815	96,495	12.86%
Operations	1,453,207	1,361,904	1,389,154	1,711,049	349,145	25.64%
Capital	107,779	120,600	147,065	238,933	118,333	98.12%
Debt	309,098	309,098	309,098	969,601	660,503	213.69%
Total Parks and Tourism Fund	\$ 3,864,039	\$ 4,393,852	\$ 4,447,567	\$ 5,674,833	\$ 1,280,981	28.80%
Stormwater Fund						
Salaries	\$ 348,402	\$ 413,856	\$ 413,856	\$ 413,681	\$ (176)	-0.04%
Benefits	143,545	174,512	174,512	208,751	34,239	19.62%
Operations	200,143	232,610	232,610	232,685	75	0.03%
Debt	511,247	511,800	511,800	513,600	1,800	0.35%
Total Stormwater Fund	\$ 1,203,337	\$ 1,332,779	\$ 1,332,779	\$ 1,368,717	\$ 35,938	2.70%

Consolidated Expenditure Budget Summary (Cont'd)

	FY 2023 Actual	FY 2024 Original Budget	FY 2024 Revised Budget	FY 2025 Recommended Budget	\$ Change from Prior Year Original Budget	% Change
State Accommodations Fund						
Salaries	\$ 15,474	\$ 17,226	\$ 17,226	\$ 16,728	\$ (498)	-2.89%
Benefits	8,573	6,675	6,675	6,752	77	1.16%
Operations	593,230	712,349	712,349	875,437	163,088	22.89%
Total State Accommodations Fund	\$ 617,277	\$ 736,250	\$ 736,250	\$ 898,917	\$ 162,667	22.09%
Fire Impact Fund						
Capital	\$ 500,000	\$ -	\$ -	\$ -	\$ -	0.00%
Debt	-	129,239	129,239	63,654	(65,585)	-50.75%
Total Fire Impact Fund	\$ 500,000	\$ 129,239	\$ 129,239	\$ 63,654	\$ (65,585)	100.00%
TIF II Fund						
Operations	\$ 32,750	\$ -	\$ -	\$ -	\$ -	0.00%
Capital	11,049	-	121,217	109,000	109,000	100.00%
Total TIF II Fund	\$ 43,799	\$ -	\$ 121,217	\$ 109,000	\$ 109,000	100.00%
ARPA Fund						
Salaries	\$ -	\$ -	\$ -	\$ 100,000	\$ 100,000	100.00%
Benefits	101,925	-	-	43,972	43,972	100.00%
Operations	330,165	215,091	226,368	65,000	(150,091)	-69.78%
Capital	427,593	-	669,152	143,333	143,333	100.00%
Total ARPA Fund	\$ 859,683	\$ 215,091	\$ 895,520	\$ 352,306	\$ 137,215	15.32%
Capital Projects Fund						
Capital	\$ 581,059	\$ 27,197,627	\$ 28,287,627	\$ 21,649,789	\$ (5,547,838)	-20.40%
Total Capital Projects Fund	\$ 581,059	\$ 27,197,627	\$ 28,287,627	\$ 21,649,789	\$ (5,547,838)	-20.40%
Total All Funds	\$ 31,394,424	\$ 57,663,588	\$ 62,192,035	\$ 55,762,403	\$ (1,901,185)	-3.30%

FY 2025 Consolidated Expenditure Budget Highlights

Salaries and Benefits

- There is 1.0 new FTE new position (Capital Project Manager) included in the FY 2025 Recommended Budget.
- The budget includes a 3% COLA and merit pool of 2% for each department.
- Increase of 3% in Health insurance premiums.
- Includes employee retention programs.
- Overall increase in salaries & benefits of \$1,520,263 or 9%.

Operations

- Overall operations is \$11,184,104 across the funds of the City
 - General Fund increased 11.7%; Parks & Tourism increased 25.6%; State Accommodations Tax increased 22.9% and ARPA decreased by 69.7%.
 - More detail of these changes are explained in the Fund section.

Capital

- The Capital replacement program is resumed with resources partially coming from Committed Fund Balances held in reserve for General Fund purchases. The capital projects fund budget of \$21,649,789 is included in recommended budget.

Debt

- Includes only normal debt payments required for FY 2025. There is new debt payments in Parks and Tourism Fund included for revenue bonds for Washington Street and Southside Parks projects.

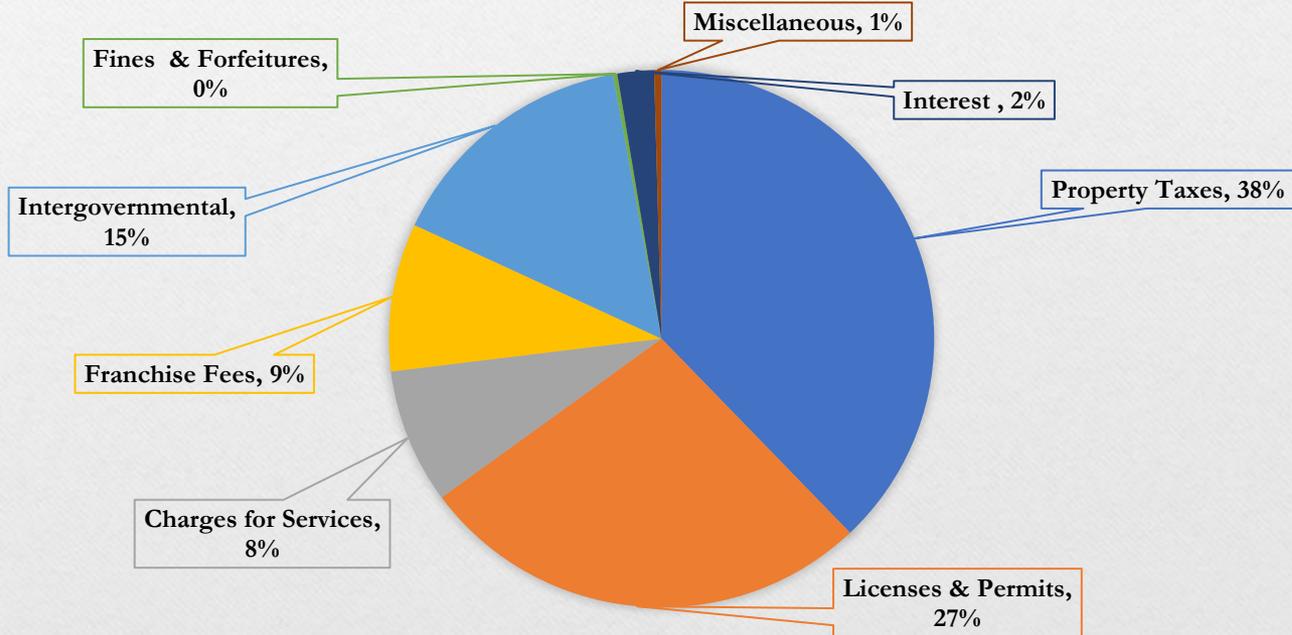
General Fund

The General Fund is the main operating fund of the City. The primary sources of revenue are property taxes, licenses & permit revenues, franchise fees, intergovernmental revenues and general charges for services.

The General Fund accounts for the activity of the City Council, City Manager, Finance & Information Technology, Human Resources, Municipal Court, Community & Economic Development & Building Inspections, Police, Fire, and Public Works.

BUDGET SUMMARY - REVENUES

	<u>FY 2023 Actual</u>	<u>FY 2024 Original Budget</u>	<u>FY 2024 Revised Budget</u>	<u>FY 2025 Recommended Budget</u>	<u>Increase (Decrease) from Prior Year Original Budget</u>
Property Taxes	\$ 8,679,053	\$ 9,266,244	\$ 9,266,244	\$ 9,598,632	\$ 332,388
Licenses & Permits	6,941,624	6,120,000	6,120,000	6,870,000	750,000
Charges for Services	1,225,113	1,922,734	1,922,734	2,056,665	133,931
Franchise Fees	2,165,829	2,082,880	2,082,880	2,258,000	175,120
Intergovernmental	4,582,870	3,504,694	5,592,064	3,854,181	349,487
Fines & Forfeitures	64,914	71,000	71,000	64,000	(7,000)
Interest	316,729	230,000	230,000	550,000	320,000
Miscellaneous	272,787	10,000	399,126	110,000	100,000
Total Revenues	\$ 24,248,918	\$ 23,207,552	\$ 25,684,048	\$ 25,361,478	\$ 2,153,926



Property Taxes

	FY 2023 Actual	FY 2024 Original Budget	FY 2024 Revised Budget	FY 2025 Recommended Budget
Current Property Taxes	\$ 6,022,007	\$ 6,504,625	\$ 6,504,625	\$ 6,972,437
Property Taxes - Debt Mil	1,803,489	1,847,155	1,847,155	1,668,172
Delinquent Property Tax	237,953	239,475	239,475	258,634
Penalties & Interest	37,532	34,297	34,297	35,508
Vehicle Property Taxes	326,692	398,525	398,525	415,204
Homestead Exemption	202,883	198,167	198,167	197,677
Motor Carrier	15,875	14,000	14,000	14,000
Payment in Lieu	32,623	30,000	30,000	37,000
Total Property Taxes	\$ 8,679,053	\$ 9,266,244	\$ 9,266,244	\$ 9,598,632
Taxable Assessed Value ¹	\$ 108,764,156	\$ 122,069,477	\$ 122,069,477	\$ 126,453,357
Value of Mil	\$ 108,764	\$ 122,069	\$ 122,069	\$ 126,453

¹ TY 2024 estimated taxable assessed value presented in FY 2025 Recommended budget is estimated based on historical and known growth

Property Taxes

- Represents the largest revenue source of the City, or approximately 37.8% of the total revenues.
- Taxable assessed value of real property for tax year 2024 is estimated to be \$107,201,509, a 2.2% growth over the actual ending values for tax year 2023.
- Taxable assessed value of personal property is estimated for tax year 2024 to be \$11,755,160, a 18% growth over the actual ending values for tax year 2023.
- Vehicle taxable assessed value is estimated for tax year 2024 of \$7,496,688, a 2.7% increase over tax year 2023.
- Total Taxable Assessed Value is estimated at \$126,453,357, an overall increased of \$4,383,880 from FY 2024.
- The millage cap is 4.12% based on CPI and growth in population. The recommended budget includes the operating and debt millage as follows for:
 - The operating mil was 56.3 in FY24. The City's millage cap (3.5%) is applied to for FY 2025 Operating Mil is 58.3. An increase in property tax operating millage of 2.0 mils.
 - Debt mil is decreased from 15.6 mils in FY 2024 to 13.6 mils, for a total of 2.0 mils and sufficient to cover the debt service payments.
 - Recommend maintaining the 2 reserve mil and include in operating mil to continue to fund for aging infrastructure.
 - Total recommended millage rate of 73.9 mils remains the same to the overall millage.

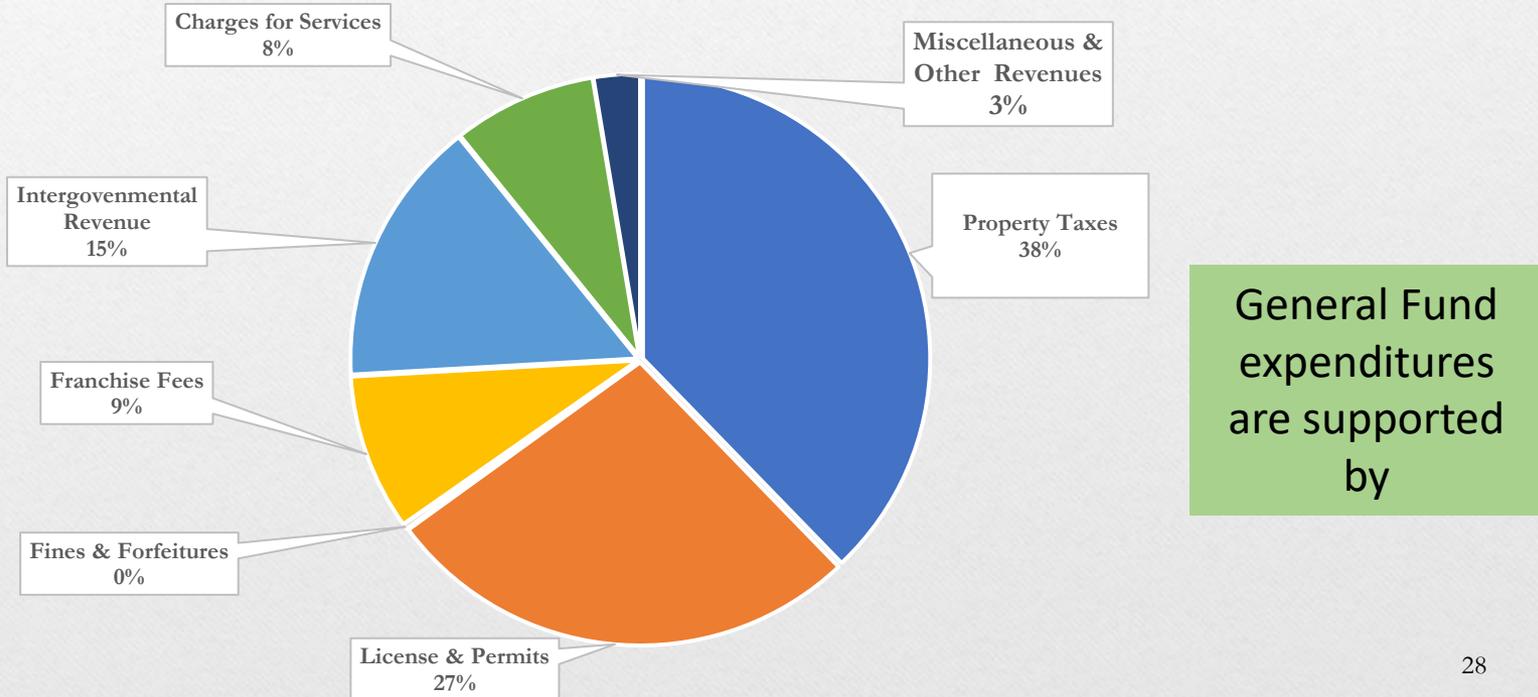
Other Significant Revenues

- Licenses and permits is budgeted for an estimated increase of \$750k more than FY 2024 revised budget, which is due to a strong business economy within the City and associated building permits issued for residential and commercial development.
- Interest revenue is projected to increase by \$320k due to a higher interest rate market.

BUDGET SUMMARY - EXPENDITURES

General Fund

	FY 2023 Actual	FY 2024 Original Budget	FY 2024 Amended Budget	FY 2025 Recommended	Change from Prior Year Original Budget
Salaries	\$ 8,837,292	\$ 9,828,347	\$ 9,703,347	\$ 10,478,363	\$ 650,016
Benefits	3,433,819	4,012,771	3,963,812	4,384,300	371,529
Operations	8,888,167	7,429,989	10,051,964	8,299,933	869,944
Capital	739,368	465,200	600,270	492,443	27,243
Debt	1,826,585	1,922,443	1,922,443	1,990,148	67,706
Total Expenditures	\$ 23,725,230	\$ 23,658,750	\$ 26,241,836	\$ 25,645,187	\$ 1,986,437



General Fund Budget By Department

		FY 2024	FY 2024	FY 2025	\$ Change	%
	FY 2023 Actual	Original Budget	Revised Budget	Recommended Budget	from Prior Year Original Budget	Change
<u>Non Departmental</u>						
Operations	\$ 2,110,857	\$ 817,024	\$ 2,817,024	\$ 822,824	\$ 5,800	0.71%
Capital	400,000	-	-	-	-	0.00%
Total NonDepartmental	\$ 2,510,857	\$ 817,024	\$ 2,817,024	\$ 822,824	\$ 5,800	0.21%
<u>City Council</u>						
Salaries	\$ 50,890	\$ 67,550	\$ 67,550	\$ 67,550	\$ -	0.00%
Benefits	12,727	15,944	15,944	24,171	8,227	51.60%
Operations	211,703	175,000	175,000	253,600	78,600	44.91%
Total City Council	\$ 275,320	\$ 258,494	\$ 258,494	\$ 345,321	\$ 86,827	33.59%
<u>City Manager</u>						
Salaries	\$ 737,215	\$ 545,388	\$ 545,388	\$ 575,864	\$ 30,476	5.59%
Benefits	233,870	188,145	188,145	193,059	4,914	2.61%
Operations	152,559	168,252	168,974	183,238	14,986	8.91%
Total City Manager	\$ 1,123,644	\$ 901,785	\$ 902,507	\$ 952,161	\$ 50,376	5.58%
<u>Finance</u>						
Salaries	\$ 468,214	\$ 521,896	\$ 521,896	\$ 559,255	\$ 37,359	7.16%
Benefits	180,124	198,488	198,488	209,471	10,983	5.53%
Operations	319,597	250,435	250,435	232,123	(18,312)	-7.31%
Total Finance	\$ 967,935	\$ 970,819	\$ 970,819	\$ 1,000,850	\$ 30,030	3.09%
<u>Information Technology</u>						
Salaries	\$ -	\$ 125,000	\$ -	\$ -	\$ (125,000)	-100.00%
Benefits	-	48,958	-	-	(48,958)	-100.00%
Operations	511,738	659,468	840,126	865,621	206,153	31.26%
Capital Outlay	-	40,000	40,000	160,000	120,000	300.00%
Total Information Technology	\$ 511,738	\$ 873,426	\$ 880,126	\$ 1,025,621	\$ 152,195	29 17.29%

General Fund Budget By Department (cont'd)

	<u>FY 2023 Actual</u>	<u>FY 2024 Original Budget</u>	<u>FY 2024 Revised Budget</u>	<u>FY 2025 Recommended Budget</u>	<u>\$ Change from Prior Year Original Budget</u>	<u>% Change</u>
<u>Human Resources</u>						
Salaries	\$ 202,456	\$ 225,703	\$ 225,703	\$ 243,236	\$ 17,533	7.77%
Benefits	76,638	85,810	85,810	95,424	9,614	11.20%
Operations	102,828	125,201	125,201	215,708	90,507	72.29%
Total Human Resources	\$ 381,921	\$ 436,714	\$ 436,714	\$ 554,368	\$ 117,654	26.94%
<u>Municipal Court</u>						
Salaries	\$ 243,660	\$ 253,714	\$ 253,714	\$ 266,933	\$ 13,220	5.21%
Benefits	85,700	89,613	89,613	130,110	40,497	45.19%
Operations	162,623	199,160	220,095	240,007	40,847	20.51%
Total Municipal Court	\$ 491,983	\$ 542,487	\$ 563,422	\$ 637,050	\$ 94,563	16.78%
<u>Community Development</u>						
Salaries	\$ 427,799	\$ 659,972	\$ 659,972	\$ 758,358	\$ 98,386	14.91%
Benefits	151,559	259,772	259,772	289,438	29,666	11.42%
Operations	736,255	491,427	491,427	408,050	(83,377)	-16.97%
Total Community Development	\$ 1,315,613	\$ 1,411,171	\$ 1,411,171	\$ 1,455,846	\$ 44,675	3.17%
<u>Police</u>						
Salaries	\$ 2,793,903	\$ 3,267,061	\$ 3,267,061	\$ 3,399,893	\$ 132,833	4.07%
Benefits	1,161,116	1,411,129	1,411,129	1,468,734	57,605	4.08%
Operations	1,035,176	1,247,905	1,264,133	1,418,341	170,436	13.66%
Capital Outlay	131,221	128,800	216,170	177,443	48,643	37.77%
Total Police	\$ 5,121,417	\$ 6,054,895	\$ 6,158,493	\$ 6,464,411	\$ 409,516	6.65%

General Fund Budget By Department (cont'd)

	<u>FY 2023 Actual</u>	<u>FY 2024 Original Budget</u>	<u>FY 2024 Revised Budget</u>	<u>FY 2025 Recommended Budget</u>	<u>\$ Change from Prior Year Original Budget</u>	<u>% Change</u>
<i>Fire</i>						
Salaries	\$ 3,559,688	\$ 3,757,562	\$ 3,757,562	\$ 4,182,546	\$ 424,985	11.31%
Benefits	1,385,726	1,531,823	1,531,823	1,765,800	233,977	15.27%
Operations	1,135,868	656,624	1,046,347	679,886	23,262	3.54%
Capital Outlay	25,144	44,400	44,400	-	(44,400)	-100.00%
Debt	208,450	79,211	79,211	144,796	65,585	82.80%
Total Fire	\$ 6,314,875	\$ 6,069,619	\$ 6,459,342	\$ 6,773,028	\$ 703,409	10.89%
<i>Public Works</i>						
Salaries	\$ 353,467	\$ 404,502	\$ 404,502	\$ 424,727	\$ 20,225	5.00%
Benefits	146,360	183,088	183,088	208,094	25,005	13.66%
Operations	2,408,962	2,639,493	2,653,201	2,980,535	341,042	12.92%
Capital Outlay	183,003	252,000	299,700	155,000	(97,000)	-38.49%
Total Public Works	\$ 3,091,792	\$ 3,479,084	\$ 3,540,492	\$ 3,768,355	\$ 289,272	8.17%
<i>General Obligation Debt</i>						
Principal	\$ 1,220,077	\$ 1,482,497	\$ 1,482,497	\$ 1,541,915	\$ 59,418	4.01%
Interest	398,058	360,736	360,736	303,438	(57,298)	-15.88%
Total General Obligation Debt	\$ 1,618,135	\$ 1,843,232	\$ 1,843,232	\$ 1,845,353	\$ 2,121	0.12%
Total General Fund Expenditures	\$ 23,725,230	\$ 23,658,750	\$ 26,241,836	\$ 25,645,187	\$ 1,986,437	8.40%

GENERAL FUND EXPENDITURE SUMMARY

- Salaries in the general fund increased \$650,016 which is primarily a result of recommended 3% COLA and the inclusion of a 2% merit allocation for each department to support performance evaluations of personnel.
- Benefits in the general fund increased \$371,529 which is primarily a result of a 3% increase in health insurance and changes to benefit selections of personnel.
- Operations increased by \$869,944 or 11.7% and are highlighted as follows:
 - Police Department increased \$170,436 compared to FY24 original budget mostly attributable to replacement of 15 police vehicles through City's lease program.
 - Public Works increased \$341,042 mostly to cover the increased cost of residential garbage collection.
- Planned use of committed fund balance for capital equipment totaling \$213,293.

Parks & Tourism Fund

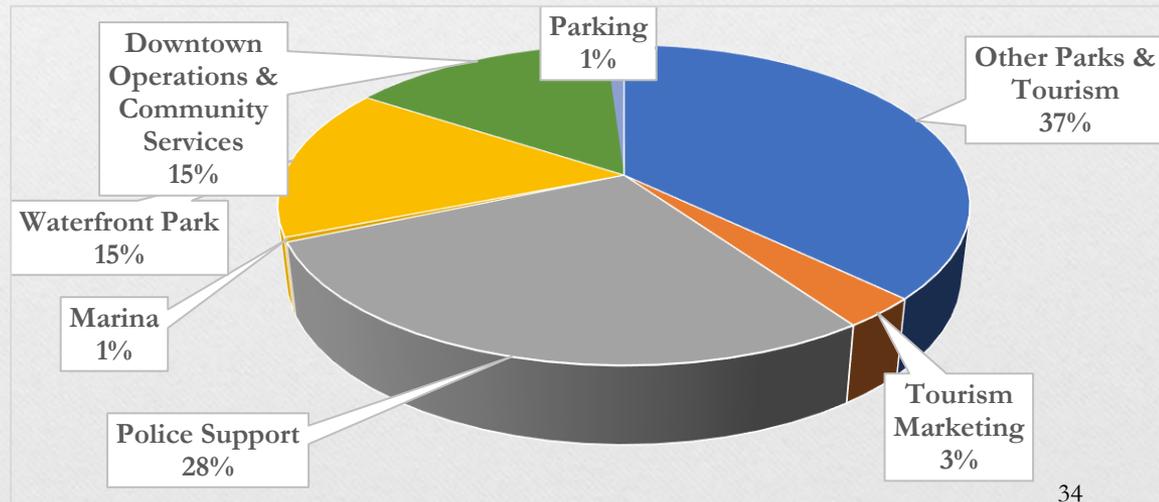
Established to account for the revenues and expenditure activities of the City that are dedicated toward support of tourism related activities, tourism development and the facilities that support those activities.

The Parks & Tourism Fund accounts for the activity of the Parks Department, Police activity in support of Parks and Tourism, Marina operations, Waterfront Park operations, Parking operations, and Downtown operations.

BUDGET SUMMARY - REVENUES

	FY 2023 Actual	FY 2024 Original Budget	FY 2024 Revised Budget	FY 2025 Recommended Budget	Increase (Decrease) from Prior Year Original Budget
Other Taxes	\$ 4,258,847	\$ 3,850,000	\$ 3,850,000	\$ 4,375,000	\$ 525,000
Charges for Services	849,476	512,852	512,852	855,500	342,648
Miscellaneous	1,680	1,000	1,000	-	(1,000)
Intergovernmental	1,895	-	-	-	-
	55,471	30,000	30,000	250,000	220,000
Total Revenues	5,167,369	4,393,852	4,393,852	5,480,500	1,086,648
Other Financing Sources					
Issuance of Revenue Bonds	-	6,945,000	6,945,000	-	(6,945,000)
Total Revenues and Other	\$ 5,167,369	\$ 11,338,852	\$ 11,338,852	\$ 5,480,500	\$ (5,858,352)

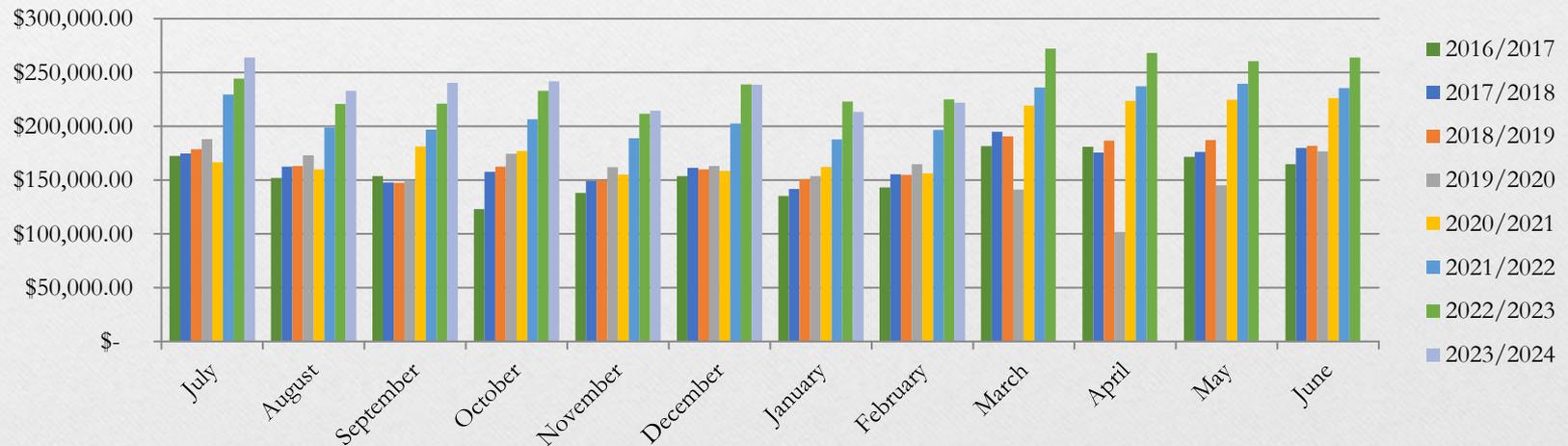
Expenditures supported by Local Hospitality and Local Accommodations



Local Hospitality and Local Accommodations

- The two largest revenue contributors to the Parks & Tourism Fund are the Local Hospitality and Local Accommodations taxes. Both were significantly impacted by COVID-19, but are now even exceeding pre-pandemic levels as shown in the following charts.

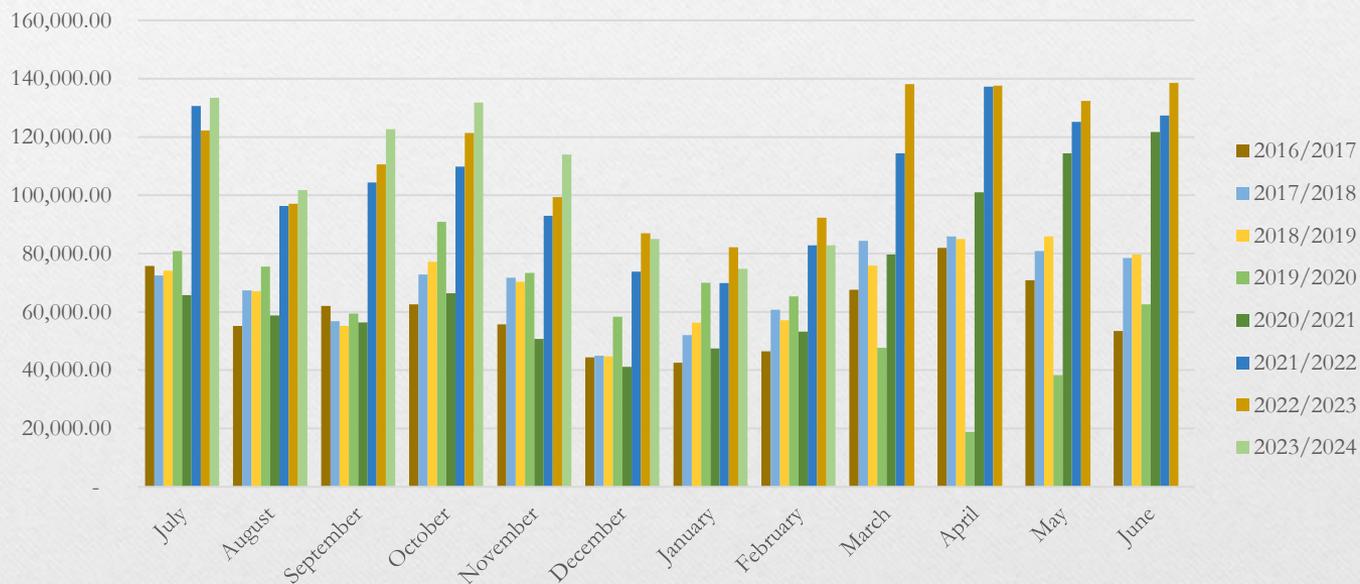
Local Hospitality Tax Historical Analysis



Local Hospitality and Local Accommodations (Cont'd)

- As a result, the budget anticipates a 13% growth in hospitality and accommodations revenues in FY25.

Local Accommodations Tax Historical Analysis



BUDGET SUMMARY - EXPENDITURES

			FY 2024	FY 2025	Increase (Decrease)
		FY 2024 Original	Revised	Recommended	from Prior
	FY 2023 Actual	Budget	Budget	Budget	Year Original
					Budget
<u>Public Works Parks Department</u>					
Salaries	\$ 434,041	\$ 544,301	\$ 544,301	\$ 580,320	\$ 36,019
Benefits	162,291	224,178	224,178	252,976	28,798
Operations	340,578	456,366	460,511	492,070	35,704
Debt	-	-	-	660,503	660,503
Capital	46,536	51,000	51,000	89,500	38,500
Total Public Works Parks Department	\$ 983,446	\$ 1,275,845	\$ 1,279,990	\$ 2,075,369	\$ 799,524
<u>Police Support</u>					
Salaries	\$ 815,512	\$ 1,047,889	\$ 1,047,889	\$ 1,067,939	\$ 20,050
Benefits	322,420	453,953	453,953	500,181	46,228
Capital	-	-	-	43,333	43,333
Total Police Support	\$ 1,137,932	\$ 1,501,842	\$ 1,501,842	\$ 1,611,454	\$ 109,612
<u>Tourism Marketing</u>					
Operations	\$ 169,720	\$ 158,600	\$ 158,600	\$ 176,900	\$ 18,300
Total Tourism Marketing	\$ 169,720	\$ 158,600	\$ 158,600	\$ 176,900	\$ 18,300
<u>Marina</u>					
Operations	\$ 49,812	\$ 25,602	\$ 34,602	\$ 25,969	\$ 367
Total Marina	\$ 49,812	\$ 25,602	\$ 34,602	\$ 25,969	\$ 367
<u>Waterfront Park</u>					
Operations	\$ 469,328	\$ 525,947	\$ 540,052	\$ 529,853	\$ 3,905
Capital	3,809	24,600	24,600	46,100	21,500
Debt	309,098	309,098	309,098	309,098	-
Total Waterfront Park	\$ 782,235	\$ 859,645	\$ 873,750	\$ 885,050	\$ 25,405

Tourism Marketing includes allocations of Local Hospitality Fees of \$145,000 (5%) for the CVB and \$31,900 (1.1%) for other non-profit organizations. 37

BUDGET SUMMARY – EXPENDITURES (CONT'D)

	FY 2023 Actual	FY 2024 Original Budget	FY 2024 Revised Budget	FY 2025 Recommended Budget	Increase (Decrease) from Prior Year Original Budget
<u>Other Downtown Operations</u>					
Salaries	\$ 205,436	\$ 259,740	\$ 259,740	\$ 260,176	\$ 436
Benefits	54,256	72,189	72,189	93,658	21,468
Operations	419,165	156,639	156,639	453,258	296,619
Capital	51,720	20,000	46,465	35,000	15,000
Total Other Downtown Operations	<u>\$ 730,577</u>	<u>\$ 508,568</u>	<u>\$ 535,033</u>	<u>\$ 842,091</u>	<u>\$ 333,523</u>
<u>Parking</u>					
Operations	\$ 4,603	\$ 38,750	\$ 38,750	\$ 33,000	\$ (5,750)
Capital	5,713	25,000	25,000	25,000	-
Total Parking	<u>\$ 10,316</u>	<u>\$ 63,750</u>	<u>\$ 63,750</u>	<u>\$ 58,000</u>	<u>\$ (5,750)</u>
Total Expenditures	<u>3,864,039</u>	<u>4,393,852</u>	<u>4,447,567</u>	<u>5,674,833</u>	<u>1,280,981</u>
Other Financing Uses					
Transfers Out	<u>-</u>	<u>7,235,585</u>	<u>7,235,585</u>	<u>5,733,016</u>	<u>(1,502,569)</u>
Total Expenditures and other financing uses	<u>\$ 3,864,039</u>	<u>\$ 11,629,437</u>	<u>\$ 11,683,152</u>	<u>\$ 11,407,849</u>	<u>\$ (221,588)</u>

STORMWATER FUND



- Stormwater division of Public Works focuses on the stormwater issues facing our City.
- This fund accounts for the collections of Stormwater Utility fees and the associated costs of maintaining the City's Stormwater Management activities.
- Much of the long-term stormwater projects are reported in the Capital Projects Fund. Day to day operations and short-term projects, expected to be completed within the fiscal year, are reported in the Stormwater fund.

BUDGET SUMMARY

	FY 2023 Actual	FY 2024 Original Budget	FY 2024 Revised Budget	FY 2025 Recommended Budget	(Decrease) from Prior Year Original Budget
Revenues					
Stormwater Utility Fees	\$ 1,149,232	\$ 1,260,000	\$ 1,260,000	\$ 1,288,717	\$ 28,717
Interest	64,023	72,779	72,779	80,000	7,221
Total Revenues	\$ 1,213,256	\$ 1,332,779	\$ 1,332,779	\$ 1,368,717	\$ 35,938
Expenditures					
Salaries	348,402	413,856	413,856	413,681	(176)
Benefits	143,545	174,512	174,512	208,751	34,239
Operations	200,143	232,610	232,610	232,685	75
Debt	511,247	511,800	511,800	513,600	1,800
Total Expenditures	1,203,337	1,332,779	1,332,779	1,368,717	35,938
Other financing uses					
Transfers out	280,560	1,655,915	1,655,915	1,310,480	(345,435)
Total Expenditures and other financing uses	\$ 1,483,897	\$ 2,988,694	\$ 2,988,694	\$ 2,679,197	\$ (309,497)

Budget Highlights:

- Stormwater utility fees rate remain the same.
- Transfers out of Stormwater Bond monies to Capital Projects Fund for the following projects:
 - Calhoun Street Drainage- \$802,545
 - Allison Road- \$131,534
 - Bayard Street Drainage- \$376,401



FIRE IMPACT FUND

This fund accounts for the fire impact fees collected on new development beginning January 1, 2021. Use of these funds is restricted by City Ordinance for Capital Improvements related Fire services.

BUDGET SUMMARY

					Increase (Decrease) from Prior Year
	FY 2023 Actual	FY 2024 Original Budget	FY 2024 Revised Budget	FY 2025 Recommended Budget	Original Budget
Revenues					
Fire Impact Fees	\$ 554,209	\$ 400,000	\$ 400,000	\$ 100,000	\$ (300,000)
Interest	2,284	5,000	5,000	5,000	-
Intergovernmental	185,000	-	-	-	-
Total Revenues	<u>\$ 741,493</u>	<u>\$ 405,000</u>	<u>\$ 405,000</u>	<u>\$ 105,000</u>	<u>\$ (300,000)</u>
Expenditures					
Capital	500,000	-	-	-	-
Debt	-	129,239	129,239	63,654	(65,585)
Total Expenditures	<u>\$ 500,000</u>	<u>\$ 129,239</u>	<u>\$ 129,239</u>	<u>\$ 63,654</u>	<u>\$ (65,585)</u>

Budget Highlights:

- Fire impact fees are expected to decrease as new residential and commercial developments slow down due to higher interest rates.
- The debt payment relate to the City's portion of one fire truck.



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STATE ACCOMMODATIONS TAX FUND

This fund accounts for the 2% State Accommodations sales tax from transient room rentals and the associated expenditures that are restricted to tourist related expenditures as stipulated by State Law.

BUDGET SUMMARY

		FY 2024 Original	FY 2024 Revised	FY 2025	Increase
	FY 2023 Actual	Budget	Budget	Recommended	(Decrease)
				Budget	from Prior Year
Revenues					Original
		Budget	Budget		Budget
State Accommodations Tax	\$ 1,030,485	\$ 800,000	\$ 800,000	\$ 933,333	\$ 133,333
Interest	2,933	-	-	36,000	36,000
Total Revenues	<u>\$ 1,033,418</u>	<u>\$ 800,000</u>	<u>\$ 800,000</u>	<u>\$ 969,333</u>	<u>\$ 169,333</u>
Expenditures					
Salaries	15,474	17,226	17,226	16,728	(498)
Benefits	8,573	6,675	6,675	6,752	77
Operations					
Designated Marketing Organization	301,645	232,500	232,500	272,500	40,000
Downtown Twilight Hours Initiative	-	100,000	100,000	100,000	-
Tourism Grants to Qualified NPO's	291,584	379,849	379,849	471,663	91,814
Affordable Housing Trust	-	-	-	31,274	31,274
Total Expenditures	<u>617,277</u>	<u>736,250</u>	<u>736,250</u>	<u>898,917</u>	<u>162,667</u>
Other Financing Uses					
Transfers out to General Fund	<u>125,274</u>	<u>63,750</u>	<u>63,750</u>	<u>70,416</u>	<u>6,666</u>
Total Expenditures and Other Financing Uses	<u>\$ 742,551</u>	<u>\$ 800,000</u>	<u>\$ 800,000</u>	<u>\$ 969,333</u>	<u>\$ 169,333</u>

AMERICAN RESCUE PLAN ACT (ARPA) FUND



The American Rescue Plan Act (ARPA) Fund, a new fund adopted in FY 2022, accounts for the collection of ARPA funds and the related expenditures in accordance with the Federal Treasury Department's guidance.

BUDGET SUMMARY

		FY 2024 Original	FY 2024 Revised	FY 2025	Increase
	FY 2023 Actual	Budget	Budget	Recommended	(Decrease)
Revenues				Budget	from Prior Year
					Original
					Budget
Intergovernmental	\$ 957,644	\$ -	\$ -	\$ -	\$ -
Interest	161,069	100,000	100,000	302,306	202,306
Total Revenues	<u>1,118,713</u>	<u>100,000</u>	<u>100,000</u>	<u>302,306</u>	<u>202,306</u>
Expenditures					
Salaries	\$ -	\$ -	\$ -	\$ 100,000	\$ 100,000
Benefits	101,925	-	-	43,972	43,972
Operations	330,165	215,091	226,368	65,000	(150,091)
Capital	427,593	-	669,152	143,333	143,333
Total Expenditures	<u>859,683</u>	<u>215,091</u>	<u>895,520</u>	<u>352,306</u>	<u>137,215</u>
Other Financing Uses					
Transfers Out	<u>97,961</u>	<u>3,562,394</u>	<u>3,562,394</u>	<u>2,643,960</u>	<u>(918,434)</u>
Total Expenditures and Other Financing Uses	<u>\$ 957,644</u>	<u>\$ 3,777,485</u>	<u>\$ 4,457,914</u>	<u>\$ 2,996,266</u>	<u>\$ (781,219)</u>

The budgeted expenditures are highlighted by the follow items:

- \$143,972 in salaries and benefits to hire a capital projects manager position.
- \$50,000 for Neighborhood Revitalization Program
- \$2,643,960 transfers out to capital projects fund for the following projects:
 - Calhoun Street Drainage- \$863,260
 - King Street Drainage- \$1,196,700
 - Battery Shores Drainage- \$150,000
 - Pigeon Point Drainage Study- \$54,000
 - Pigeon Point Boat Landing- \$80,000
 - Duke Street Streetscape and Drainage- \$300,000

TAX INCREMENT FINANCING DISTRICT II (TIF II) FUND



The Tax Increment Financing District II Fund (TIF II) is used to account for property tax proceeds generated in the TIF II district. These funds are restricted for expenditures and capital improvement projects that benefit the TIF district.

BUDGET SUMMARY

		FY 2024 Original	FY 2024 Revised	FY 2025	Increase
	FY 2023 Actual	Budget	Budget	Recommended	(Decrease) from
Revenues				Budget	Prior Year
					Original Budget
Interest	\$ 132,240	\$ -	\$ 100,000	\$ 180,000	\$ 180,000
Total Revenues	<u>132,240</u>	<u>-</u>	<u>100,000</u>	<u>180,000</u>	<u>180,000</u>
Release of Fund Balance	-	-	-	29,000	29,000
Expenditures					
Operations	32,750	-	-	-	-
Capital	11,049	-	121,217	109,000	109,000
Total Expenditures	<u>43,799</u>	<u>-</u>	<u>121,217</u>	<u>109,000</u>	<u>109,000</u>
Other Financing Uses					
Transfers Out	25,212	3,625,054	3,625,054	100,000	(3,525,054)
Total Expenditures and Other Financing Uses	<u>\$ 69,011</u>	<u>\$ 3,625,054</u>	<u>\$ 3,746,271</u>	<u>\$ 209,000</u>	<u>\$ (3,416,054)</u>

The budgeted expenditures are highlighted by the follow items:

- \$109,000 capital include Boundary Street Traffic Light Improvements
- \$100,000 transfers out to capital projects fund for SC 1st Volunteers Park project



Salaries and Benefits – All Funds

Salaries By Department

						Increase	
		FY 2024 Original	FY 2024 Revised	FY 2025	(Decrease) from		
	FY 2023 Actual	Budget	Budget	Recommended	Prior Year		
				Budget	Original Budget		% Change
<u>General Fund</u>							
City Council	\$ 50,890	\$ 67,550	\$ 67,550	\$ 67,550	\$ -		0.00%
City Manager	737,215	545,388	545,388	575,864	30,476		5.59%
Finance	468,214	521,896	521,896	559,255	37,359		7.16%
Human Resources	202,456	225,703	225,703	243,236	17,533		7.77%
Municipal Court	243,660	253,714	253,714	266,933	13,220		5.21%
Community Development	427,799	659,972	659,972	758,358	98,386		14.91%
Police							
Command	2,529,604	2,832,196	2,832,196	2,888,048	55,852		1.97%
School Resource Officers	221,802	346,519	346,519	414,437	67,918		19.60%
School Crossing Guards	17,821	16,733	16,733	19,169	2,436		14.56%
Victims Rights	24,676	71,612	71,612	78,239	6,627		9.25%
Beaufort Fire	3,559,688	3,757,562	3,757,562	4,182,546	424,985		11.31%
Public Works							
Administration	157,125	206,526	206,526	219,462	12,937		6.26%
Streets & Traffic	120,485	112,748	112,748	121,152	8,404		7.45%
Facilities Maintenance	75,858	85,229	85,229	84,113	(1,116)		-1.31%
Total General Fund Salaries	\$ 8,837,292	\$ 9,703,347	\$ 9,703,347	\$ 10,478,363	\$ 775,016		7.99%
<u>Parks & Tourism Fund</u>							
City Parks	\$ 434,041	\$ 544,301	\$ 544,301	\$ 580,320	\$ 36,019		6.62%
Police Support	815,512	1,047,889	1,047,889	1,067,939	20,050		1.9%
Downtown Operations	205,436	259,740	259,740	260,176	436		0.2%
Total Parks & Tourism	\$ 1,454,989	\$ 1,851,930	\$ 1,851,930	\$ 1,908,435	\$ 56,506		3.1%
<u>ARPA Fund</u>							
ARPA	\$ -	\$ -	\$ -	\$ 100,000	\$ 100,000		100.0%
<u>Stormwater Fund</u>							
Stormwater Division	\$ 348,402	\$ 413,856	\$ 413,856	\$ 413,681	\$ (176)		0.0%
<u>State Accommodations Fund</u>							
Police Support	\$ 15,474	\$ 17,226	\$ 17,226	\$ 16,728	\$ (498)		-2.9%
Total Salaries	\$ 10,656,157	\$ 11,986,360	\$ 11,986,360	\$ 12,917,207	\$ 930,848		7.8%

Benefits By Department	FY 2023 Actual	FY 2024 Original Budget	FY 2024 Revised Budget	FY 2025 Recommended Budget	Increase		% Change
					(Decrease) from Prior Year		
					Original Budget		
<u>General Fund</u>							
City Council	\$ 12,727	\$ 15,944	\$ 15,944	\$ 24,171	\$ 8,227		51.60%
City Manager	233,870	188,145	188,145	193,059	4,914		2.61%
Finance	180,124	198,488	198,488	209,471	10,983		5.53%
Human Resources	76,638	85,810	85,810	95,424	9,614		11.20%
Municipal Court	85,700	89,613	89,613	130,110	40,497		45.19%
Community Development	151,559	259,772	259,772	289,438	29,666		11.42%
Police							
Command	1,046,744	1,217,578	1,217,578	1,260,195	42,618		3.50%
School Resource Officers	100,204	166,897	166,897	172,231	5,334		3.20%
School Crossing Guards	3,059	3,132	3,132	4,301	1,169		37.33%
Victims Rights	11,110	23,523	23,523	32,007	8,484		36.07%
Beaufort Fire	1,385,726	1,531,823	1,531,823	1,765,800	233,977		15.27%
Public Works							
Administration	64,224	49,405	49,405	82,840	33,435		67.67%
Streets & Traffic	43,558	89,597	89,597	63,386	(26,211)		-29.25%
Facilities Maintenance	38,578	44,086	44,086	61,868	17,782		40.33%
Total General Fund Benefits	\$ 3,433,819	\$ 3,963,812	\$ 3,963,812	4,384,300	\$ 420,487		10.61%
<u>Parks & Tourism Fund</u>							
City Parks	\$ 162,291	\$ 224,178	\$ 224,178	\$ 252,976	\$ 28,798		12.8%
Police Support	322,420	453,953	453,953	500,181	46,228		10.2%
Downtown Operations	54,256	72,189	72,189	93,658	21,468		29.7%
Total Parks & Tourism	\$ 538,967	\$ 750,320	\$ 750,320	\$ 846,815	\$ 96,495		12.9%
<u>ARPA Fund</u>							
ARPA	\$ 101,925	\$ -	\$ -	\$ 43,972	\$ 43,972		100.0%
<u>Stormwater Fund</u>							
Stormwater Division	\$ 143,545	\$ 174,512	\$ 174,512	\$ 208,751	\$ 34,239		19.6%
<u>State Accommodations Fund</u>							
Police Support	\$ 8,573	\$ 6,675	\$ 6,675	\$ 6,752	\$ 77		1.2%
Total Benefits	\$ 4,226,830	\$ 4,895,320	\$ 4,895,320	\$ 5,490,590	\$ 595,271		12.2%

Full-Time Equivalents per Fund with Comparisons

	<u>FY 2023</u> <u>Actual FTE's</u>	<u>FY 2024</u> <u>Adopted FTE's</u>	<u>FY 2025</u> <u>Recommended</u> <u>FTE's</u>	<u>Increase</u> <u>(Decrease) in</u> <u>FTE's from</u> <u>Prior Year</u>
<u>General Fund</u>				
City Council	5.0	5.0	5.0	-
City Manager	5.0	5.0	5.0	-
Finance	7.0	7.0	7.0	-
Information Technology	-	1.0	-	(1.0)
Human Resources	3.0	3.0	3.0	-
Municipal Court	5.0	5.0	5.0	-
Community & Economic Development	9.0	9.0	9.0	-
Police				
Command	43.5	44.0	44.0	-
School Resource Officers	4.0	7.0	7.0	-
School Crossing Guards	2.0	2.0	2.0	-
Victims Rights	1.0	1.0	1.0	-
Beaufort Fire	59.5	59.5	59.5	-
Public Works				
Administration	4.0	4.0	4.0	-
Streets & Traffic	3.0	3.0	3.0	-
Facilities Maintenance	4.0	4.0	4.0	-
Total General Fund Salaries	<u>155.0</u>	<u>159.5</u>	<u>158.5</u>	<u>(1.0)</u>
<u>Parks & Tourism Fund</u>				
City Parks	8.0	8.0	8.0	-
Police Support	14.2	14.2	14.2	-
Downtown Operations	3.0	3.0	3.0	-
Total Parks & Tourism	<u>25.2</u>	<u>25.2</u>	<u>25.2</u>	<u>-</u>
<u>ARPA Fund</u>				
ARPA	-	-	1.0	1.0
<u>Stormwater Fund</u>				
Stormwater Division	7.0	7.0	7.0	-
<u>State Accommodations Fund</u>				
Police Support	0.3	0.3	0.3	-
Total Full-Time Equivalent Positions	<u>187.5</u>	<u>192.0</u>	<u>192.0</u>	<u>-</u>

CAPITAL PROJECTS AND CAPITAL IMPROVEMENT PLAN



CAPITAL PROJECTS FUND AND RECOMMENDED CAPITAL IMPROVEMENT PLAN

Stormwater Projects are included in the Capital Projects Fund if the project spans longer than one year to complete.

RECOMMENDED FY 2025 CAPITAL PROJECTS

- The City has six active grant awards that impact City Infrastructure. These projects are included in the active Capital Projects list.
 - The Washington Street Park Project is partially funded by a \$80,000 State PARD grant and \$250,000 CDBG grant.
 - The Calhoun Street project is partially funded by a \$750,000 CDBG grant.
 - The Charles/Craven and Port Republic/Carteret Street drainage project is fully funded by a SC Office of Resilience grant for \$7,527,351.
 - The Bayard Street drainage project is partially funded by a FEMA grant for \$800,000.
 - The Depot Road Spanish Moss Trail Extension project is fully funded by a \$200,000 CDBG grant and partnership with Beaufort County.
 - The Allison Road project is partially funded by federal transportation alternative funding grants (TAP) through the South Carolina Department of Transportation totaling over \$3.4M.

BUDGET SUMMARY

	FY 2023 Actual	FY 2024 Original Budget	FY 2024 Revised Budget	FY 2025 Recommended Budget	Increase (Decrease) from Prior Year Original Budget
Grants	\$ 33,716	\$ 7,578,000	\$ 7,578,000	\$ 10,384,040	\$ 2,806,040
Partnerships	-	1,216,785	1,216,785	778,292	(438,493)
Miscellaneous	629,304	-	-	-	-
Interest	46,637	-	-	-	-
Total Revenues	709,657	8,794,785	8,794,785	11,162,332	2,367,547
Release of Fund Balance	-	-	-	700,000	700,000
Other Financing Sources					
Transfers In	417,323	17,156,976	18,246,976	9,787,457	(7,369,519)
Total Revenues, Release of Fund Balance and Other Financing Sources	1,126,980	25,951,761	27,041,761	21,649,789	(4,301,972)
Expenditures					
Capital	581,059	27,197,627	28,287,627	21,649,789	(5,547,838)
Total Expenditures	\$ 581,059	\$ 27,197,627	\$ 28,287,627	\$ 21,649,789	\$ (5,547,838)

Budget Highlights:

- 14 active capital projects on parks, stormwater, and streets improvements throughout the City for a total of \$21,649,789.

FY25 Recommended Capital Projects Funding Sources

Funding Sources	FY 2025 Recommended Budget
Category	
Grants	\$ 10,384,040
Transfers In	9,787,457
Partnerships	778,292
Release of Fund Balance	700,000
Total	\$ 21,649,789

FY25 Recommended Capital Projects Funding Sources Detail - Grants

Grant	Project	FY 2025 Recommended Budget
CDBG Grant	Washington Street Park	\$ 250,000
PARD Grant	Washington Street Park	80,000
CDBG Grant	Calhoun Street Drainage	750,000
SCOR Grant	Charles/Craven and Port Republic/Carteret St. Drainage	2,000,000
SCIIP Grant	King Street Drainage	2,700,000
FEMA Grant	Pigeon Point Drainage Study	162,000
STAG Grant	Bayard Street Drainage	800,000
CDBG Grant	Depot Road Trail Extension	198,000
SCDOT Grant	Allison Road	3,444,040
	Grant Total	\$ 10,384,040

FY25 Recommended Capital Projects Funding Sources Detail – Transfers In

Fund Providing Transfer In	Category	Project	FY 2025 Recommended Budget
Parks and Tourism	P&T Revenue Bond	Washington Street Park	\$ 836,725
Parks and Tourism	P&T Revenue Bond	Southside Park	4,896,291
Stormwater	Stormwater Bond Funds	Calhoun Street Drainage	802,545
Stormwater	Stormwater Bond Funds	Bayard Street	376,401
Stormwater	Stormwater Bond Funds	Allison Road	131,534
TIF II	Fund Balance	SC 1 st Volunteers Park	100,000
ARPA	Fund Balance	King Street Drainage	1,196,700
ARPA	Fund Balance	Calhoun Street Drainage	863,260
ARPA	Fund Balance	Battery Shores Drainage	150,000
ARPA	Fund Balance	Pigeon Point Drainage Study	54,000
ARPA	Fund Balance	Pigeon Point Boat Landing	80,000
ARPA	Fund Balance	Duke Street Streetscape and Drainage	300,000
		Transfers In Total	\$9,787,457

FY25 Recommended Capital Projects Funding Sources Detail – Partnerships

Partnerships	Category	Project	FY 2025 Recommended Budget
Beaufort County	County Portion	Depot Road Spanish Moss Trail Extension	\$ 522,647
Dominion Energy	Non-Standard Service Fund	Allison Road	255,645
		Partnerships Total	\$ 778,292

FY25 Recommended Capital Projects Funding Sources Detail – Release of Fund Balance

Source of Capital Project Fund Balance	Project	FY 2025 Recommended Budget
Capital Project Fund Balance	Marina Fuel Tanks	\$ 700,000
	Release of Fund Balance Total	\$ 700,000

FY25 Recommended Capital Projects Expenditure Detail

Projects	FY 2025 Recommended Budget
Washington Street Park	\$ 1,166,725
Southside Park	4,896,291
1 st SC Volunteer Park	100,000
Calhoun Street Drainage	2,415,805
Charles/Craven and Port Republic/Carteret Street Drainage	2,000,000
Battery Shores Drainage	150,000
King Street Drainage	3,896,700
Bayard Street Drainage	1,176,401
Marina Fuel Tank	700,000
Pigeon Point Drainage Study	216,000

FY25 Recommended Capital Projects Expenditure Detail

Projects	FY 2025 Recommended Budget
Pigeon Point Boat Landing	\$ 80,000
Depot Road Spanish Moss Trail Extension	720,647
Duke Street Streetscape and Drainage	300,000
Allison Road	3,831,219
Total	\$ 21,649,789

Capital Project Fund Detail

Description	FY 25 Recommended Funding								Future Funding
	Parks and Tourism Revenue	Capital Project Fund Balance	Partners	TIF II	Grant Funding	Stormwater Bond Funds	ARPA	Total FY25 Recommended	Grant Funding
	Bond Funds								
City Facilities									
<u>Parks</u>									
Washington Street Park	\$ 836,725				\$ 330,000			\$ 1,166,725	-
Southside Park	4,896,291	-						4,896,291	-
1st South Carolina Volunteer Park				100,000				100,000	
<u>Stormwater</u>									
Calhoun Street Drainage					750,000	802,545	863,260	2,415,805	-
Charles/Craven and Port Republic/Carteret Street Drainage					2,000,000			2,000,000	5,373,245
King Street Drainage					2,700,000		1,196,700	3,896,700	6,760,299
Bayard Street					800,000	376,401		1,176,401	-
Battery Shores Drainage							150,000	150,000	-
Pigeon Point Drainage Study					162,000		54,000	216,000	-
<u>Marina</u>									
Marina Fuel Tank Replacement		700,000						700,000	
<u>Boat Landing</u>									
Pigeon Point Boat Landing							80,000	80,000	
<u>Streets</u>									
Duke Street Streetscape and Drainage							300,000	300,000	-
Depot Road Spanish Moss Trail Extension			522,647		198,000			720,647	
Allison Road			255,645		3,444,040	131,534	-	3,831,219	
	\$ 5,733,016	\$ 700,000	\$ 778,292	\$ 100,000	\$ 10,384,040	\$ 1,310,480	\$ 2,643,960	\$ 21,649,789	\$ 12,133,544

Funding Sources by Funds

Description	TIF II Fund	Parks and Tourism Fund	Stormwater Fund	ARPA Fund	Capital Project Fund	Partners	Grants	Total FY25 Recommended
<u>Parks</u>								
Washington Street Park		\$ 836,725					\$ 330,000	\$ 1,166,725
Southside Park		4,896,291						4,896,291
1st South Carolina Volunteer Park	100,000							100,000
<u>Stormwater</u>								
Calhoun Street Drainage			802,545	863,260			750,000	2,415,805
Charles/Craven and Port Republic/Carteret Street Drainage							2,000,000	2,000,000
King Street Drainage				1,196,700			2,700,000	3,896,700
Bayard Street			376,401				800,000	1,176,401
Battery Shores Drainage				150,000				150,000
Pigeon Point Drainage Study				54,000			162,000	216,000
<u>Marina</u>								
Marina Fuel Tank Replacement					700,000			700,000
<u>Boat Landing</u>								
Pigeon Point Boat Landing				80,000				80,000
<u>Streets</u>								
Duke Street Streetscape and Drainage				300,000				300,000
Depot Road Spanish Moss Trail						522,647	198,000	720,647
Allison Road			131,534			255,645	3,444,040	3,831,219
	\$ 100,000	\$ 5,733,016	\$ 1,310,480	\$ 2,643,960	\$ 700,000	\$ 778,292	\$ 10,384,040	\$ 21,649,789

ORDINANCE

AN ORDINANCE TO PROVIDE FOR THE LEVY OF TAXES FOR THE CITY OF BEAUFORT FOR FISCAL YEAR BEGINNING JULY 1, 2024 AND ENDING JUNE 30, 2025; TO PROVIDE FOR EXECUTION OF AND TO PUT INTO EFFECT THE CONSOLIDATED BUDGET; AND TO PROVIDE BUDGETARY CONTROL OF THE CITY'S FISCAL AFFAIRS; AND OTHER MATTERS RELATING THERETO

WHEREAS, the City of Beaufort, South Carolina (the "City") is a municipal corporation of the State of South Carolina (the "State"), located in Beaufort County, South Carolina (the "County") and, as such, possesses all general powers granted by the South Carolina Constitution and statutes of the State to municipal corporations; and

WHEREAS, pursuant to S.C. Code Ann. § 5-13-10, *et seq.* (the "SC Code") and Section 1-1001 of the City's Code of Ordinances, the City operates under the council-manager form of government, with a mayor and four council members serving as the governing body of the City (the "City Council"); and

WHEREAS, S.C. Code Ann. § 5-13-30 and Section 1-5003 of the City's Code of Ordinances require that the City Council adopt a budget for each fiscal year and determine the tax levy for the new budget year; and

WHEREAS, pursuant to Section 1-4004 of the City's Code of Ordinances, the City Manager has prepared and presented fiscal year 2024-2025 budget (the "Budget") to the Council, and a copy of the entire Budget is available for inspection at the office of the Finance Director; and

WHEREAS, the Budget contains the budgets of the General Fund, the Parks and Tourism Fund, the Stormwater Fund, the State Accommodations Fund, the Fire Impact Fund, the Tax Increment Financing II Fund, the American Rescue Plan Act Fund and the Capital Projects Fund; and

WHEREAS, prior to the adoption of the Budget, the City Council is required to hold a public hearing on the Budget and any new fees resulting therefrom as required pursuant to S.C. Code Ann. §§ 5-7-260, 6-1-80, and 6-1-330 and the City's Code of Ordinances; and

WHEREAS, heretofore, and acting pursuant to the various authorizations described in the foregoing recitals, the City Council, after due and proper notice, held a public hearing on May 14, 2024 on the adoption of the Budget and the various fees implemented or amended thereunder; the hearing was conducted publicly and both proponents and opponents of the proposed actions of City Council were given the full opportunity to be heard; and

WHEREAS, subject to the limitations in S.C. Code Ann. § 6-1-320, City Council is authorized to increase the millage rate imposed for general operating purposes; and

WHEREAS, S.C. Code Ann. § 6-1-330 authorizes City Council to charge and collect new service and user fees after public notice and hearing.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and the council members of the City of Beaufort, South Carolina, in a meeting duly assembled, as follows:

SECTION 1. TAX LEVY

The City Council hereby appropriates the funds as detailed in Sections 3 and 4 of this Ordinance. Further, the City Council hereby establishes the millage rates as detailed in Section 2 of this Ordinance. However, as of the date of this Ordinance, the millage rates are based on estimated assessments received from the Beaufort County Auditor (the "Auditor") and are subject to change based on final assessment figures, once such figures are received from the Auditor. The City Council reserves the right to modify these millage rates by resolution at its August 27, 2024 meeting, and any such modification shall constitute the millage to be levied by the County on behalf of the City.

SECTION 2. MILLAGE; TAX COLLECTION

A. The Auditor is hereby authorized and directed to levy the Fiscal Year 2024-2025 tax of 73.9 mills on the dollar of assessed value of property within the City limits, in accordance with the laws of South Carolina. These taxes shall be collected by the Beaufort County Treasurer, as provided by law and distributed in accordance with the provisions of this Ordinance and subsequent appropriations hereafter passed by the City Council. The total millage levy in the City shall be seventy-three and 9/100 (73.9) mills, which includes 60.3 mills for operations and 13.6 mills for debt service.

B. A copy of this Ordinance and the Budget shall be made available to the County in order to properly order the levy and collection of *ad valorem* property taxes. Additionally, the City Manager shall be authorized to make the millage certification to the County Auditor required by S.C. Code Ann. § 12-43-285.

C. Consistent with State law, the date of payment, penalty dates and amount of penalties which shall be levied for delinquent taxes shall be as follows:

<u>Date</u>	<u>Penalty Assessed</u>
After January 15, 2025	3%
After February 1, 2025	Additional 7%
After March 16, 2025	Additional 5%
After April 1, 2025	\$75.00 Delinquent Charge
After September 1, 2025	\$100.00 Delinquent Charge

D. The Finance Director of the City, acting in concert with the proper officials of the County, shall be responsible for the collection of delinquent taxes, penalties, and other charges.

SECTION 3. CITY OPERATIONS APPROPRIATION

An amount of \$55,762,403 is appropriated to the City to fund City operations for General Fund, the Parks and Tourism Fund, the Stormwater Fund, the State Accommodations Fund, the Fire Impact Fund, the Tax Increment Financing II Fund, the American Rescue Plan Act Fund and the Capital Projects Fund as follows:

	<u>Appropriations</u>	
<u>General Fund</u>		
Non-Departmental	\$	822,823
City Council		345,321
City Manager		952,161
Finance		1,000,850
Human Resources		554,368
Information Technology		1,025,621
Municipal Court		637,050
Community Development		1,455,846
Police Operations		5,703,134
School Resource Officer		624,561
School Crossing Guard		23,470
Victims Rights		113,246
Beaufort Fire		6,773,028
Public Works		503,580
Streets & Traffic		1,035,281
Facilities Maintenance		828,479
Solid Waste		1,401,015
Debt Service		1,845,353
Total General Fund	\$	<u>25,645,187</u>
<u>Parks & Tourism Fund</u>		
Police Operations	\$	1,611,454
Marina Operations		25,969
Waterfront Park Operations		885,050
Parking		58,000
Parks Department		2,075,369
Other Downtown Operations		842,091
Tourism Marketing		176,900
Total Parks & Tourism Fund	\$	<u>5,674,833</u>
<u>Stormwater Fund</u>		
Stormwater Operations	\$	855,117
Debt Service		513,600
Total Stormwater Fund	\$	<u>1,368,717</u>
<u>State Accommodations Fund</u>		
Police Operations	\$	23,480
Other Tourism Operations		131,274
Designated Marketing Organization		272,500
ATAX Grant Awards		471,663
Total State Accommodations Fund	\$	<u>898,917</u>

<u>Fire Impact Fund</u>	
Debt	\$ 63,654
	<u>\$ 63,654</u>
<u>TIF II Fund</u>	
Capital	\$ 109,000
	<u>\$ 109,000</u>
<u>American Rescue Plan Act Fund</u>	
Personnel	\$ 143,973
Operating	65,000
Capital	143,333
Total American Rescue Plan Act Fund	<u>\$ 352,306</u>
<u>Capital Projects Fund</u>	
Capital	\$ 21,649,789
Total Capital Projects Fund	<u>\$ 21,649,789</u>
Total Appropriations	
	<u><u>\$ 55,762,403</u></u>
<u>Other Financing Uses</u>	
Transfers out	
Parks & Tourism Fund	\$ 5,733,016
Stormwater Fund	1,310,480
TIF II Fund	100,000
State Accommodations Tax Fund	70,416
American Rescue Plan Act Fund	2,643,960
Contribution to Fund Balance	
Fire Impact Fee Fund	41,346
Total Other Financing Uses	<u><u>\$ 9,899,218</u></u>
Total Appropriations and Other Financing Uses	<u><u>\$ 65,661,621</u></u>

B. The detailed operations budget containing line-item accounts by department is hereby enacted as part of this Ordinance.

SECTION 4. CITY OPERATIONS REVENUE

The appropriations of the City operations will be funded from the following revenue sources:

		<u>Revenues</u>
<u>General Fund</u>		
Property Taxes		\$ 9,598,632
Licenses & Permits		6,870,000
Intergovernmental		3,854,181
Franchise Fees		2,258,000
Charges for Services		2,056,665
Fines & Forfeitures		64,000
Miscellaneous		110,000
Interest		550,000
	Total General Fund	<u>\$ 25,361,478</u>
<u>Parks & Tourism Fund</u>		
Other Taxes		\$ 4,375,000
Charges for Services		855,500
Interest		250,000
	Total Parks & Tourism Fund	<u>\$ 5,480,500</u>
<u>Stormwater Fund</u>		
Charges for Services		\$ 1,288,717
Interest		80,000
	Total Stormwater Fund	<u>\$ 1,368,717</u>
<u>State Accommodations Fund</u>		
Other Taxes		\$ 933,333
Interest		36,000
	Total State Accommodations Fund	<u>\$ 969,333</u>
<u>Fire Impact Fund</u>		
Fire Impact Fee		\$ 100,000
Interest		5,000
	Total Fire Impact Fund	<u>\$ 105,000</u>
<u>TIF II Fund</u>		
Interest		\$ 180,000
	Total TIF II Fund	<u>\$ 180,000</u>
<u>American Rescue Plan Act Fund</u>		
Interest		\$ 302,306
	Total American Rescue Plan Act Fund	<u>\$ 302,306</u>
<u>Capital Projects Fund</u>		
Intergovernmental		\$ 10,384,040
Partnerships		778,292
	Total Capital Projects Fund	<u>\$ 11,162,332</u>
	Total Revenues	<u><u>\$ 44,929,666</u></u>

	<u>Other Financing Sources</u>
Transfers in	
General Fund	\$ 70,416
Capital Projects Fund	9,787,457
Release of Committed Fund Balance	
General Fund	213,293
Release of Fund Balance	
Parks and Tourism Fund	5,927,349
TIF II Fund	29,000
Stormwater Fund	1,310,480
American Rescue Plan Act Fund	2,693,960
Capital Projects Fund	700,000
Total Other Financing Sources	<u>\$ 20,731,955</u>
Total Revenues and Other Financing Sources	<u>\$ 65,661,621</u>

SECTION 5. CITY CAPITAL PROJECTS FUND

Capital Project Appropriations shall not lapse at June 30, 2024, but each project appropriation shall remain in force for the life of the project and shall be closed out upon completion or other disposition of the project in the capital project fund.

SECTION 6. ESTABLISHMENT OF A MASTER FEE SCHEDULE

A Master Fee Schedule listing all fees charged by the City for Fiscal Year 2025, including but not limited to general city-wide fees, business licensing fees (Appendix A), business license classes (Appendix B), building permit fees, and fire impact fees, is attached to this Ordinance as Attachment A, and shall be considered to be incorporated into this Ordinance in its entirety. Any new fees or amendments to fees listed on Attachment A have been implemented in compliance with S.C. Code Ann. § 6-1-330, as applicable, and the public hearing held prior to the enactment of this Ordinance shall constitute the public hearing required under such section of the SC Code.

SECTION 7. CITY DEBT SERVICE APPROPRIATION

Consistent with Section 2, above, the revenue generated by a 13.6 mill levy is appropriated to defray the principal and interest payment on all City general obligation bonds.

SECTION 8. BUDGETARY ACCOUNT BREAKOUT

The foregoing City operation appropriations have been detailed by the City Council into line-item accounts for each department. The detailed appropriation by account and budget narrative contained separately is hereby enacted as part of this Ordinance. The consolidated budget summary is attached to this Ordinance as Exhibit A.

SECTION 9. FY 2023-2024 ENCUMBRANCES AND REMAINING GRANT AUTHORIZATIONS REAPPROPRIATED, RECORDING OF ASSIGNMENTS OF AMOUNTS APPROPRIATED FROM FUND BALANCE.

A. Encumbrances in each fund at June 30, 2024, representing obligations made against 2023-2024 appropriations outstanding as of that date, are hereby reappropriated and the appropriations shall be distributed to the budgetary accounts under which the expenditures will be charged during the FY 2024-2025 budget year as such obligations are satisfied, provided that such encumbrances, when taken together with the FY 2023-2024 expenditures, do not cause any fund to exceed its budgetary authorization for the year ended June 30, 2024.

B. For each fund in which a reappropriation occurs, the amount of funds appropriated hereunder shall be established in that fund as "Assigned Fund Balance for Encumbrances."

C. For each fund in which the Budget includes the use of fund balance; the amount of the fund balance so used shall be identified as "Assigned for Current Appropriations."

D. Appropriations for grants, the authorization for which extends beyond the end of the 2023-24 fiscal year, shall not lapse on June 30, 2024. Any such grant authorizations remaining at the end of a fiscal year shall be reappropriated pursuant to the conditions of the respective grant agreements and utilized in fiscal year 2024-25 in accordance with their respective terms.

E. Appropriations for active projects resulting in restrictions or commitments of fund balances shall be identified by appropriate titles in the financial statements of the affected funds.

SECTION 10. ADMINISTRATION OF THE BUDGET

The City Manager or his designee shall administer the Budget and may authorize the transfer of appropriations within the allotments heretofore established and as necessary to achieve the goals of the Budget; provided, however, that no such transfer shall be used to increase the total appropriation within any fund.

SECTION 11. AUTHORIZATION TO ENTER INTO CONTRACTS

The City Manager is authorized to enter into contracts on behalf of the City if the total contract amount is less than or equal to the budget line item or project budget as approved by City Council under the terms of the Budget.

SECTION 12. ALLOCATION OF FUNDS

The City Manager is responsible for controlling the rate of expenditures of budgeted funds in order to assure that expenditures do not exceed funds on hand. To carry out this responsibility, the City Manager is authorized to allocate budgeted funds.

SECTION 13. MISCELLANEOUS RECEIPTS ABOVE ANTICIPATED REVENUES

Revenues other than, and/or in excess of, those addressed in Section 4 of this Ordinance, received by the City, which are in excess of the anticipated revenue as approved in the current budget, may be expended as directed by the revenue source, or for the express purposes for which the funds were generated without further approval of City Council. All such expenditures addressed in Section 3 in excess of \$10,000 shall be reported, in written form, to the City Council on a quarterly basis. Such funds include sales of products, services, rents, contributions, donations, special events, insurance, and similar recoveries.

SECTION 14. TRANSFERS VALIDATED

All duly authorized transfers of funds heretofore made from one account to another, or from one fund to another during Fiscal Year 2025, are hereby approved.

SECTION 15. RATIFICATION OF FINDINGS; ACTIONS.

The City Council ratifies and approves the findings of fact recited above. Further, all actions of the City Manager and other City staff regarding the public hearings and drafting, execution and delivery of the Budget are ratified, approved, and confirmed. Further, the City Manager and City staff shall be authorized to do all things necessary to implement the provisions of the Budget consistent with the SC Code and the City's Code of Ordinances.

SECTION 16. EFFECTIVE DATE

This Ordinance shall be effective July 1, 2024. Approved and adopted on the second and final reading this 11th day of June 2024.

PHILIP E. CROMER, MAYOR

ATTEST:

[SEAL]

TRACI GULDNER, CITY CLERK

1ST Reading: May 14, 2024
Public Hearing: May 14, 2024
2nd Reading & Adoption: June 11, 2024

Reviewed by: Benjamin T. Coppage, City Attorney, May 3, 2024

EXHIBIT A

CONSOLIDATED BUDGET SUMMARY

	General Fund	ARPA Fund	Parks & Tourism Fund	Stormwater Fund	State Accommodations Fund	TIF II Fund	Fire Impact Fund	Capital Projects Fund	Total
Revenues	\$ 25,361,478	\$ 302,306	\$ 5,480,500	\$ 1,368,717	\$ 969,333	\$ 180,000	\$ 105,000	\$ 11,162,332	\$ 44,929,666
Transfers In	70,416	-	-	-	-	-	-	9,787,457	9,857,873
Total Other Financing Sources	70,416	-	-	-	-	-	-	9,787,457	9,857,873
Release of Committed Fund Balance	-	-	-	-	-	-	-	-	-
Release of Fund Balance	213,293	2,693,960	5,927,349	1,310,480	-	29,000	-	700,000	10,874,082
Salaries	10,478,363	100,000	1,908,435	413,681	16,728	-	-	-	12,917,207
Benefits	4,384,300	43,972	846,815	208,751	6,752	-	-	-	5,490,590
Operating	8,299,933	65,000	1,711,049	232,685	875,437	-	-	-	11,184,104
Capital	492,443	143,333	238,933	-	-	109,000	-	21,649,789	22,633,498
Debt	1,990,148	-	969,601	513,600	-	-	63,654	-	3,537,003
Total Expenditures	25,645,187	352,306	5,674,833	1,368,717	898,917	109,000	63,654	21,649,789	\$ 55,762,403
Transfers Out	-	2,643,960	5,733,016	1,310,480	70,416	100,000	-	-	9,857,872
Total Other Financing Uses	-	2,643,960	5,733,016	1,310,480	70,416	100,000	-	-	\$ 9,857,872
Contribution to Fund Balance	-	-	-	-	-	-	41,346	-	41,346
Net (Deficit) Surplus	\$ (0)	\$ 0	\$ -	\$ (0)	\$ (0)	\$ -	\$ 0	\$ -	\$ 0

ATTACHMENT A

MASTER FEE SCHEDULE FOR FY 2024-2025

Special Duty Fee - Police	\$60/hour*
Special Duty Fee – Fire	\$38/hour*
Special Duty Fee – Public Works	\$36/hour*

* 4 hour minimum

Park Rental Fee – Whitehall Park

Pavilion Area	\$350 for 4 hour block and \$600 for 6 hour block
Event Lawn Area	\$500 for 4 hour block and \$800 for 6 hour block
Electric Fee	\$75 for 4 hour block and \$100 for 6 hour block
Combined Pavilion and Event Lawn	\$2,500 for 12 hour block

Refundable Security Deposit \$500 for 4 hour block, \$800 for 6 hour block and \$1,250 for 12 hour block

Park Rental Fee – Henry C. Chambers Waterfront Park

Circle of Palms- Dining Area	\$200 for 4 hour block and \$400 for 6 hour block
Craft Market Lawn Area	\$200 for 4 hour block and \$400 for 6 hour block
Contemplative Garden Area	\$200 for 4 hour block and \$400 for 6 hour block
Pavilion Area	\$350 for 4 hour block and \$600 for 6 hour block
Green 1 Area	\$300 for 4 hour block and \$500 for 6 hour block
Green 2 Area	\$500 for 4 hour block and \$800 for 6 hour block
Electric Fee	\$75 for 4 hour block and \$100 for 6 hour block
Entire Park	\$2,200 for 12 hour block

Refundable Security Deposit \$500 for 4 hour block, \$800 for 6 hour block and \$1,100 for 12 hour block

Park Deposit Fee – Pigeon Point Park \$50/day

Park Deposit Fee - Southside Park	\$100/day
Parking Fee for Special Events -	
Full Day Rate	\$6/day
Downtown Event Message Board Rental Fee	\$150/week
Stormwater Fee – Option E under the Beaufort	
County Stormwater Rate model	\$135/account
Refuse/Recycling Collection Fee – Residential	\$22.50/month
Refuse Collection Fee – Commercial:	
Tier 1 – 1 Cart/2 Day service	\$13.50/month
Tier 2 - 2 Carts/2 Day service	\$27.00/month
Tier 3 – 3 Carts/2 Day service	\$40.50/month
Tier 4 – 3 Carts/5 Day service	\$101.25/month
Tier 5 – 4 Carts/5 Day service	\$135.00/month
Tier 6 – 5 Carts/5 Day service	\$168.75/month
Tier 7 – 6 Carts/5 Day service	\$202.50/month
\$25.00 added to each monthly account requiring Saturday service	

APPENDIX A: BUSINESS LICENSE RATE SCHEDULE

RATE CLASS	INCOME: \$0 - \$2,000	INCOME OVER \$2,000
	BASE RATE	RATE PER \$1,000 OR FRACTION THEREOF
1	\$25.00	\$1.00
2	\$35.00	\$1.30
3	\$45.00	\$1.60
4	\$55.00	\$1.90
5	\$65.00	\$2.20
6	\$75.00	\$2.50
7	\$85.00	\$2.80

NON-RESIDENT RATES

Unless otherwise specifically provided, all taxes and rates shall be doubled for nonresidents and itinerants having no fixed principal place of business within the Municipality.

CLASS 8 & 9 RATES

Each NAICS number designates a separate subclassification. The businesses in this section are treated as separate and individual subclasses due to provisions of state law, regulatory requirements, service burdens, tax equalization considerations, and other factors that are deemed sufficient to require individually determined rates. In accordance with state law, the Municipality also may provide for reasonable subclassifications for rates, described by an NAICS sector, subsector, or industry, that are based on particularized considerations as needed for economic stimulus or for the enhanced or disproportionate demands on municipal services or infrastructure.

Non-resident rates do not apply except where indicated.

8.1 NAICS 230000 – Contractors, Construction, All Types [Non-resident rates apply].

Resident rates, for contractors having a permanent place of business within the Municipality:

Minimum on first \$2,000	\$ 60.00 PLUS
Each additional 1,000.....	\$ 1.75

Non-resident rates apply to contractors that do not have a permanent place of business within the Municipality. A trailer at the construction site or structure in which the contractor temporarily resides is not a permanent place of business under this ordinance.

No contractor shall be issued a business license until all state and municipal qualification examination and trade license requirements have been met. Each contractor shall post a sign in plain view on each job identifying the contractor with the job.

Sub-contractors shall be licensed on the same basis as general or prime contractors for the same job. No deductions shall be made by a general or prime contractor for value of work performed by a sub-contractor.

No contractor shall be issued a business license until all performance and indemnity bonds required by the Building Code have been filed and approved. Zoning permits must be obtained when required by the Zoning Ordinance.

Each prime contractor shall file with the License Official a list of sub-contractors furnishing labor or materials for each project.

For licenses issued on a per-job basis, the total tax for the full amount of the contract shall be paid prior to commencement of work and shall entitle the contractor to complete the job without regard to the normal license expiration date. An amended report shall be filed for each new job and the appropriate additional license fee per \$1,000 of the contract amount shall be paid prior to commencement of new work. Only one base tax shall be paid in a license year. Licensees holding a per-job license shall file, by each April 30 during the continuation of the construction project, a statement of compliance, including but not limited to a revised estimate of the value of the contract. If any revised estimate of the final value of such project exceeds the amount for which the business license was issued, the licensee shall be required to pay a license fee at the then-prevailing rate on the excess amount.

8.2 NAICS 482 – Railroad Companies (See S.C. Code § 12-23-210).

8.3 NAICS 517311, 517312 – Telephone Companies.

With respect to “retail telecommunications services” as defined in S. C. Code § 58-9-2200, the Municipality participates in a collections program administered by the Municipal Association of South Carolina. The Municipality has approved participation in the collections program by separate ordinance (the “Telecommunications Collections Ordinance”). The rates, terms, conditions, dates, penalties, appeals process, and other details of the business license applicable to retail telecommunications services are set forth in the Telecommunications Collections Ordinance.

8.4 NAICS 5241 – Insurance Companies:

Independent agents, brokers, their employees are subject to a business license tax based on their natural class. With respect to insurers subject to license fees and taxes under Chapter 7 of Title 38 and to brokers under Chapter 45 of Title 38, the Municipality participates in a collections program administered by the Municipal Association of South Carolina. The Municipality has approved participation in the collections program by separate ordinance (the “Insurers and Brokers Collections Ordinance”). The rates, terms, conditions, dates, penalties, appeals process, and other details of the business license applicable to insurers and brokers are set forth in the Insurers and Brokers Collections Ordinance.

8.51 NAICS 713120 – Amusement Machines, coin operated (except gambling). Music machines, juke boxes, kiddie rides, video games, pin tables with levers, and other amusement machines with or without free play feature licensed by SC Department of Revenue pursuant to S.C. Code §12-21-2720(A)(1) and (A)(2) **[Type I and Type II]**.

For operation of all machines (not on gross income), pursuant to S.C. Code §12-21-2746:

Per Machine \$12.50 PLUS
 Each additional \$1,000, over base of \$2,000..... \$1.75

Distributors that sell or lease machines and are not licensed by the state as an operator pursuant to §12-21-2728 are not subject to Subclass 8.51.

8.52 NAICS 713290 – Amusement Machines, coin operated, non-payout. Amusement machines of the non-payout type or in-line pin game licensed by SC Department of Revenue pursuant to S.C. Code §12-21-2720(A)(3) **[Type III]**.

For operation of all machines (not on gross income), pursuant to S.C. Code §12-21-2720(B):

Per Machine \$180.00 PLUS
 Each additional \$1,000, over base of \$2,000..... \$1.75

Distributors that sell or lease machines and are not licensed by the state as an operator pursuant to §12-21-2728 are not subject to Subclass 8.52.

8.6 NAICS 713990 – Billiard or Pool Rooms, all types. (A) Pursuant to SC Code § 12-21-2746, license tax of \$5.00 per table measuring less than 3½ feet wide and 7 feet long, and \$12.50 per table longer than that; PLUS, (B) with respect to gross income from the entire business in addition to the tax authorized by state law for each table:

Minimum on first \$2,000 \$32.00 PLUS
 Each additional \$1,000, over base of \$2,000..... \$1.26

9.1 NAICS 423930 – Junk or Scrap Dealers [Non-resident rates apply].

Minimum on first \$2,000 \$41.00 PLUS
 Each additional \$1,000, over base of \$2,000..... \$1.66

9.2 NAICS 522298 – Pawn Brokers [All Types].

Minimum on first \$2,000 \$161.00 PLUS
 Each additional \$1,000, over base of \$2,000..... \$2.88

9.3 NAICS 4411, 4412 – Automotive, Motor Vehicles, Boats, Farm Machinery or Retail.

(except auto supply stores - see 4413)

Minimum on first \$2,000 \$20.00 PLUS
 Each additional \$1,000, over base of \$2,000..... \$0.65

One sales lot not more than 400 feet from the main showroom may be operated under this license provided that proceeds from sales at the lot are included in gross receipts at the main office when both are operated under the same name and ownership.

Gross receipts for this classification shall include value of trade-ins. Dealer transfers or internal repairs on resale items shall not be included in gross income.

9.4 NAICS 454390 – Peddlers, Solicitors, Canvassers, Door-To-Door Sales.

Direct retail sales of merchandise. [Non-resident rates apply]

9.41 Regular activities [more than two sale periods of more than three days each per year]

Minimum on first \$2,000 \$200.00 PLUS

Each additional \$1,000, over base of \$2,000..... \$1.00

9.42 Seasonal activities [not more than two sale periods of not more than three days each year, separate license required for each sale period]

Minimum on first \$2,000 \$200.00PLUS

Each additional \$1,000, over base of \$2,000..... \$1.00

Applicants for a license to sell on private property must provide written authorization from the property owner to use the intended location.

9.5 NAICS 713290 – Bingo halls, parlors.

Minimum on first \$2,000 \$32.50 PLUS

Each additional \$1,000, over base of \$2,000..... \$1.26

9.6 NAICS 711190 – Carnivals and Circuses.

Minimum on first \$2,000 \$64.00 PLUS

Each additional \$1,000, over base of \$2,000..... \$2.52

9.7 NAICS 722410 – Drinking Places, bars, lounges, cabarets (Alcoholic beverages consumed on premises).

Minimum on first \$2,000 \$272.00 PLUS

Each additional \$1,000, over base of \$2,000..... \$4.31

License must be issued in the name of the individual who has been issued a State alcohol, beer or wine permit or license and will have actual control and management of the business.

9.71 NAICS 722511-Restuarants serving Alcohol

Minimum on first \$2,000 \$115.00 PLUS

Each additional \$1,000, over base of \$2,000..... \$2.90

License must be issued in the name of the individual who has been issued a State alcohol, beer or wine permit or license and will have actual control and management of the business.

Appendix B

2023 Business License Class Schedule by NAICS Code

NAICS Sector/Subsector	Industry Sector	Class
11	Agriculture, forestry, hunting and fishing	1
21	Mining	2
22	Utilities	1
31 - 33	Manufacturing	3
42	Wholesale trade	1
44 - 45	Retail trade	1
48 - 49	Transportation and warehousing	1
51	Information	4
52	Finance and insurance	7
53	Real estate and rental and leasing	7
54	Professional, scientific, and technical services	5
55	Management of companies	7
56	Administrative and support and waste management and remediation services	3
61	Educational services	3
62	Health care and social assistance	4
71	Arts, entertainment, and recreation	3
721	Accommodation	1
722	Food services and drinking places	2
81	Other services	4
Class 8	Subclasses	
23	Construction	8.1
482	Rail Transportation	8.2
517111	Wired Telecommunications Carriers	8.3
517112	Wireless Telecommunications Carriers (except Satellite)	8.3
517122	Agents for Wireless Telecommunications Services	8.3
5241	Insurance Carriers	8.4
5242	Insurance Brokers for non-admitted Insurance Carriers	8.4
713120	Amusement Parks and Arcades	8.51
713290	Nonpayout Amusement Machines	8.52
713990	All Other Amusement and Recreational Industries (pool tables)	8.6

2023 Class Schedule is based on a three-year average (2017 - 2019) of IRS statistical data.

DEVELOPMENT REVIEW CODES FEE SCHEDULE
Revised May 14, 2024

(1) **OTHER FEES SUPERSEDED**

The following schedules and regulations regarding fees are hereby adopted and supersede all regulations and schedules regarding fees published in the most recent edition of the International Building Code or supplement thereof.

(2) **FEES MANDATORY**

No permit shall be issued until the fees prescribed in this section shall have been paid. Nor shall an amendment to a permit be approved until the additional fee, if any, due to an increase in the estimated cost of the building or structure, shall have been paid.

(3) **FAILURE TO OBTAIN PERMIT**

Where work for which a permit is required by this code is started or proceeded prior to obtaining said permit, the base fee herein specified shall be tripled, but the payment of such tripled fee shall not relieve any persons from fully complying with the requirements of this code in the execution of the work nor from any other penalties prescribed herein. The Building Official has the authority to waive such penalty fee for first time offenses.

(4) **RECORD OF FEES COLLECTED**

The Building Official shall keep a permanent and accurate accounting of all permit fees and other monies collected, the names of all persons upon whose account the same was paid, the full date and amount thereof.

(5) **MOVING A BUILDING/STRUCTURES**

For the moving of any building or structure, the fee shall be \$150.00

(6) **DEMOLITION OF BUILDING/STRUCTURE**

For the moving of any building or structure, the fee shall be \$150.00
For the demolition of any building or structure, the fees are as follows:

Complete Demolition Single-Family Structure \$100.00 Complete Demolition Commercial & Multifamily Structure \$200.00

(7) **BUILDING PERMIT FEES**

On all new buildings, structures or alterations requiring a building permit as set forth in the International Building Code and the International Residential Code, the fee shall be paid as required at the time of filing the application in accordance with the schedule shown below. All fees are paid at time of submittal.

Building Permit Fee Schedule:

Total Valuation	Base Fee
>\$500 to \$50,000	\$35 for the first \$500, plus \$5.30 for each additional thousand or fraction thereof (round up)
>\$50,000 to \$100,000	\$300 for the first \$50,000, plus \$4 for each additional thousand or fraction thereof (round up)
>\$100,000 to \$500,000	\$500 for the first \$100,000, plus \$3 for each additional thousand or fraction thereof (round up)
>\$500,000 and up	\$1,700 for the first \$500,000, plus \$2 for each additional thousand or fraction thereof (round up)

(8) **PLAN CHECKING FEES**

When a plan is required to be submitted, all fees shall be paid to the building department at the time of submitting plans and specifications for checking. Said plan checking fee shall be equal to one-half of the base fee.

(9) **BUILDING PERMIT VALUATIONS**

If, in the opinion of the Building Official, the valuation of a building, alteration, or structure, appears to be underestimated, the permit shall be denied, unless the applicant can show detailed estimates to meet the approval of the Building Official. Final building permit valuation shall be set by the Building Official.

(10) **PROCEDURE FOR PERMIT REFUNDS**

- (a) Permit holder must return all applicable permit forms and receipts; copies will not be accepted.
- (b) Permit refund will be for total amount paid minus Plan Checking Fee-
- (c) A completed W-9 form is required.

(11) **INSPECTION FEES**

- (a) New Construction/Renovation inspection fees: \$0.10 per square footage
- (b) Individual inspection fees (not associated with new construction or major renovation): \$100.00 ea.
- (c) Swimming Pool Inspection Fees
 - Single-Family \$235.00
with \$200 to be refunded after pool inspection has been performed and approved
 - Multifamily and Commercial \$265.00

with \$200 to be refunded after pool inspection has been performed and approved

- (d) Safety Inspection
Commercial \$100.00

(12) **RE-INSPECTIONS**

If the Building Official or his duly authorized representative shall, upon his inspection after the completion of the work or apparatus, find the same does not conform to and comply with the provisions of this Code, he shall notify the contractor, indicating the corrections to be made, and then he shall again inspect the work or apparatus without further charge; but when extra inspections are due to any of the following reasons, a charge of \$150 for multifamily and commercial projects, and \$100 for all other projects shall be made for each re-inspection:

- (a) Wrong Address
- (b) Repairs or corrections not made when inspections are called
- (c) Work not ready for inspection when called

All re-inspection fees are required to be paid in advance prior to re-inspection.

(13) **TREE REMOVAL FEES**

- (a) **Single Family Lots:** \$10.00 per tree for a specimen or landmark tree as established in Section 5.3.2
- (b) **Commercial Lots:** \$10.00 per tree (8" caliper or larger at DBH) or any tree designated as a specimen or landmark tree, as established in Section 5.3.2. Mitigation may be required.

(14) **SIGN PERMITS**

For issuing each sign permit, the fee shall be as follows:

Permanent Sign
\$1.00 per square foot of signage plus a \$75.00 inspection fee

Master Sign Plan	\$25.00 per tenant
Amendments to Master Sign Plan	\$75.00

(15) **BANNER PERMITS**

Temporary Banner - \$5.00 per day

(16) **TEMPORARY TENT/CANOPY PERMITS**

Temporary tent or canopy over 400 Sq. Ft. \$250.00

(17) **LANDSCAPE IRRIGATION AND OR WELL PERMITS**

Single-Family Lot	\$75.00
Commercial or Multifamily Lot	\$100.00

(18) **SUBDIVISION FEES**

Plat Review	\$50.00
Minor Subdivision (≤ 5 lots and no new streets)	\$50.00 per lot (Includes Plat Review Fee)
Major Subdivision that includes New Streets: (Includes Plat Review Fee)	
6 to 49 lots:	\$1,000 + \$10/lot
50-100 lots:	\$1,500 + \$10/lot
101 to 300 lots:	\$2,000 + \$10/lot
301 + lots:	\$2,500 + \$10/lot

(19) **STAFF DESIGN REVIEW FEES**

Single Family and 2/3-unit buildings not in a historic district are exempt.

Type 1: Renovations/Improvements not including additions, ≤ 50% of the value of the structure

<u>Value</u>	<u>Fee</u>
Improvements ≤ \$5,000	\$100
Improvements > \$5,000 but ≤ \$25,000	\$150 + 0.25% x value above \$5,000
Improvements > \$25,000	\$125 + 0.20% x value above \$25,000

Type 2

- Any single-family and 2/3-unit residential addition in a historic district: \$50
- All other additions: \$500 base fee + \$0.05/square foot of addition.

Type 3

Review for new construction and for renovations/improvements totaling over 50% of the value of the structure:

- Single-family and 2/3 unit residential in the historic district:
 - ≤ 10,000 square feet: \$500 base fee + 0.05/square foot of building
 - > \$10,000 square feet: \$1,000 base fee + \$0.05/square foot of building for the first 100,000 square feet of building. For additional square footage over 100,000, \$0.02/square foot

(20) **REVIEW BOARDS: HISTORIC REVIEW BOARD & DESIGN REVIEW BOARD**

Single-family residential projects (board review)	\$100
Multifamily and commercial projects (board review)	\$250
Change After Certification	\$100
Demolition (whole structure)	\$250
Special Board Meeting	\$500

Post facto applications shall be triple the normal fee.

PROFESSIONAL ARCHITECT PLAN REVIEW FEES

Principal Architect	\$120/HR
Preservation Architect	\$120/HR
Architect	\$90/HR
Preservations Consultant	\$100/HR
Conservator	\$100/HR
Historic Materials Specialist	\$100/HR
Administration	\$50/HR
Per Diem	\$25/Day and \$50/Overnight
Printing	\$.05/BW Copies \$.39/Color Copies
Mileage	\$.655/mile

PROFESSIONAL ENGINEER PLAN REVIEW FEES

Senior Manager	\$265/HR
Senior Project Manager	\$210/HR
Senior Engineer	\$185/HR
Project Manager	\$180/HR
Engineer II	\$150/HR
Designer II	\$145/HR
Designer I	\$130/HR
Environmental Professional II	\$100/HR

(21) **ZONING BOARD OF APPEALS**

All Application Fees: \$300.00

(22) **REZONING**

Rezoning to PUD \$750
Rezoning, non-PUD \$400 & \$25/per lot

(23) **TEXT AMENDMENT**

Beaufort Code Text Amendment \$500

(24) **OTHER FEES**

Trip to Storage (Request for documents from storage)	\$50.00 (plus copying fee)
Flood Hazard Area Verification Letter	\$50.00
Parking Meter Space Rental	\$5.00 per day per metered space (for construction projects only)
Fee for Copies (8 1/2 x 11)	30¢ per sheet
Plat Review	\$50.00
Zoning Review/Letter	\$50.00
Traffic Impact Analysis Report Review Fee	\$1,250.00
Administrative Adjustment	\$100.00
Short Term Rentals	\$100.00
Civic Master Plan	\$25.00
The Beaufort Code (in a binder)	\$50.00
The Comprehensive Plan (in a binder)	\$50.00

FIRE IMPACT FEE SCHEDULE

Land Use Category	Service Units	Persons per Household	Employee Space Ratio	Cost per Person	Cost per Employee	Impact Fee per Service unit
Residential Uses						
Single Family (Attached or Detached)	d.u.	2.69	—	\$305.43	—	\$305.43
Mobile Home	d.u.	3.66	—	\$305.43	—	\$305.43
Multifamily (>2 Dwelling Units)	d.u.	1.25	—	\$305.43	—	\$305.43
Non-Residential Uses						
Hotel / Motel Uses						
Hotel	room	—	0.57	—	\$592.34	\$337.64
Business Hotel	room	—	0.1	—	\$592.34	\$59.23
Motel	room	—	0.71	—	\$592.34	\$420.56
Recreational Uses						
Golf Course	hole	—	1.74	—	\$592.34	\$1,030.68
Movie Theater (w/ Matinee)	1,000 s.f.	—	1.1	—	\$592.34	\$651.58
Institutional Uses						
Elementary School	1,000 s.f.	—	0.98	—	\$592.34	\$580.50
Middle/Junior High School	1,000 s.f.	—	0.84	—	\$592.34	\$497.57
High School	1,000 s.f.	—	0.65	—	\$592.34	\$385.02
Junior/Community College	1,000 s.f.	—	1.77	—	\$592.34	\$1,048.45
University/College	student	—	0.19	—	\$592.34	\$112.55
Daycare	1,000 s.f.	—	2.77	—	\$592.34	\$1,640.79
Library	1,000 s.f.	—	1.07	—	\$592.34	\$633.81
Medical Uses						
Hospital	bed	—	2.88	—	\$592.34	\$1,705.95
Nursing Home	bed	—	0.84	—	\$592.34	\$497.57
Clinic	1,000 s.f.	—	3.93	—	\$592.34	\$2,327.91
Medical/Dental Office	1,000 s.f.	—	4.05	—	\$592.34	\$2,398.99

FIRE IMPACT FEE SCHEDULE

Impact Fee Schedule for Fire Protection Facilities and Equipment						
Land Use Category	Service Units	Persons per Household	Employee Space Ratio	Cost per Person	Cost per Employee	Impact Fee per Service unit
General Office Uses						
< 50,000 s.f.	1,000 s.f.	—	4.14	—	\$592.34	\$2,452.30
50,001 – 100,000 s.f.	1,000 s.f.	—	3.72	—	\$592.34	\$2,203.52
100,001 – 150,000 s.f.	1,000 s.f.	—	3.55	—	\$592.34	\$2,102.82
150,001 – 200,000 s.f.	1,000 s.f.	—	3.44	—	\$592.34	\$2,037.66
> 200,001 s.f.	1,000 s.f.	—	3.26	—	\$592.34	\$1,931.04
Office Park Uses						
< 50,000 s.f.	1,000 s.f.	—	3.7	—	\$592.34	\$2,191.67
50,001 – 100,000 s.f.	1,000 s.f.	—	4.96	—	\$592.34	\$2,938.03
100,001 s.f. – 150,000 s.f.	1,000 s.f.	—	4.18	—	\$592.34	\$2,476.00
150,001 – 200,000 s.f.	1,000 s.f.	—	3.82	—	\$592.34	\$2,262.75
200,001 – 250,000 s.f.	1,000 s.f.	—	3.62	—	\$592.34	\$2,144.29
250,001 – 300,000 s.f.	1,000 s.f.	—	3.48	—	\$592.34	\$2,061.36
300,001 – 350,000 s.f.	1,000 s.f.	—	3.38	—	\$592.34	\$2,002.12
350,001 – 400,000 s.f.	1,000 s.f.	—	3.3	—	\$592.34	\$1,954.74
> 400,001 s.f.	1,000 s.f.	—	3.17	—	\$592.34	\$1,877.73
Business Park Uses						
< 100,000 s.f.	1,000 s.f.	—	2.44	—	\$592.34	\$1,445.32
100,001 s.f. – 150,000 s.f.	1,000 s.f.	—	2.79	—	\$592.34	\$1,652.64
150,001 – 200,000 s.f.	1,000 s.f.	—	2.95	—	\$592.34	\$1,747.41
200,001 – 250,000 s.f.	1,000 s.f.	—	3.03	—	\$592.34	\$1,794.80
250,001 – 300,000 s.f.	1,000 s.f.	—	3.09	—	\$592.34	\$1,830.34
300,001 – 350,000 s.f.	1,000 s.f.	—	3.12	—	\$592.34	\$1,848.11
350,001 – 400,000 s.f.	1,000 s.f.	—	3.15	—	\$592.34	\$1,865.88
> 400,001 s.f.	1,000 s.f.	—	3.2	—	\$592.34	\$1,895.50

FIRE IMPACT FEE SCHEDULE

Impact Fee Schedule for Fire Protection Facilities and Equipment						
Land Use Category	Service Units	Persons per Household	Employee Space Ratio	Cost per Person	Cost per Employee	Impact Fee per Service unit
General Retail Uses						
< 50,000 s.f.	1,000 s.f.	—	2.86	—	\$592.34	\$1,694.10
50,001 – 100,000 s.f.	1,000 s.f.	—	2.5	—	\$592.34	\$1,480.86
100,001 s.f. – 150,000 s.f.	1,000 s.f.	—	2.22	—	\$592.34	\$1,315.00
150,001 – 200,000 s.f.	1,000 s.f.	—	2.22	—	\$592.34	\$1,315.00
200,001 – 300,000 s.f.	1,000 s.f.	—	2.22	—	\$592.34	\$1,315.00
300,001 – 400,000 s.f.	1,000 s.f.	—	2.22	—	\$592.34	\$1,315.00
> 400,001 s.f.	1,000 s.f.	—	2.22	—	\$592.34	\$1,315.00
Specific Retail Uses						
Supermarket	1,000 s.f.	—	1.1	—	\$592.34	\$651.58
Building Materials/ Lumber Store	1,000 s.f.	—	1.41	—	\$592.34	\$835.21
Free Standing Discount Store	1,000 s.f.	—	1.98	—	\$592.34	\$1,172.84
Nursery/Garden Center	1,000 s.f.	—	3.12	—	\$592.34	\$1,848.11
New Car Sales Center	1,000 s.f.	—	1.53	—	\$592.34	\$906.29
Tire Store	1,000 s.f.	—	1.21	—	\$592.34	\$716.74
Furniture Store	1,000 s.f.	—	0.42	—	\$592.34	\$248.78
Industrial Uses						
General Light Industrial	1,000 s.f.	—	2.31	—	\$592.34	\$1,368.31
General Heavy Industrial	1,000 s.f.	—	1.83	—	\$592.34	\$1,083.99
Industrial Park	1,000 s.f.	—	2.04	—	\$592.34	\$1,208.38
Warehousing	1,000 s.f.	—	0.92	—	\$592.34	\$544.96
Mini-Warehouse	1,000 s.f.	—	0.04	—	\$592.34	\$23.69
Specific Service Uses						
Drive-In Bank	1,000 s.f.	—	4.79	—	\$592.34	\$2,837.33
High-Turnover Sit-Down Restaurant	1,000 s.f.	—	5.64	—	\$592.34	\$3,340.82
Fast Food w/ Drive Through	1,000 s.f.	—	5	—	\$592.34	\$2,961.72

The below library, parks and recreation, and road/transportation impact fees were adopted by Beaufort County. In accordance with an intergovernmental agreement, the City collects these impact fees and remits them to the County.

Library Development Impact Fee Schedule

Housing Unit Size	North Beaufort County Library Service Area Impact Fee
1,000 sf or less	\$ 225
1,001 to 1,250 sf	273
1,251 to 1,500 sf	321
1,501 to 1,750 sf	369
1,751 to 2,000 sf	401
2,001 to 2,500 sf	466
2,501 to 3,000 sf	498
3,001 to 3,500 sf	546
3,501 to 4,000 sf	578
4,001 to more sf	\$ 610

Parks and Recreation Development Impact Fee Schedule

Housing Unit Size	North Beaufort County Parks and Recreation Service Area Impact Fee
1,000 sf or less	\$ 486
1,001 to 1,250 sf	590
1,251 to 1,500 sf	694
1,501 to 1,750 sf	798
1,751 to 2,000 sf	868
2,001 to 2,500 sf	1,006
2,501 to 3,000 sf	1,076
3,001 to 3,500 sf	1,180
3,501 to 4,000 sf	1,249
4,001 to more sf	\$ 1,319

Road/Transportation Development Impact Fee Schedule- Priority 1 & 2

Housing Unit Size	North Beaufort County Road/Transportation Service Area Impact Fee
1,000 sf or less	\$ 1,565
1,001 to 1,250 sf	1,966
1,251 to 1,500 sf	2,327
1,501 to 1,750 sf	2,608
1,751 to 2,000 sf	2,849
2,001 to 2,500 sf	3,249
2,501 to 3,000 sf	3,611
3,001 to 3,500 sf	3,892
3,501 to 4,000 sf	4,132
4,001 to more sf	\$ 4,333

Parking Rates

Parking Violations & Fine Schedule

Parking Violations		30 Day Escalation	45 Day Escalation
Expired Meter	\$ 10.00	\$ 25.00	\$ 45.00
Parking in Fire Lane	\$ 50.00	\$ 125.00	\$ 150.00
Parked on Wrong Side of Street	\$ 25.00	\$ 75.00	\$ 100.00
Parked in No Parking Zone	\$ 50.00	\$ 125.00	\$ 150.00
Double Parked	\$ 25.00	\$ 50.00	\$ 75.00
Blocking Driveway	\$ 50.00	\$ 125.00	\$ 150.00
Parked in Loading Zone	\$ 50.00	\$ 125.00	\$ 150.00
Blocking Fire Hydrant	\$ 75.00	\$ 175.00	\$ 200.00
Parking on Private Property	\$ 25.00	\$ 50.00	\$ 75.00
Handicapped Space Violation	\$ 500.00	\$ 500.00	\$ 500.00
Boot Fee	\$ 60.00	\$ 80.00	\$ 100.00
Other Parking Violations	\$ 25.00	\$ 50.00	\$ 75.00
Monthly Hangtags & Fees		Event / Parking Reservations	
Location	Monthly Fee	Authorized Person(s)	Fee / per Day
Carteret Gravel Lot	\$ 20.00	Event Planner / Coordinator / City Official	\$ 6.00
All 8 Hour Spaces / Lots	\$ 35.00	Service Vendors / Contractors	\$ 15.00

Parking Rates by Location

Parking Lots

Marina Lot 8 Hr Limit \$1 per hour	Saltus Lot 8 Hr Limit \$1 per hour
Marina Playground Lot 2 Hr Limit \$1 per hour	Library Lot 2 Hr Limit \$1 per hour
Carteret Lot 8 Hr Limit .50 per hour	

On Street Metered Spaces

<i>Bay Street</i> 2 Hr Limit \$1 per hour	<i>Bay Street Extension</i> 8 Hr Limit \$1 per hour
<i>Port Republic Street</i> 2 Hr Limit \$1 per hr	<i>Newcastle</i> 8 Hr Limit \$1 per hour
<i>Craven Street (West of Visitor Center)</i> 8 Hr Limit .50 per hour	<i>Visitor Center on Craven St.</i> 90 min Limit \$1 per hour
<i>West Street (South of Port Republic St)</i> 2 Hr Limit \$1 per hour	<i>West Street (North of Port Republic St)</i> 4 Hr Limit .50 Hour
<i>Scott Street (South of Port Republic St)</i> 2 Hr Limit \$1 per hour	<i>Scott Street (North of Port Republic St)</i> 4 Hr Limit .50 Hour
<i>Charles Street (South of Port Republic St)</i> 2 Hr Limit \$1 per hour	<i>Charles Street (North of Port Republic St)</i> 4 Hr Limit .50 Hour



CITY OF BEAUFORT

DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

TO: CITY COUNCIL **DATE:** 6/5/2024
FROM: JJ Sauve
AGENDA ITEM TITLE: Ordinance amending Part 1, Chapter 3, Article A, Section 1-3001 (a) and 1-3003 (b) of the City Code of Ordinances concerning the date and time of council meetings and the rules of order of council meetings - first reading
MEETING DATE: 6/11/2024
DEPARTMENT: City Managers Office

BACKGROUND INFORMATION:

These proposed ordinance changes relate to updating the date and time of City Council Meetings and the rules of order for City Council Meetings, and this will be the first reading. These changes align with the proposed adoption of a City Council Standard Operating Procedures Manual as discussed in the January 2024 Strategic Planning Worksession and the May 28, 2024 Council Worksession.

PLACED ON AGENDA FOR: *Action*

REMARKS:

Staff recommends adoption.

ATTACHMENTS:

Description	Type	Upload Date
Ordinance Amending Chapter 3, Article A, Section 1-3001 (a) and 1-3003 (b) of the City Code of Ordinances concerning the date and time of council meetings and the rules of order of council meetings	Ordinance	6/5/2024
Sec 1-3001 REDLINE	Backup Material	6/6/2024
Sec 1-3003 REDLINE	Backup Material	6/6/2024

ORDINANCE 2024-___

Ordinance Amending Part 1, Chapter 3, Article A, Section 1-3001 (a) and 1-3003 (b) of the City Code of Ordinances concerning the date and time of council meetings and the rules of order of council meetings

WHEREAS, Section 1-3001 (a) provides for the date and time of council meetings; and,

WHEREAS, City Council expressed an interest in bringing Section 1-3001 into line with SC Code § 5-7-250, specifically that council must meet once in every month; and,

WHEREAS, by Ordinance, subsection (a) of Section 1-3001 currently provides that:

“Worksession meetings of council may be held on the second, third, and fourth Tuesday of the month at 5:00 p.m. Regular meetings of council shall be held on the second and fourth Tuesday of each month at 7:00 p.m., unless changed by a majority vote of members present at any regular or special meeting.”; and,

WHEREAS, Section 1-3003 (b) provides for the rules of order of council meetings; and,

WHEREAS, City Council expressed an interest in adopting a procedures manual to govern the rules of order of council and other city board meetings; and,

WHEREAS, City Council finds that it is in the best interest of the City and its citizens to amend Section 1-3001 and 1-3003;

THEREFORE, be it Ordained by the City Council of Beaufort, South Carolina, in council duly assembled and by the authority of the same, that the middle sentence of Section 1-3001 (a) of the City Code of Ordinances be amended to provide as follows: **Worksession meetings of council may be held on the second, third and fourth Tuesday of the month at 5:00 p.m. A regular meeting of council shall be held on the second Tuesday of each month, unless the second Tuesday falls upon a holiday, in which case the regular meeting will be held on the third Tuesday of the month. A schedule of annual meetings shall be adopted in January of each year;** and,

THEREFORE, be it Ordained by the City Council of Beaufort, South Carolina, in council duly assembled and by the authority of the same, that Section 1-3003 (b) of the City Code of Ordinances be amended to provide as follows: **Except as otherwise required by state law or this Code, all proceedings shall be governed by a procedures manual to be adopted by council by resolution and to the extent necessary for additional clarification of any rules of order, the most current edition of Robert's Rules of Order.**

These Ordinances shall be effective immediately upon adoption.

Philip E. Cromer, Mayor

Attest

Traci Guldner, City Clerk

First Reading _____

Second Reading and adoption _____

Sec. 1-3001. Date and time.

- (a) Worksession meetings of council may be held on the second, third and fourth Tuesday of the month at 5:00 p.m. A regular meeting of council shall be held on the second Tuesday of each month, unless the second Tuesday falls upon a holiday, in which case the regular meeting will be held on the third Tuesday of the month. A schedule of annual meetings shall be adopted in January of each year. ~~Regular meetings of council shall be held on the second and fourth Tuesday of each month at 7:00 p.m., unless changed by a majority vote of members present at any regular or special meeting.~~
- (b) Special meetings of council may be held on the call of the mayor or of a majority of the members. Notice of a special meeting shall be given immediately to all available members and the news media by the manager.
- (c) All worksession, regular and special meetings of council shall be open to the public.

(Ord. No. O-11-85, 3-12-85; Ord. No. O-15-87, 6-23-87; Ord. No. O-02-96, 1-9-96; Ord. No. O-05-18, 3-27-18)

Sec. 1-3003. Quorum and rules of order.

- (a) Three (3) council members serving shall constitute a quorum for the conduct of business at any meeting. The mayor is considered as a council member for this purpose. The mayor or mayor pro tempore shall preside, except that in the absence of both, the members present shall elect a presiding member. A member present but disqualified from voting on a question by state law due to a conflict of interest shall not be counted for purposes of a quorum. Council members may attend any regular, special, or emergency meeting of council by telephonic or other electronic means. and shall be considered present for all purposes, if the meeting has been properly noticed, and all council members and members of the public can hear the public proceedings and be heard. Any number of council members, including all, may attend telephonically or by other electronic means. Council members 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 council.
- (b) ~~Except as otherwise required by state law or this Code, all proceedings shall be governed by Robert's Rules of Order, Newly Revised 11th Edition (hereinafter "Robert's Rules"), and the mayor or other presiding member shall act as parliamentarian. Questions of order shall be decided by the mayor without debate, subject to appeal to the council.~~ **Except as otherwise required by state law or this Code, all proceedings shall be governed by a procedures manual to be adopted by council by resolution and to the extent necessary for additional clarification of any rules of order, the most current edition of Robert's Rules of Order.** To the extent Robert's Rules require a physical presence of the council for purposes of constituting a quorum, such requirement is waived so long as the council maintains a quorum under section 1-3003(a) hereinabove. Further, to the extent Robert's Rules or any other procedural rules, procedures or regulations conflict with any other provision of this Code, the provisions of the code shall be controlling in all instances.

(Ord. No. O-03-05, 2-8-05; Ord. No. O-14-20, § 1, 6-9-20)



CITY OF BEAUFORT
DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

TO: CITY COUNCIL **DATE:** 6/5/2024
FROM: JJ Sauve
AGENDA ITEM TITLE: Resolution adopting City Council Standard Operating Procedures Manual
MEETING DATE: 6/11/2024
DEPARTMENT: City Managers Office

BACKGROUND INFORMATION:

This resolution is for the adoption of the City Council Standard Operating Procedures Manual as discussed at the May 28, 2024 Council Worksession.

PLACED ON AGENDA FOR: *Action*

REMARKS:

Staff recommends adoption.

ATTACHMENTS:

Description	Type	Upload Date
Resolution Adopting City Council Procedures Manual	Resolution Letter	6/5/2024
City Council Standard Operating Procedures Manual	Exhibit	6/5/2024

RESOLUTION 2024/___

RESOLUTION TO ADOPT A CITY COUNCIL STANDARD OPERATING PROCEDURES MANUAL

WHEREAS, the City of Beaufort, wishes to adopt standard operating procedures for the rules of order and decorum of city meetings; and,

WHEREAS, the City of Beaufort is currently adopting an update to Ordinance 1-3003 (B) which governs rules of order for city meetings that directs Council to adopt a procedures manual; and,

WHEREAS, the City of Beaufort wishes to adopt the attached City Council Standard Operating Procedures Manual to govern the rules of order for city meetings; and,

WHEREAS, it is in the public interest to provide for orderly and effective public meetings of the City Council and all city boards and commissions.

THEREFORE, BE IT RESOLVED, by the City Council of the City of Beaufort, South Carolina, in council duly assembled and by authority of the same, that the City Council adopts the attached City Council Standard Operating Procedures Manual.

This Resolution shall become effective immediately upon adoption.

Philip E. Cromer, Mayor

Adopted this ____ day of June, 2024

Attest:

Traci Guldner, City Clerk

CITY OF
BEAUFORT
SOUTH CAROLINA
FOUNDED 1711

City Council
Standard Operating Procedures
Manual

Adopted June 2024

Resolution #

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Foreword

In the course of serving as a public official, there are myriad of issues with which you will become involved. This standard operating procedures (SOP) manual attempts to centralize information on common issues related to local government and your role as a member of the Beaufort City Council.

The issues that are addressed in this publication are often complex and subjective. This manual is intended to be a guide and is not a substitute for the counsel, guidance, or opinion of the city management or the City Attorney.

The standard operating procedures included in this reference document have been formally adopted by the City Council. Provisions contained herein will be reviewed and updated as needed.

Chapter 1 **Introduction and Overview**

1.01 Purpose of City Council Standard Operating Procedures (SOP) Manual

The City of Beaufort has prepared its own standard operating procedures (SOP) manual to assist the City Council by documenting accepted practices and clarifying expectations. Administration of City Council affairs is greatly enhanced by the agreement of the City Council and staff to be bound by these practices.

1.02 Council-Manager Form of Government

The City of Beaufort is a Council-Manager form of government. As described in the City of Beaufort Municipal Code [Section 1-1001](#) and South Carolina State Code Section [5-13-20](#), certain responsibilities are vested in the City Council and the City Manager. Basically, this form of government prescribes that a City Council's role is that of a legislative policy-making body which determines not only the local laws that regulate community life, but also determines what public policy is and gives direction to the City Manager to administer the affairs of the city government in a businesslike and prudent manner.

1.03 Municipal Association of South Carolina (MASC) Resources

The [Handbook for Municipal Officials in South Carolina](#), published by the Municipal Association of South Carolina, provides a wealth of general information on the major functions of a Council Member's job as a locally elected official. Other publications that complement the handbook are [Forms and Powers of Municipal Government](#), the [Comprehensive Planning Guide for Local Governments](#), [How to Conduct Effective Meetings](#), and the [Freedom of Information Act booklet](#). These documents are linked here for Council Members in this Manual and are also available on the MASC website at <https://www.masc.sc/publications>. They should be reviewed and considered as valid resources to guide the conduct of city business.

1.04 Overview of Basic City Documents

This standard operating procedures (SOP) manual provides a summary of important aspects of City Council activities. However, it cannot incorporate all material and information necessary for undertaking the business of the City Council. Many other laws, plans, and documents exist which bind the City Council to certain courses of action and practices. The following is a summary of some of the most notable documents that establish City Council rules and procedures.

A. City of Beaufort Municipal Code

The [municipal code](#) contains local laws and regulations adopted by ordinances. Part 1 of the code addresses the role of the City Council, describes the organization of City Council meetings and responsibilities and appointment of certain city staff positions and advisory boards and commissions. In addition to these administrative matters, the municipal code contains a variety of laws including, but not limited to, zoning standards, known as the Beaufort Code, health and safety issues, traffic regulations, building standards, and revenue and finance issues.

B. South Carolina Code of Laws Unannotated

The state laws contain many requirements for the operation of city government and administration of meetings of city councils throughout the state. [Title 5 - Municipal Corporations](#) provides the framework for the operations of city and town governments.

C. Civic Master Plan

The purpose of the [Civic Master Plan](#) is to identify and prioritize the long-term allocation for public investment in the City of Beaufort's infrastructure. In the context of this plan, "infrastructure" means the utility, public service and transportation systems that provide essential services, as well as the network of open spaces, institutional buildings, and natural areas—including plazas, parks, museums, schools and greenways—that complete the city's public realm. This plan is a long-range tool used for framing the comprehensive plan and other aspects of city planning.

D. Comprehensive Plan

A state-mandated [comprehensive plan](#) addresses the City's long-range planning needs relative to land use, transportation, economic development, and other planning elements. The City's comprehensive plan is reviewed on an ongoing basis but must be reviewed every five years and updated every 10 years. S.C. Code Sections 6-29-340, 6-29-510(E).

E. Strategic Plan

The city's [strategic plan](#) is adopted by City Council every two years and provides the vision, mission, key focus areas, and strategic initiatives for city operations during the period of planning. This document guides the annual plans of work within each department of the city and shapes the annual budget.

F. Annual Budget

The [annual budget](#) is the primary tool and road map for accomplishing the goals of the City. The budget document is the result of one of the most important processes the City undertakes. By adopting the annual budget, the City Council makes policy decisions, sets priorities, allocates resources, and provides the framework for government operations.

G. Annual Comprehensive Financial Report

The [annual comprehensive financial report](#) includes the financial statements of the City for a calendar year. It includes the financial condition of the City as reflected in the balance sheet, the results of operations as reflected in income statements, an analysis of the uses of City funds, and related footnotes. The annual financial report includes statements for the various groups of funds and a consolidated group of statements for the City as a whole.

H. Ten-year Capital Improvement Program

The Ten-year Capital Improvement Program serves as a guide for determining priorities, planning, financing, and constructing capital projects which add to, support, or improve the physical infrastructure, capital assets, or productive capacity of city services.

I. Continuity of Operations Plan (COOP)

The City maintains a continuity of operations plan that outlines actions to be taken during times of extreme emergency and disruptions to City operations. The Mayor may be called upon to declare the emergency, and then the City Manager directs all disaster or emergency response activities. The City Council may be called upon during an emergency to establish policies related to a specific incident.

1.05 Orientation of New Members

It is important for the members of the City Council to gain an understanding of the full range of services and programs provided by the City. As new members join the City Council, the City Manager and City Clerk will host an orientation program that provides an opportunity for members to tour municipal facilities and meet with key staff. Another training opportunity for new members is the Municipal Association of South Carolina's newly elected officials training program. If at any time, there are facilities or programs about which members of council would like more information, staff will accommodate requests for further information.

Chapter 2

Beaufort City Council: General Powers and Responsibilities

2.01 City Council Generally

Fundamentally, the powers of the City Council are to be utilized for the good of the community and its residents; to provide for the health, safety and general welfare of the citizenry. The City Council is the policy making and law making body of the City. State law and local ordinances grant the powers and responsibilities of the Council.

It is important to note that the Council acts as a body and speaks with one “corporate voice.” No member has any extraordinary powers beyond those of other members. While the Mayor has some additional ceremonial and presiding officer responsibilities as described below with some exceptions for emergency declarations, when it comes to establishing policies, voting, and in other significant areas, all members are equal. It is also important to note that policy is established by at least a majority vote of the Council. While individual members may disagree with decisions of the majority, a decision of the majority does bind the Council to a course of action. Council Members should respect adopted Council policy. In turn, it is staff’s responsibility to ensure the policy of the Council is executed.

Actions of staff to pursue the policy direction established by a majority of Council do not reflect any bias against Council Members who held a minority opinion on an issue.

A. Council Non-Participation in Administration

In order to uphold the integrity of the council-manager form of government, and to provide proper checks and balances, members of the City Council shall refrain from becoming directly involved in the administrative affairs of the City. [SC Code 5-13-40](#) specifically prohibits interference by Council Members in the city’s administrative service, including the hiring, firing, and work of city staff, with the exception of the City Manager, who is a contract employee appointed by Council.

Except for the purpose of inquiry, the Council and its members will deal with the administrative service solely through the City Manager or designee, and neither the Council nor any committee or member of a committee shall give orders to any subordinate of the City Manager. Subject to [SC Code 5-13-30](#) and the holding of executive sessions to discuss and review personnel matters, the Council is not prohibited, while in open session, from fully and freely discussing with the City Manager anything pertaining to appointments and removals of City officers and employees and City affairs.

2.02 Role of Council Members

Members of the Beaufort City Council are collectively responsible for establishing policy, adopting an annual budget, and providing a strategic vision and goals to the City Manager. The following outline is a brief description of the various duties of Council Members. The description is not intended to be comprehensive, but rather it is an effort to summarize the primary responsibilities of the Council.

A. Summary of Council Duties and Responsibilities

a. Establish Policy

- i. Adopt goals and objectives
- ii. Establish priorities for public services
- iii. Approve/amend the operating and capital budgets
- iv. Approve contracts over \$100,000 that are not already approved in the regular budgeting process
- v. Adopt resolutions

b. Enact Local Laws

- i. Adopt ordinances

c. Supervise Appointed Officials

- i. Appoint City Manager, Municipal Judge, and Municipal Attorney
- ii. Evaluate performance of City Manager, Municipal Judge, and Municipal Attorney
- iii. Establish advisory boards and commissions
- iv. Make appointments to advisory bodies
- v. Provide direction to advisory bodies

d. Provide Public Leadership

- i. Relate wishes of constituents to promote representative governance
- ii. Mediate conflicting interests while building a consensus
- iii. Call special elections as necessary
- iv. Communicate the City's vision and goals to constituents
- v. Represent the City's interest at regional, county, state, and federal levels

e. Decision-Making

- i. Study problems
- ii. Review alternatives
- iii. Determine best course of public policy

2.03 Role of Mayor

G. Presiding Officer

The Mayor serves as the presiding officer and acts as chair at all meetings of the City Council. The Mayor may participate in all deliberations of the Council in the same manner as any other members and is expected to vote in all proceedings, unless a conflict of interest exists. The Mayor does not possess any power of veto. The Mayor may not move an action, but may second a motion.

H. Ceremonial Representative

Responsibility to act as the City Council's ceremonial representative at public events and functions has been assigned to the Mayor. The Mayor is vested with the authority to initiate and execute proclamations. In the Mayor's absence, the Mayor Pro Tempore assumes this responsibility. Should both the Mayor and Mayor Pro Tempore be absent, the Mayor will appoint another Council Member to assume this responsibility.

2.04 Absence of Mayor and Council Members

In the absence of the Mayor, the Mayor Pro Tempore shall perform the duties of the Mayor. When both the Mayor and Mayor Pro Tempore are absent, the Council may choose from among its members a person to serve as acting mayor, who shall, for the term of such absence, have the powers of the Mayor.

If the Mayor or other Council Members are absent from the City for more than 15 days, they shall notify the other Council Members and the City Manager of such absence.

2.05 Election of Mayor Pro Tempore or Acting Mayor

Procedures for electing the Mayor Pro Tempore or an Acting Mayor are as follows:

A. Biennial Selection of Mayor Pro Tempore

Biennially, at the first meeting of the new Council, the members thereof will choose an officer from their number who will have the title of Mayor Pro Tempore (Mayor Pro Tem). In addition to the powers conferred upon him/her as Mayor Pro Tempore, he/she will continue to have all the rights, privileges, and immunities of a member of the Council.

B. Nominations

The City Clerk will conduct the election for Mayor Pro Tempore. The City Clerk will call for nominations. Each member of the City Council will be permitted to nominate one (1) person, and nominations will not require a second. A nominee

who wishes to decline the nomination will so state at this time. Nominations are then closed.

C. Casting Ballots

Except when there is only one nominee, election will be by written ballot. Each ballot will contain the name of the Councilmember who cast it. The City Clerk will publicly announce the results of the election by reading each ballot into the record, stating the name of each voting Councilmember and the manner in which the Councilmember voted. Thereafter, the City Clerk will record in the minutes of the meeting the manner in which each voting member of the Council cast his or her ballot. To be elected, a nominee must receive a majority vote of the members present.

D. Ties

Ties decided by coin toss.

E. Resignation of Mayor Pro Tempore

If the Mayor Pro Tempore resigns, the City Council will fill the role of Mayor Pro Tempore in the same process outlined above for the selection of a Mayor Pro Tempore.

2.06 Emergency Response

The Mayor shall sign declarations of emergency when necessary in accordance with applicable local ordinances and state laws.

2.07 Appointment of Officers

The City Council is responsible for appointing the [City Manager](#), a [Municipal Attorney](#), and a [Municipal Judge](#). The City Manager serves at the pleasure of the Council according to the terms of his or her employment contract. The Municipal Attorney and Municipal Judge serve for a term of 2 years.

2.08 Advisory Bodies

A. Appointments Made by the Council

Boards, commissions and citizen committees provide a great deal of assistance to the Beaufort City Council when formulating public policy and transforming policy decisions into action. The City has several standing boards and commissions. In addition, special purpose committees and task forces are often

appointed by the City Council to address issues of interest or to conduct background work on technical or politically sensitive issues. Special or ad hoc committees will be dissolved upon completion of the intended task.

The procedures established in this manual reflect the policy of the City Council regarding the appointment of volunteer citizens to the various advisory bodies of the City. The establishment of these procedures ensures that well-qualified, responsible, and willing citizens are given the opportunity to serve the City and participate in the governing of their community.

The City Council is empowered to create advisory boards and commissions pursuant to various provisions of the South Carolina Code and may also create such advisory boards or commissions not specifically enumerated, as the Council deems necessary or advisable. In the exercise of this power, it is the desire of the City Council to establish a consistent policy in its decision-making role to fairly and equitably evaluate those citizens of the community who demonstrate desire to serve on such boards or commissions.

1. For full-term vacancies, the following filing period is established: first Wednesday of January through second full week of February. The City Clerk will:
 - i. Publicly announce the position vacancy and filing period by publication.
 - ii. Notify by e-mail the incumbents of advisory boards and commissions whose terms are expiring of such term expiration and inviting incumbent to consider reapplying.
 - iii. For partial-term vacancies, a minimum 30-day filing period applies, with dates to be determined by the City Clerk. Partial-term vacancies will be filled as outlined in Section 2.08(A)(1(i), above.

B. Qualifications, Terms of Service, Forms

Persons wishing to be considered for appointment or reappointment will submit to the City Clerk's Office an application on a form provided by that office. The Council will review applications and make appointments. Such applications will remain current for three years from the date of application.

Inasmuch as the qualifications and terms of service for each advisory body set forth in the Beaufort Municipal Code may differ from each other, a membership and qualification matrix is appended to this document for Council

reference. It is the policy of the City Council to evaluate each applicant on an objective basis, utilizing the following criteria:

1. **Residency** - Residency requirements for advisory boards and commissions are noted in applicable sections of the Beaufort Municipal Code.
2. **Sectional Composition** - Normally, consideration should be given toward maintaining an equitable balance of community representation on all boards and commissions.

The City Council will not appoint multiple members from the same immediate family or household to a single board or commission, in order to avoid the reality or appearance of improper influence or favor.

The City Council will not appoint members of Council Members' immediate families or households to boards or commissions to avoid the appearance of favor and to increase community representation.

3. **Occupation** - The Council will attempt to maintain a requisite broad mix of occupational backgrounds on all boards and commissions.
4. **Knowledge of Municipal and Planning Process** - When ranking equally qualified applicants, the Council will consider background experience and knowledge of the municipal process as appropriate to the position, in reaching its decisions.
5. **Contributive Potential** - The Council will evaluate the potential contribution that each applicant may make if appointed to a board or commission. Criteria to guide the Council in its evaluation may include:
 - i. Ability to communicate
 - ii. Desire to perform public service
 - iii. Ability to express ideas, concepts, or philosophies
 - iv. Desire to participate in decision-making process
6. **Leadership Potential** - Since each appointee may be called upon to serve as a Chair, the Council will evaluate leadership abilities, such as:
 - i. Past or present leadership experience (current employment, special interests, etc.)
 - ii. Past or present participation in community services
 - iii. Expressed interest in a leadership role

7. The City Council will not appoint persons to serve as members of more than one board or commission at the same time; however, persons serving on a board or commission who have requested appointment to another board or commission position may be appointed to such position if they, concurrent with the appointment, resign from the board or commission position they are holding at the time of the new appointment.

C. Reappointment Criteria

At such time as reappointment is considered, the Council will be guided by the following performance criteria:

1. Regularity of Attendance
2. Understanding of board or commission function
3. Demonstrated leadership
4. Effectiveness
5. Demonstrated contribution during past term of office on issues, programs, policies, etc., of the advisory board or commission
6. Objectivity

D. Council Interview Period

It shall be the privilege of the Council to personally interview each applicant individually, at a time and place to be designated by the Council.

However, the Council reserves the right to make appointments after reviewing applications and without conducting interviews. Prior to making selections pursuant to subsection a. below, the Council further reserves the right to reduce the number of applicants by using a procedure chosen by a majority of Council without conducting interviews.

1. **Council Evaluation & Selection** - After each applicant or member is evaluated, the Council will deliberate and reach a decision at its earliest convenience, using the following procedure.

Council Members will cast their votes using a written ballot to be provided by the City Clerk's Office. Each ballot will contain an alphabetical-by-last-name list of all applicants (primary and alternate interest) for that particular advisory body, and Council Members will cast the same number of votes as there are vacancies.

For example, a ballot for the Historic District Review Board contains the names of all nine of the applicants who expressed either primary or alternate interest in serving on the Historic District Review Board. If there

are only four vacancies on the Historic District Review Board, each Council Member would cast four votes on the Historic District Review Board ballot.

After all votes are cast, staff will collect the ballots, tally the votes, and assign position numbers to the applicants who receive a majority of votes of Council Members voting. Following this tallying, the results of the voting and position numbers will be announced to the Council for subsequent action to ratify the results of the voting.

All written ballots used to select board and commission members will be retained with the agenda minutes for that Council meeting.

2. **Decision & Announcement** – The results of each vote will be announced during the public meeting and each applicant will be notified by e-mail of the decision of the Council. The City Clerk will also notify the Chair of the affected board or commission of its decision.

E. Resignations

In the interest of timely noticing of vacancies, and to minimize the impact of such vacancies on boards and commissions, the City Council delegates to the Mayor the authority to accept resignations. Following the Mayor's acceptance of the resignation, the members of Council will be notified and the City Clerk is authorized to advertise such vacancies according to the process set forth in Section 2.08(A).

F. Representation by Council Members

The City Council is often requested to appoint Council Members to serve on outside boards, councils, commissions, or committees. This type of representation serves to facilitate communication and provide interaction with other governmental bodies. The City Council appoints members to some of these groups on an as-needed or as-requested basis.

Membership appointment to these groups shall be made by consensus of the Council. If more than one Council Member desires to serve as a member of a particular outside group, the member for that group will be appointed by a majority vote of the Council.

Where applicable, Council will appoint an alternate to attend outside boards, councils, commissions, or committees, if the main delegate to such group is unable to attend a meeting of the group. If after hours, the main delegate will notify the alternate as soon as possible after the main delegate realizes they will be unable to attend an upcoming meeting of the outside group. If during

regular business hours, the main delegate will notify the City Clerk. The City Clerk will immediately attempt to notify the alternate of the need for their attendance at the outside group meeting.

Council Members participating in policy discussions at regional meetings will represent the consensus of the Council, except where regional appointment requires regional opinion. Personal positions, when given, will be identified and not represented as the position of the City. Assignment and direction of staff in relation to regional meetings are at the discretion of the City Manager.

G. Council Members' Role and Relationship with City Advisory Bodies

1. In accordance with the provisions of state law, Council Members shall not be appointed to City advisory bodies concurrent with their term of office as Council Member.

Unless specifically authorized by majority vote of a quorum of the Council, no Council Member shall be authorized to state or testify to the policy or position of the Council before any advisory board or commission of the City prior to such policy or position being formally adopted by the Council.

2. Limitations on the conduct of Council Members before the City's advisory boards and commissions should be voluntarily undertaken in order to assure public confidence in the decision-making process and avoid the appearance of bias, prejudice, or improper influence. Toward this purpose, the following protocol should be observed:

Council Members shall not testify in quasi-judicial matters pending before any advisory board or commission that will receive, or could potentially receive, future appeal or review before the City Council. Violation of this protocol may require the Council Member to disqualify him- or herself from participating in any appeal or review proceedings before the City Council.

Council Members, in their capacity as private citizens, should refrain from providing testimony in legislative or administrative matters pending before any advisory board that will receive, or could potentially receive, future review or other action before the Council. Where a Council Member elects to provide such testimony, the following rules shall apply:

- a. The Council Member shall declare at the outset and upon the record that the Council Member is present in his or her private capacity as an interested citizen, and not on behalf or at the request of the City Council.

- b. The Council Member shall refrain from stating or implying that the Council Member's position or opinion is that of the City Council.
- c. The Council Member shall refrain from directing City staff or the advisory body to take any action on behalf of the Council Member.
- d. The Council Member shall observe any rules of procedure or protocol that apply to any other private citizen testifying before the advisory board.

2.09 Rules of Conduct

By being elected to Council or accepting appointment to any City board or commission, members thereby agree to conduct themselves in accordance with the following rules of conduct.

1. All members of City Council, boards, and commissions will abide by all applicable state laws, city ordinances, and other doctrines relating to the conduct of council, board or commission members, including, but not limited to, conflict of interest statutes, open meetings and freedom of information laws, and any other laws, rules, and regulations relating to the member's office.
2. Members of City council, boards, and commissions will not testify in their capacity as a council, board, or commission member, before any other board, commission, administrative officer or agency of the federal government, the State of South Carolina or of any county or other municipal corporation, including cities and towns, except as hereinafter provided. Exceptions to the policy set forth above shall be as follows:
 - i. If the member is testifying in such a capacity pursuant to a lawfully issued subpoena; or
 - ii. In the event the board or commission has designated the member or members to act as a spokesperson for the board or commission to explain the majority vote and recommendation of that board or commission; or
 - iii. In the event the City Council appoints the member or members to represent the City before another tribunal.
3. Notwithstanding the foregoing, nothing contained herein is intended to preclude a council, board, or commission member from speaking as an individual citizen, so long as the following conditions are met:

- i. The individual clearly identifies that he/she is speaking only as an individual citizen and is not in any manner representing or speaking on behalf of the board or commission of which he/she is a member; and
- ii. No council, board, or commission member testifies orally or in writing as to any quasi-judicial matter being heard, or having the possibility of being heard, by the board or commission of which the person is a member.

2.10 Incompatibility of Offices

The South Carolina Constitution contains two separate provisions – Article VI, Section 3, and Article XVII, Section 1A – that use identical language: “No person may hold two offices of honor or profit at the same time.” SC state law specifically prohibits municipal dual office holding. [SC Code Section 5-7-180](#) provides that “no mayor or councilman shall hold any other municipal office or municipal employment while serving the term for which he was elected.” See the MASC [discussion](#) on this topic for further explanation.

Chapter 3

Support Provided to City Council

3.01 Staff/Clerical Support

Staff and administrative support to members of the City Council is provided through the City Manager's Office. Secretarial services, including scheduling of appointments, receipt of telephone messages, and word processing, are available as needed. Sensitivity to the workload of support staff members is appreciated. Please note that individuals may have work assignments with high priority. Due to significant time commitments faced by staff on a regular basis, Council Members should consult with the City Manager prior to requesting assignments.

3.02 Office Equipment

To enhance Council Members' service to the community and their ability to communicate with staff and the public, the City provides meeting facilities and office equipment for City business.

The Information Technology Services Division (IT) will provide a City email account to all members of City Council. IT may provide a city owned laptop and city owned cell phone, at the request of Council members, for official City use. Information Services will ensure that all appropriate software is installed and will also provide an orientation in the use of computers and related software. While staff will maintain those computer applications related to City affairs, staff cannot provide assistance for personal computer applications. Personal media and programs cannot be stored on City computers. All policies under the City of Beaufort Information Technology Services Security Policies must be followed and it is the responsibility of each member of Council to safeguard assigned equipment.

Throughout Council Member terms, City equipment is subject to audit. Virus protection software must not be disabled at any time on City equipment and non-city programs or media found during audits will be removed. When individual Council Members have completed their term of office, IT staff will retrieve City computers, software, and modems.

3.03 Meeting Rooms

Use of the conference room or other meeting space may be scheduled with the City Clerk.

3.04 Mail and Deliveries

Members of the City Council receive a large volume of mail and other materials that will be maintained and distributed by the City Clerk.

Chapter 4 **Financial Matters**

4.01 Council Compensation

The municipal code provides for payment of a modest honorarium or salary to members of the City Council. No ordinance changing these salaries shall become effective until the date of commencement of the terms of the mayor and council members elected at the next general election following any change. ([Beaufort City Code Sec. 1-2003](#)).

4.02 Financial Disclosure

Candidates for the office of Council Member shall file a [financial disclosure statement](#) with the South Carolina State Ethics Commission as required by law. Council Members are required to file a [financial disclosure statement](#) with the Commission on an annual basis before March 30 of each year covering the previous calendar year. Council Members whose terms expire on December 31 shall file the statement for the year that ended on that December 31. Statements filed in any of the above cases will be available for public inspection.

4.03 Travel Policy

Members of the City Council, City boards and commissions are subject to the following travel policy:

A. Travel Arrangements

All reasonable transportation expenses for approved travel will be reimbursed. Any travel involving an overnight stay should have the prior approval of the City Manager.

Elected and appointed officials should endeavor to attend training and conferences in the state whenever possible, if such training or conference is of comparable value to that offered out of state.

All travel arrangements will be coordinated through the City Clerk.

Chapter 5

Communications

5.01 Correspondence from Council Members

Members of the City Council will often be called upon to write letters to citizens, businesses, or other public agencies. Typically, the Mayor will be charged with transmitting the City's position on policy matters to outside agencies on behalf of the City Council. Individual members of Council will often prepare letters for constituents in response to inquiries, or to provide requested information. City letterhead is available for this purpose, and staff can assist in the preparation of such correspondence.

On occasion, members may wish to correspond on an issue on which the Council has yet to take a position, or about an issue for which the Council has no position. In these circumstances, members should clearly indicate that they are not speaking for the City Council as a whole, but for themselves as one member of Council. City letterhead and office support may be utilized in these circumstances.

Council Members may occasionally be asked to prepare letters of recommendation for students or others seeking employment or appointment. It is appropriate for Council Members to utilize City letterhead and their Council titles for such letters.

City letterhead and staff support cannot be utilized for personal or political purposes.

Council Members are encouraged to copy all other members of Council when corresponding with the public in an official capacity.

5.02 Local Ballot Measures

At times, initiatives may be placed on the ballots that affect City Council policy. There are restrictions regarding what actions the City may take on ballot measures. Specifically, state statutes prohibit the City from using its personnel, equipment, materials, buildings, or other resources to influence the outcome of elections. What the City can do is distribute informational reports or pamphlets for the purpose of informing the public of the facts of an issue.

5.03 Proclamations

Proclamations are issued by the Mayor as a ceremonial commemoration of an event or issue (i.e., National Night Out). Proclamations are not statements of policy, and do not require the approval or action of the Council. Proclamations are a manner in which the City can make special recognition of an individual, event, or issue. Proclamations may or may be, but are not required to be, issued during a regular council meeting.

5.04 South Carolina Public Records Laws and Freedom of Information Act

To ensure that business communications submitted to and by elected and appointed officials comply with [South Carolina Code Title 30](#), the following is set forth:

Communications - Generally

All letters, memoranda, and interactive computer communication involving City Council Members and members of advisory boards and commissions, the subject of which relates to the conduct of government or the performance of any governmental function, with few exceptions as stated by the Freedom of Information Act, are public records. Copies of such letters, memoranda, and interactive computer communication may not be provided to the public or news media without the filing of a public disclosure request with the City Clerk.

Written Communications

Written letters and memoranda received by the City, addressed to a Council Member or the Council as a body, will be photocopied and provided to all City Council Members, and a copy kept according to the City's Records Retention Schedule.

Electronic Communications

1. Informal messages with no retention value and that do not relate to the functional responsibility of the recipient or sender as a public official, such as meeting notices, reminders, telephone messages and informal notes, do not constitute a public record. Users should delete these messages once their administrative purpose is served.
2. All other messages that relate to the functional responsibility of the recipient or sender as a public official constitute a public record. Such records are subject to public inspection and copying.
3. E-mail communications that are intended to be shared among three or more Council Members or what would be considered a quorum of any

appointed board members, whether concurrently or serially must be considered in light of open public meetings laws. If the intended purpose of the e-mail is to have a discussion that should be held at an open meeting, the electronic discussion should not occur. Further, the use of e-mail communication to form a collective decision of the Council is inappropriate.

4. E-mail should be used cautiously when seeking legal advice or to discuss matters of pending litigation or other “confidential” City business. In general, e-mail is discoverable in litigation, and even deleted e-mail is not necessarily removed from the system. Confidential e-mail communications should not be shared with individuals other than the intended recipients, or the attorney-client privilege protecting the document from disclosure may be waived.

Chapter 6

Conflicts of Interest, Appearance of Fairness, and Liability of Elected Officials

6.01 Conflicts of Interest

The conflict of interest law is one of the most complicated laws on the books. To understand its effect on a Council Member's actions, it is suggested that members discuss the law and potential conflicts with a private attorney or the City Attorney. It is imperative that Council Members identify in advance what their conflicts are.

It is illegal to fail to declare a conflict of interest, or to participate or otherwise be involved in discussions on issues or contracts where such an interest exists. Violations of the conflict of interest law may result in significant penalties, including criminal prosecution.

A. Applicability

All City officers, elected and appointed, are subject to the conflict of interest laws in [SC Code Section 8-13-700](#). This includes Council Members.

B. Declaration of a Conflict

When a substantial interest exists, the City official must:

- i) Refrain from voting or in any way influencing a decision of the City Council; and
- ii) Declare that a conflict of interest exists and make it known in the official records of the City by completing the appropriate form provided by the City Clerk.

Should a situation arise wherein a majority of Council Members or a majority of a quorum of those present at a Council meeting have a substantial conflict of interest, state law provides that if the conflict of interest statutes prevent the City Council from acting as required by law in its official capacity, such action shall be allowed if the members of the Council with the apparent conflicts of interest make them known.

C. City Attorney Opinions

A Council Member's request for an opinion from the City Attorney concerning conflict of interest is confidential. However, formal final opinions are a matter of public record and must be filed with the City Clerk. This filing requirement does not apply to verbal communications between Council Members and the City Attorney.

D. Filing of Disclosures

The City Clerk maintains a special file for all disclosures and legal opinions of conflicts of interest.

E. Prohibited Acts

- i) No municipal officer may use his or her position to secure special privileges or exemptions for himself, herself, or others.
- ii) No municipal officer may, directly or indirectly, give or receive or agree to receive any compensation, gift, reward, or gratuity from a source except the employing municipality, for a matter connected with or related to the officer's services as such an officer unless otherwise provided for by law.
- iii) No municipal officer may accept employment or engage in business or professional activity that the officer might reasonably expect would require or induce him or her by reason of his or her official position to disclose confidential information acquired by reason of his or her official position.
- iv) No municipal officer may disclose confidential information gained by reason of the officer's position, nor may the officer otherwise use such information for his or her personal gain or benefit.

6.02 Liability

The City must always approach its responsibilities in a manner that reduces risk to all involved. Nevertheless, with such a wide variety of high profile services (i.e., police, parks, roads, land use), risk cannot be eliminated. To better manage insurance and risk, the City participates in risk- and loss-control activities.

It is important to note that violations of certain laws and regulations by individual members of the City Council may result in the member being personally liable for damages which would not be covered by the City's insurance. Examples may include discrimination, harassment, or fraud.

Elected and appointed officials will participate in risk management training to reduce liability due to actions taken, especially in the areas of land use.

Chapter 7 **Interaction with City Staff/Officials**

7.01 Council/Manager Interaction and the ICMA Code of Ethics

The City Manager is subject to a professional code of ethics as a member of the International City/County Management Association (ICMA). These principles appear in the Appendix of this manual. It should be noted that this code binds the City Manager to certain practices that are designed to ensure actions are in support of the City's best interests. Violations of such principles can result in censure by ICMA.

7.02 City Council/City Attorney Relationship

The City Attorney is appointed by the City Council. Legal professional services performed under contract or agreement shall be consistent with the City's adopted Procurement Policy. The City Attorney is the legal advisor for the Council, its committees, commissions and boards, the City Manager, and all City officers and employees with respect to any legal question involving an official duty or any legal matter pertaining to the affairs of the City. The general legal responsibilities of the City Attorney are to:

- i. provide legal assistance necessary for formulation and implementation of legislative policies and projects;
- ii. represent the City's interest, as determined by the City Council, in litigation, administrative hearings, negotiations, and similar proceedings;
- iii. prepare or approve as to form ordinances, resolutions, contracts, and other legal documents to best reflect and implement the purposes and intentions of the City Council; and
- iv. keep City Council and staff apprised of court rulings and legislation affecting the legal interest of the city.

It is important to note that the City Attorney does not represent individual members of Council, but rather the City Council as a whole.

7.03 Dissemination of Information

In addition to regular, comprehensive memoranda written by the City Manager directly to City Council concerning all aspects of City operations (exclusive of confidential personnel issues), all Council Members receive copies of all correspondence received by the City Manager that will assist in them in their policy-making role.

A variety of methods are used to share information with Council. Workshops and worksessions are held to provide detailed presentations of matters. Council/staff retreats

serve to focus on topics and enhance information exchange. The City Manager's open-door policy allows individual Council Members to meet with the Manager on an impromptu or one-on-one basis.

7.04 Staff Relationship to Advisory Bodies

Staff support and assistance may be provided to advisory boards, commissions, and task forces. Advisory bodies, however, do not have supervisory authority over City employees. While staff may work closely with advisory bodies, staff members remain responsible to their immediate supervisors and, ultimately, the City Manager. The members of the commissions, boards, or committees are responsible for the functions of the advisory body. The chairperson is responsible for committee compliance with the municipal code and/or committee bylaws. Staff members are to assist the advisory body chair to ensure appropriate compliance with state and local laws and regulations.

Staff support includes: (1) preparation of a summary agenda after approval by the chairperson; (2) preparation of reports providing a brief background of the issues, a list of alternatives, recommendations, and appropriate backup materials, if necessary; and (3) preparation of minutes of advisory body meetings. Advisory body members should have sufficient information to reach decisions based upon a clear explanation of the issues.

Advisory bodies wishing to communicate recommendations to the City Council shall do so through adopted Council agenda procedures as outlined in Section 8.05 of this manual. In addition, when an advisory body wishes to correspond with an outside agency regarding official city business, they will correspond through city staff, or the correspondence shall be reviewed and approved by the City Council.

7.05 Council Attendance Policy

Council Members are required to regularly attend Council meetings. [Attendance](#) may be in person, telephonically, or by other electronic means.

At the start of each City Council meeting, the Mayor or City Clerk, or designee, will call the roll. Any absent Council Member who has called the Mayor or City Manager's Office prior to 5:00 p.m. on the day of the meeting to advise of such absence will be deemed excused.

Chapter 8

City Council Meetings

The City Council's collective policy and law-making powers are put into action at the council meetings. It is here that the Council conducts its business. The opportunity for citizens to be heard, the availability of local officials to the citizenry, and the openness of council meetings all lend themselves to the essential democratic nature of local government.

8.01 Meeting Schedule

Regular meetings are held the second Tuesday of each month at 7:00 p.m., in the Beaufort City Hall Council Meeting Chambers located at 1911 Boundary Street, Beaufort, SC 29902. Should these days happen to be designated as a legal holiday, the Council meeting will be held the third Tuesday of the month. Worksessions are held on the second Tuesday of each month, beginning at 5:00 p.m., in the Beaufort City Hall Planning Conference Room located at 1911 Boundary Street, Beaufort, SC 29902. The Mayor or a majority of Council may call for additional worksessions on the third and fourth Tuesday of any month, also to be held at 5:00 p.m. No final action shall be taken on any matter at any worksession.

Special meetings of council may be held on the call of the mayor or of a majority of the members of Council. Notice of a special meeting shall be given immediately to all available members and publicly noticed as required by all applicable local and state laws.

8.02 Public Notice of Meetings and Hearings

Pursuant to [SC Code Section 5-7-250](#), cities are charged with establishing a procedure for notifying the public of upcoming hearings and the preliminary agenda for the forthcoming council meeting. The procedure followed by the City of Beaufort is as follows:

A. Notices

Except where a specific means of notifying the public of a public hearing is otherwise provided by law or ordinance, notice of upcoming public hearings before the City Council or the City's Boards and Commissions shall be given by a publication of a notice containing the time, place, and date of the meetings each January in a publication of general circulation. Specially called meetings will be publicly posted, shared on the City website and social media accounts.

B. Preliminary Agenda of Council Meeting

The public shall be notified of the preliminary agenda for the forthcoming regular City Council meeting by posting a copy of the agenda in the first floor lobby of City Hall at least 24 hours, but as soon as practical, in advance of the meeting. Agendas will be shared on the City website.

For special meetings, only those items specifically listed on the agenda may be discussed, considered, or decided.

C. Duties of City Clerk

The City Clerk is directed to publish notices and post agendas as required by Section 8.02 of the Beaufort City Council Procedures Manual.

8.03 Special Meetings

Special meetings may be called by either the Mayor or by a majority of the Council Members. Notice of a special meeting will be made by the City Clerk by delivering personally, by mail, or electronically written notice to each member of the Council and post on the City website and social media accounts at least 24 hours before the time of such meeting as specified in the notice. The call and notice shall specify the time and place of the special meeting and the business to be transacted.

The notices provided in this section may be dispensed with in the event a special meeting is called to deal with an emergency involving injury or damage to persons or property or the likelihood of such injury or damage, when time requirements of such notice would make notice impractical, and increase the likelihood of such injury or damage.

8.04 Worksessions

The City Council may meet informally in a worksession. The worksession is the forum used by Council to review forthcoming programs of the City, to receive progress reports on current issues, or to receive similar information from the City Manager and others. Further, the purpose of worksessions is to allow Councilmembers to do concentrated preliminary work with administration on single subjects of time consuming, complex matters (i.e., budget, complex legislation or reports, etc.). One of the goals of worksessions is to allow a less formal atmosphere within which Councilmembers may ask questions of staff and each other, as opposed to taking time at Regular meetings, thus shortening the time spent at regular meetings. Worksessions shall be in a less formal setting, but shall not discourage public observation and participation.

All discussions and conclusions held during a worksession are of an informal nature. No final action is taken while in a worksession.

Public participation in worksessions is allowed at the discretion of the Mayor or the Council Member serving as the chair of the worksession. Time permitting, public input should be encouraged in worksession after presentations are made to Council and Council has had an opportunity to ask questions of the presenters.

8.05 Placing Items on the Agenda

The City Manager and Mayor will review the agenda prior to the regular meeting.

A. City Council

A Council Member may request an item be considered on a future agenda either by making an oral request at a City Council meeting or submitting the request in writing to the City Clerk or City Manager at least ten working days prior to the meeting for which the item is requested to be placed on the agenda.

B. Emergency Items

Emergency items may be added to an agenda in accordance with state law. Emergency items are only those matters immediately affecting the public health, safety and welfare of the community, such as widespread civil disorder, disasters, and other severe emergencies. The reason(s) for adding an emergency item to the agenda shall be announced publicly at the meeting, and the issue shall be included in the minutes of the meeting.

8.06 Development of the Agenda

Staff will coordinate the development of the agenda according to procedures established by the City Manager's Office.

8.07 Electronic Video Recording of Meetings

The City Clerk, or designee, shall make and keep video recordings of all meetings of the Beaufort City Council, except those meetings or portions of meetings conducted in Executive Session, or unless a motion is passed to suspend audio recording of a meeting. Recordings and related records of all City Council meetings, except as referenced above, shall be retained by the City.

Video recordings are designated as the primary record of "Audio/Visual Recording of Official Proceedings" for Council and board/commission proceedings and are kept in accordance with the [South Carolina Department of Archives and History Archives and Records Management Division](#).

[Agenda packets are retained indefinitely.](#)

8.08 Order of Business

The City Council, by adoption of this manual, establishes the [general order of meetings](#). This section summarizes each meeting component. The Council may, at any time by simple majority of those present, vote to consider items in a different order.

A. Call to Order

The Mayor, or in the Mayor's absence the Mayor Pro Tempore, presides over all meetings of the City council, and after determining that a quorum is present, calls the meeting to order. In the absence of the Mayor and Mayor Pro Tempore, the City Clerk shall call the Council to order, whereupon a temporary Mayor shall be elected by the members of the Council present. Following the call to order, those in attendance are asked to join the Council for the invocation and in reciting the Pledge of Allegiance.

B. Roll Call

The Mayor or City Clerk, or designee, takes roll and announces the presence or absence of individual Council Members.

C. Public Comment on Agenda Items Only

During this portion of the meeting, the Mayor will invite citizens to present to the Council about topics that are on the agenda. Speakers will limit their presentation to five (5) minutes, unless a longer period is permitted by Council. No speaker may convey or donate his or her time for speaking to another speaker. If many people wish to speak to a particular issue, Council may choose:

- i. To limit the total amount of time dedicated to that single issue; and/or
- ii. In the event of single subject group comment, at the discretion of the presiding officer, single time allocation for a spokesperson greater than five (5) minutes can be allowed. Groups that desire to designate a spokesperson shall submit to the presiding officer, prior to comment, a list of present group constituents or others in agreement so that duplication will not occur.

Speakers are asked to sign the "Public Comment Sign-in Sheet" provided and are encouraged to register for public comments not later than 15 minutes prior to the beginning of the meeting. Priority for public comment will be given to those who register in advance.

Written comments may be submitted into the record of a Council meeting by presenting the written document to the Clerk of the Meeting. A copy of the document will be provided to each Council Member; the document need not be read aloud, but will become a part of the meeting record.

The following language will be added to the published agenda for the Public Comment section:

“PLEASE LIMIT YOUR REMARKS TO FIVE MINUTES. The Mayor may interrupt public comments that continue past five minutes, are not related to an agenda item, or are disruptive. Persons violating these rules may be required to leave the meeting.”

D. Meeting Agenda Approval

This is the time when Council Members or the City Manager may withdraw or move items on the agenda. A simple majority of those present may vote to consider items in a different order. Public notice is required before a new agenda item may be added unless an emergency exception exists.

G. Special Presentations

The City Council may receive awards or special recognitions from various agencies, committees, or individuals during this segment of the meeting. Chairpersons or other representatives of various municipal committees or agencies may be asked to report to the Council concerning the activities for which they are responsible. For discussion to occur on these reports, they must be listed with some specificity on the agenda.

Council may also take the opportunity to acknowledge outstanding achievements or present awards to employees, groups, or other individuals. Pursuant to Section 2.03(B) of this manual, the Mayor is vested with the authority to initiate and execute proclamations.

H. Consent Agenda

Those matters of business that require action by the Council which are considered to be of a routine and non-controversial nature are placed on the consent agenda. The individual items on the consent agenda shall be approved, adopted, or enacted by one motion of the Council. Examples of such items include but are not limited to:

- i. Approval of all Council minutes;
- ii. Acceptance of advisory board and commission minutes;

- iii. Treasurer's Report;
- iv. Departmental Reports;
- v. Approval of vouchers;
- vi. Setting dates for public hearings/meetings;
- vii. Acknowledging receipt of claims for damages against the City;
- viii. Final acceptance of public works construction projects as complete.

No discussion shall take place regarding any item on the consent agenda beyond asking questions for simple clarification.

Unless a member of the Council requests a reading of the minutes of a Council meeting, such minutes may be approved without reading, if the Clerk has previously furnished each member with a copy thereof.

Prior to approving the items on the consent agenda, Council Members may request to withdraw (or pull) any item and take action separately on that item. Council will consider each withdrawn item during the course of the meeting after the amended consent agenda has been approved.

I. Old Business

Items and topics which have been previously brought before the Council, but which do not fit into any of the other categories listed in Section 8.09 of this manual, shall be placed under Old Business.

J. New Business

Items or topics that are new to the Council shall be scheduled for consideration under this section of the agenda.

K. Public Comment- Non-Agenda Items

This public comment period will follow all rules of order as discussed in Section 8.09 C, except that the public comment is not limited to agenda items.

L. Reports

Members of the Council and the City Manager may take this opportunity to make comments, extend compliments, express concerns, or make announcements concerning any topic they wish to share with staff or the public.

M. Executive Session

At the call of the presiding officer, or with a majority vote, the City Council may recess to Executive Session so long as an executive session is on the agenda and public notice has been followed. Executive session is to privately discuss and consider matters of confidential concern to the well being of the City. The purposes for which an Executive Session may be held are identified in [SC Code Section 30-4-70](#):

- i. Discussion of employment, appointment, compensation, promotion, demotion, discipline, or release of an employee, a student, or a person regulated by a public body or the appointment of a person to a public body; however, if an adversary hearing involving the employee or client is held, the employee or client has the right to demand that the hearing be conducted publicly. Nothing contained in this item shall prevent the public body, in its discretion, from deleting the names of the other employees or clients whose records are submitted for use at the hearing.
- ii. Discussion of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the public agency in other adversary situations involving the assertion against the agency of a claim.
- iii. Discussion regarding the development of security personnel or devices.
- iv. Investigative proceedings regarding allegations of criminal misconduct.
- v. Discussion of matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other businesses in the area served by the public body.

The City Council may also hold an Executive Session to receive confidential advice from the City Attorney under the attorney-client privilege.

Before convening in Executive Session, the presiding officer shall publicly announce the purpose for excluding the public from the meeting place, and the time when the Executive Session is expected to be concluded. An Executive Session may be extended to a stated later time by announcement of the presiding officer. No actions may be taken by Council during executive session.

N. Potential Actions Based on Executive Session

Action on any items discussed during executive session must be taken once Council has reconvened the public session of the meeting. No action is to be taken in executive session.

O. Addressing the Council - Generally

Written Communications. All persons may address the Council by written communication, including e-mail. Such written communication pertaining to items subject to public hearing procedures will be made a part of the public record, but will not be read aloud.

Written comments may be submitted to the Council at any time by mailing or otherwise delivering to the City Clerk, City of Beaufort 1911 Boundary Street, Beaufort, SC 29902. The Clerk will distribute a copy of the correspondence to each Council Member.

Oral Communications. All persons may address the Council verbally, either:

- i. During the Public Comment portion of the Agenda for items on or off the Agenda;
- ii. During public hearings, following staff (and applicant, if applicable) comments;

P. Addressing the Council -- Manner -- Limits

Each person addressing the Council will give his or her name and address in an audible tone of voice for the record, and, unless the Council grants further time, shall limit the address to three minutes. All remarks will be addressed to the Council as a body and not to any member thereof, or to any member of the City staff. No person other than the Council and the person having the floor will be permitted to enter into discussion, either directly or through a member of the Council, without the permission of the Mayor.

Q. Addressing the Council -- After a Motion is made

After the Council makes a motion, no person will address the Council without first securing the permission of the Mayor or presiding officer to do so.

R. Adjournment

A Council Member may propose to close the meeting entirely by moving to adjourn. The meeting will close upon the majority vote of the Council. A motion to adjourn will always be in order and decided without debate.

8.09 General Procedures

A. Seating Arrangement of the Council

While the Mayor Pro Tempore is customarily seated immediately next to the Mayor, he or she may choose to sit anywhere at the dais. The Mayor, with the approval of individual Council members, shall establish other seating arrangements for regular council meetings.

B. Signing of City Documents

The Mayor, unless unavailable, shall sign all ordinances, resolutions, contracts and other documents which have been adopted by the City Council and require an official signature; except when the City Manager has been authorized by Council action or by ordinance to sign documents. In the event the Mayor is unavailable, the Mayor Pro Tempore may sign such documents.

C. Quorum

Three members of the Council shall constitute a quorum and are necessary for the transaction of City business. When three or more members of Council convene for any purpose that has not been publicly noticed, the members of Council will refrain from discussion of any City business.

D. Minutes

The City Clerk or designee shall take minutes at all meetings of the City Council. The minutes shall be made available for public inspection.

Unless a member of the Council requests a reading of the minutes of a Council meeting, such minutes may be approved without reading, if the Clerk has previously furnished each member with a copy thereof.

E. How Many Votes are Required for Passage?

Unless otherwise specified in law, a simple majority of the Council members present is sufficient for passage of any motion.

F. Verbal/Physical Voting

When seated at the dais for regular Council meetings, [votes](#) will be cast by stating a position with either an “aye” or a “nay” and or raising of the hand.

G. Reconsideration of a Vote

A [motion to reconsider](#) must be made by a member who voted with the majority, and it must be made at the same or next succeeding meeting. The item to be reconsidered will then be placed on the agenda of the next meeting of city council.

8.10 Open Meeting Law

A. Applicability

The open meeting law applies to the City Council, all quasi-judicial bodies, and all standing, special or advisory boards, commissions, committees or subcommittees of, or appointed by, the City Council.

B. Meetings

All meetings of the Council shall be open to the public, except in the special instances outlined for executive sessions. A meeting takes place when a quorum (a majority of the total number of Council Members currently seated on the Council) is present and information concerning City business is received, discussed, and/or acted upon. The label applied to a public meeting does not affect compliance with the law. Whether the meeting is referred to as regular or special, workshop or worksession, the notice, agenda and minute-taking requirements must be met. The only exception to the public meeting requirement is an executive session, which was discussed in Section 8.08(M).

Chapter 9

Parliamentary Procedure

By approval of the Council Standard Operating Procedures Manual, the City Council has adopted a modified version of Robert's Rules of Order. The abridged rules of order that will be entertained by the Beaufort City Council can be found in Chapter 11.

These procedures as they relate to parliamentary processes apply not just to City Council, but to all appointed boards and commissions of the City of Beaufort. Any references to City Council in this section should be read to also apply to all appointed boards and commissions. Any references to Mayor or Mayor Pro Tempore should be read to apply to the Chair or Vice Chair of any appointed boards and commissions of the City.

9.01 Customs of Formality

The presentation and disposition of motions at a City Council meeting involves significant interaction between the presiding officer and the members of the Council. Therefore, members should understand the customs of formality that are followed by the presiding officer and members in conformance with parliamentary procedure.

A. Customs Observed by Members

The regular presiding officer of the Council is addressed as Mayor or Mr. (or Madam) Mayor. Even at meetings where no citizens are present, the presiding officer is called by the individual's proper title.

As a general rule, the presiding officer is addressed as "the chair" when additional reference is required. For example, "Mr. Mayor, do I understand the chair to state..." The presiding officer's place or station in the chambers is also called "the chair." Therefore, the term "the chair" applies to both the presiding officer and to that person's station in the council chambers.

Members address only the chair, or address each other through the chair, and generally refer to each other by title. For example, "Mr. Mayor, may I ask Councilwoman A to explain..."

B. Customs Observed by the Presiding Officer

The presiding officer refers to himself or herself as the chair and never uses the personal pronoun "I." For example, "The chair rules that..." The presiding officer also does not address an individual member as "you," but refers to members by their proper title.

9.02 Meeting Decorum and Order

The presiding officer shall preserve decorum and decide all questions of order, subject to appeal by the Council. During Council meetings, Council members shall preserve order and decorum and shall not delay or interrupt the proceedings or refuse to obey the orders of the chair or the rules of protocol.

Any Council Member may request the presiding officer to enforce the rules of protocol. Upon motion and majority vote, the presiding officer shall be required to do so.

9.03 Order of Discussion

The presiding officer should follow the prepared agenda as much as possible. However, for those occasions when deviations are necessary or convenient, the presiding officer will clearly announce that the Council has decided to rearrange the agenda. When changing the order of discussion, it must be done so as not to prevent or deny any member of the public the opportunity to listen to the discussion of any agenda item.

9.04 Obtaining the Floor

A Council Member shall address the presiding officer and gain recognition prior to making a motion or engaging in debate. The presiding officer will recognize Council Members by their last name, such as "Council Member Jones." Council Members will address each other as Council Member, followed by last name, such as "Council Member Jones." Cross-exchange between Council Members and the public should be avoided. This is to prevent general conversation and to keep the order necessary to maintain decorum and accomplish the business of the Council.

After a member has concluded comments and yielded the floor, if two or more members are trying to obtain the floor at the same time, the general rule is that the person who addresses the chair first is entitled to be recognized. When a motion is open to debate, however, there are three instances in which the presiding officer should assign the floor to a person who may not have been the first to address the chair. These are:

- i. The Council Member who made the motion currently under debate is entitled to be recognized in preference to other members if that individual is claiming the floor and has not already spoken on the question.
- ii. No member is entitled to the floor a second time in the meeting on the same motion as long as another member who has not spoken on the motion desires the floor.
- iii. In instances where the person to be recognized is not determined by (1) or (2) above, and where the presiding officer knows that members who are seeking the floor have opposite opinions on the motion, the chair should let the floor alternate as much as possible between those favoring and those opposing the motion.

9.05 Questions to Staff

A Council Member may, after recognition by the presiding officer, address questions to staff members.

9.06 Interruptions

Once recognized, a Council Member should not be interrupted while speaking, except to make a point of order or personal privilege. If a Council Member is called to order while speaking, the individual shall cease speaking until the question order is determined.

Upon being recognized by the presiding officer, members of the staff shall hold the floor until completion of their remarks or until recognition is withdrawn by the presiding officer.

9.07 Discussion Limit

A Council Member should not speak more than once on a particular subject until every other Council Member has had the opportunity to speak. Council Members are encouraged to discuss items during the decision-making process.

9.08 Basic Steps to Conducting Business

Specific requests or proposals that are presented to Council for consideration and possible action must be introduced in the form of a motion. For the proper presentation and disposition of most motions, 13 separate steps are required. The basic steps to conducting business include:

The Presiding Officer (chair):

- i. Introduces the item to be considered as presented on the agenda
- ii. Opens a public hearing when required and identified on the agenda
- iii. Closes the public hearing after receiving comments (if any) from the public

A member of the Council:

- iv. Addresses the chair
- v. Is recognized by the chair
- vi. Proposes the motion

A second member of the Council:

- vii. Seconds the motion

The Presiding Officer (chair):

- viii. Calls for any staff or speaker presentation
- ix. Restates the motion and calls for any further discussion or debate
- x. Restates the motion and puts the motion to a vote

The City Clerk:

- xi. Takes the vote
- xii. Announces the results

9.09 Making a Motion

Under parliamentary procedure, there are three steps required to bring a [motion](#) before the Council for its consideration:

- i. A Council member makes a motion;
- ii. Another Council member seconds the motion, and
- iii. The chair states the motion.

Unless the motion can interrupt a speaker as explained in Robert's Rules of Order, a member must obtain the floor to make a motion. Once the chair has recognized a Council Member, the individual makes the motion by saying, "I move that..." or "I move to..." and announcing what is proposed.

Council Members should attempt as much as possible to state motions in the positive form---that is, "I move to..." rather than "I move not to..." Motions where one must vote "yes" to vote against a proposal are confusing not only for Council Members, but also for staff and citizens.

If a proposal has only minimal support, a Council Member might state "I make this motion in order to put it on the floor for discussion. I am not sure of my position on it at the present time."

9.10 Seconding a Motion

After a motion has been made, and if it requires a second, another Council Member who wishes to see the motion considered says, without obtaining the floor, "I second the motion," or simply, "Second." A second merely implies that the member agrees the motion should come before the meeting, not necessarily that the member favors it. If another member of the Council does not second the motion, the chair normally asks, "Is there a second to the motion?" If there is no second, the chair should say, "Since there is no second, the motion is not before this meeting." If seconded, the maker of the motion should then be regarded as having the refusal of the floor in preference to all other members.

The purpose of a second is to prevent time being spent on motions that only one person wants to discuss. After the Council makes a motion, no person shall address the Council without first securing the permission of the Mayor or Council to do so.

9.11 Stating the Question

Under parliamentary procedure, making and seconding a motion does not put it before the Council for consideration. This can be done only by the chair when the presiding officer repeats the exact motion and indicates that the motion is open for debate by stating: "It has been moved and seconded that ... Is there any discussion?"

A. Right to Withdraw or Modify a Motion

Until the chair has stated the question, the maker has the right to modify or withdraw the motion. After the motion has been stated, however, it can be withdrawn only with the Council's consent. If any objection is made, it will be necessary to obtain leave to withdraw by a motion for that purpose. When a motion is withdrawn, the effect is the same as if it had never been made.

B. Pending Motions

When the chair has stated a motion, it is said to be pending. When several motions are pending, the last one stated by the chair, and the first to be disposed of, is called the immediately pending question. Thereafter, other pending motions are considered in descending order of rank.

9.12 Amendment of the Main Motion

When the main motion does not exactly suit the members of the Council, it may be changed by means of amendment before it is finally voted upon. Once recognized by the chair, a Council Member may make the motion to amend by stating, "I move to amend the motion by..." ---adding, striking out, inserting, or substituting. An amendment to the main motion requires a second; it is debatable, requires a majority vote, and must be

germane---that is, closely related to or having bearing on the subject of the motion to be amended.

If the motion on the amendment passes, the chair puts the main motion, as amended, to a vote. If the motion on the amendment fails, the chair puts the main motion, as originally presented, to a vote.

The member, who offers the motion, until it has been stated by the chair, can modify the motion, or withdraw it entirely; after it is stated, he/she can do neither without the consent of the body (majority). For example, the mover may state, "With the consent of the body I will modify my motion to state as follows..." If no one objects, it shall be deemed that he/she has the consent of the body to modify his/her motion. When the mover modifies his/her motion, the one who seconds it can withdraw his/her second.

9.13 Postponement of Business

A. Postpone to a Time Certain

Council may delay action on a pending question by making a motion to postpone the item either indefinitely or to a time certain. This motion can be made regardless of how much debate has taken place. The question may be postponed either so that it may be considered at a more convenient time or because debate has shown reasons for delaying a decision.

B. Postpone Indefinitely

Council may decline to take a position on a pending question by moving to postpone the item indefinitely. Voting to postpone indefinitely kills the main motion and avoids a direct vote on the question. This motion is useful for disposing of a badly expressed main motion that cannot be either adopted or expressly rejected without possibly undesirable consequences.

C. Table

Commonly misused in place of a motion to postpone, Council may lay the pending question aside temporarily when some other issue of immediate urgency has arisen. Lay on the Table is out of order if the evident intent is to kill or avoid dealing with an item. This motion requires a majority vote and halts consideration of a question immediately and without debate. After a question has been laid on the table, it can be taken from the table by a majority vote as soon as the interrupting business is disposed of and when no other question is pending.

9.14 Debate

The term “debate” applies to the discussion of the merits of any pending question during a Council meeting. All main motions and certain other motions are entitled to debate.

Any member of the City Council may move to close debate by saying, “I move that debate on the motion be closed,” or “I move the previous question.” However, Council Members should refrain from using the term, “call the question,” as a means to end debate. The audience better understands, “Move that debate on the motion be closed,” rather than “calling the question.” The motion must be seconded. The presiding officer immediately requests a vote, to which a two-thirds vote is required to close debate.

A motion to close debate can neither be debated nor amended. The motion to close debate effects the immediately pending question, whether it is an amendment or the main motion. Should the motion fail, debate is reopened. If the motion passes, then the Council shall vote on the motion for which debate was closed.

Debate shall not be closed until every Council Member present has had at least one opportunity to speak on the motion.

While debate on a main motion is under way, amendments and subsidiary, privileged and incidental motions may be introduced (if they are in order), debated (if debatable) and disposed of.

In addition to the customs of formality discussed in Section 9.01, observance of the following practices will make debate smooth and orderly. Members of the Council should:

- i. Confine their comments to the merits of the pending question;
- ii. Refrain from speaking against their own motions;
- iii. Refrain from reading reports, quotations, etc., without permission of the Council; and,
- iv. Speakers should yield the floor to the chair whenever the chair interrupts to give a ruling or information, or to otherwise speak

9.15 Voting Procedures

Each Council member shall vote on all questions put to the City Council unless a conflict of interest under State law or appearance of fairness question is present. Unless a member of the Council states that he or she is not voting, his or her silence shall be recorded as an affirmative vote.

A conflict of interest shall be declared whenever appropriate and in compliance with local ordinance and state law. The affected Council Member will not participate in the discussion and will abstain from the voting process by leaving the Council Chambers until such time as consideration of the item has been concluded. If a member asserts a conflict of interest under State law, the member shall be excused from voting on an issue. Any member declaring a conflict of interest must complete a form provided by the City Clerk.

When the debate appears to be over and if no one indicates a desire to continue discussion, the chair puts the motion to a vote by stating, "If there is no further discussion, cast your votes."

Only those ordinances, resolutions, or motions that receive an affirmative vote by the majority of the present and voting members of the City Council who also constitute a quorum shall be passed or become effective unless other voting requirements are provided by South Carolina State law in which case South Carolina State law shall prevail.

A. Verbal or Physical Vote

Verbal or physical votes will be cast in an audible tone of voice by saying "aye" or "nay" or raising of a hand at the appropriate call of the chair.

B. Abstention from Voting

Every member of council present, including the mayor or presiding member, shall vote on every question except when required to refrain from voting by state law.

C. Tie Vote

A tie vote results in the motion having failed. The presiding officer may publicly explain the effect of the tie vote for the audience.

D. Reconsideration

Reconsideration of an item will be considered by a majority vote of the Council. A member of the prevailing majority must make a motion for reconsideration when the previous vote was taken, and can be made no later than the next regular meeting after which the previous vote was taken.

9.16 Right of Protest

A Council Member is never required to state reasons for a dissenting vote; provided, however, that any member of the City Council shall have the right to have the reasons

for his or her dissent from, or protest against, any action of the Council entered on the minutes.

9.17 General Rules of Procedure

A. Standing to Question Procedures

These rules shall govern the parliamentary procedures of the members and by the members only. Procedures may be questioned only by members of the body, and then only in accordance with these rules. The decision of the chair will be final and conclusive as to all, subject only to a motion by a member of the body, duly and timely made, in which case the ruling of the body shall be final and conclusive. Nothing in these rules will be construed to prevent the chairman or a member from requesting aid in the interpretation of these rules or other matters from the City staff or officials.

B. Precedence

Motions having precedence on those that may be made while another motion is pending.

C. To Yield

Motions yield when they are pending and another matter can be considered while the yielding motion still pends.

D. Applied

Where a motion can have no subordinate motion applied to it, the fact is stated. For example, the motion to continue may not be applied to the motion to lay on the table.

E. Debate

Debate shall not take place until the chair has stated the question. Debate shall be limited to the immediately pending question, except that the main question is also open when the following motions are pending: postpone indefinitely, or reconsider a debatable question.

F. Putting the Question

When the debate appears to have closed, the chair will ask, "Are you ready for the question?" If no one asks for the floor, the chair shall put the question to a vote, making it clear what the question is.

G. Majority

A majority of those present shall constitute a majority of the body assuming a quorum is present. The chair has the tie-breaking vote and may second a motion.

9.18 Specific Rules of Procedure

The following motions are permissible in considering any matter on the agenda, and unless otherwise specified, shall rank in precedence and application as set forth below:

A. Undebatable Motions

1. Question of Order and Appeal

A question of order takes precedence of the question giving rise to it, may be put when another member has the floor, needs no second, and must be decided by the chairman without debate. If a member objects he may appeal, which if seconded, will immediately be put to the body. An appeal is waived if not made immediately. On appeal, the decision of the chair is sustained on a tie vote.

2. Suspension of Rules

This motion may not be amended, nor another motion be applied to it, nor a vote on it reconsidered. Rules of the body may not be suspended except for a definite and specific purpose and by a vote of one more than a majority present. Nothing else may be done under the suspension. It may not be renewed at the same meeting if once defeated. It shall be in order to change the order of the agenda. No rule can be suspended when the negative vote is as large as the minority protected by that rule.

3. To Lay on the Table

This motion may not be used for purposes of continuance of a matter that has been specially called for public hearing, which is done by a motion to continue. It may not be amended, nor an affirmative vote on it be reconsidered.

If carried, the subject tabled may not be considered again until the body votes to take it from the table, which motion is also undebatable.

The object of the motion is to postpone the subject in such a manner that it can be taken up at any time, either at the same or some future meeting. It may be used to suppress a question for that meeting, but not for a matter for which a public meeting has been specially set. The effect of the motion is to place on the table everything that adheres to the subject, so that if an amendment were ordered to lie on the table, the subject whom it is proposed to amend is also tabled. However, it may be limited to the particular pending matter and if so adopted the remaining matters shall still be before the body.

B. Debatable Motions

1. Continue to a Certain Day

This motion yields to all undebatable motions, and takes precedence of all other debatable motions, except that it may be amended by altering the time, and the previous question can be applied to it without affecting any other motions pending.

2. To Commit or Refer

This motion is to commit or refer a matter to a committee. It can be amended by altering the committee, or giving the committee instructions. The debate on the motion opens the debate on the main question it is proposed to commit.

3. To Amend

This motion takes precedence over nothing but the question that it is proposed to amend and yields to all questions except to postpone indefinitely. It can be applied to all but undebatable questions, an amendment of an amendment, to postpone indefinitely, or to reconsider. It can be amended itself, but an amendment of an amendment cannot be amended.

An amendment may be inconsistent with the one already adopted, or may be directly in conflict with the spirit of the original motion, but it must have a direct bearing upon the subject of that motion. A motion to amend by inserting new words once past may not be the subject matter of a new amendment to change the same words. The proper motion is the motion to reconsider the vote by which the words were inserted.

A motion to amend may be made to “divide the question” into two or more questions as the mover specifies, so as to get a separate vote on any particular point or points.

4. To Postpone Indefinitely

This motion takes precedence of nothing except the question to which it is applied and yields to all motions except to amend. It cannot be amended, and opens to debate the entire question which it is proposed to postpone.

Its effect is to entirely remove the question from the body for that session. The previous question, if ordered when this motion is pending, applies only to it without affecting the main question.

It cannot be applied to a matter that has been specifically set for public hearing. A negative vote on it cannot be reconsidered.

5. Principal Question

The main or principal question is a motion to bring before the body for its consideration any particular subject. No principal motion can be made when any other motion is before the body. It takes precedence over nothing and yields to all.

C. Miscellaneous Motions

1. To Rescind

This motion cannot be made for a matter that has been voted upon for which a matter has been specifically called for public hearing. However, for other matters to which it is appropriately addressed, as where it is too late to reconsider the vote, the motion is the course to pursue to rescind an objectionable policy, order or motion; it is debatable.

2. To Reconsider

This motion is not in order after the body has voted upon the principal question which is the subject matter of a specially called public hearing, unless made immediately after thereon and before the Council has moved to the next item of business. It is otherwise in order at any time, even when another member has the floor, but not after the Council has adjourned the meeting. Nothing herein shall be construed as preventing the council from considering the same item at a subsequent meeting as a new item of business.

A member who voted with the prevailing side must make the motion. It can be applied to the vote of every other question, except as noted above, and except to suspend the rules and an affirmative vote to lay on the table or to take from the table.

The motion may not be amended. Whether or not it is debatable depends upon whether the question to be reconsidered is debatable or undebatable. It may be laid on the table, in which case, the reconsider, like any other question, can be taken from the table.

3. Roll Call

Any member may demand a roll call vote any time before or after any question is put. The demand needs no second and the chair must ask for a roll call vote on

demand. It is not debatable and may be applied to any question. It is waived if after the vote it is not immediately made and prior to the next matter being considered.

9.19 Suggested Forms

1. Undebatable Motions

a. Question of order

Member: "I raise a point of order."

Chair: "State your point of order."

Member: States his/her point of order

Chair: Ruling by the chair, which may give reasons.

Member: "I appeal from the decision of the chair."

Chair: (If seconded) "Shall the decision of the chair stand as the decision of the body?"

b. Suspension of rules

Member: "I move to suspend the rules requiring..."

c. To lay on the table

Member: "I move to lay the question (stating it) on the table."

Chair: (If seconded) "Shall the main question be now put?"

Member: "I call for the previous question on the amendment."

Chair: (If seconded) "Shall the question be now put on the amendment?"

2. Debatable Motions

a. Continue to a certain day

Member: "I move to continue the question of (stating it) to the next regular (or recessed) meeting of (date)."

NOTE: Confirm date of meeting with City Attorney in matters of land use to ensure compliance with state laws.

b. To commit or refer

Member: "I move to refer the subject to a committee."

c. To amend

Member: "I move to amend the motion to 'add', or 'insert', to 'strike', to 'strike out XYZ and insert ABC', to 'divide the question' (into two or more questions), etc."

d. To postpone indefinitely

Member: "I move to postpone the question indefinitely."

e. Principal question

Member: "I move that..."

3. Miscellaneous Motions

a. To rescind

Member: "I move to rescind that motion, policy, etc."

b. To reconsider

Member: "Having voted on the prevailing side, I move that we reconsider the vote on the motion to (stating it) and have such motion entered on the record."

c. Roll call (any member)

Member: "I demand a roll call vote." No second needed.

Chair: "The clerk will please call the roll."

9.20 Other Protocol

Other guidelines are also in place to ensure meetings of the Council emphasize the importance of the business being conducted in a professional manner. Council Members and staff shall:

- i. Work to preserve appropriate order and decorum during all meetings.
- ii. Address Council Members as Council Member, followed by last name, such as "Council Member Jones," and staff by staff member's last name.
- iii. Discourage side conversations, disruptions, interruptions or delaying efforts.

- iv. Limit questions after motions and eliminate questions that are meant to merely support position.
- v. Focus on outcomes rather than the activities that create end result.
- vi. Request permission from the presiding officer to depart from a meeting.
- vii. Limit disruptive behavior. The presiding officer will call persons demonstrating rude, boisterous, or profane behavior to order. If such conduct continues, the presiding officer may call a recess, request the removal of such person(s) from the Council Chambers, adjourn the meeting, or take such other appropriate action as permitted by the law. The City Council discourages applause, booing or other similar behaviors from the public during meetings.
- viii. Recognize that only the City Council, staff, advisory body chairs or designated representatives, and those authorized by the presiding officer shall be permitted to sit at the Council or staff stations.

A. Enforcement of Order

The City Manager acts as the sergeant-at-arms. It shall be the duty of the sergeant-at-arms to carry out all instructions of the presiding officer to preserve the peace and maintain order and decorum at Council meetings. If the presiding officer needs to make a request of the sergeant-at-arms, he or she will direct the City Manager as appropriate, and the City Manager will take appropriate action regarding the directing of any other city staff.

If a serious disruption occurs, the Mayor may call for a recess to allow for the situation to be resolved by city staff.

B. Values of Respect

The City Council recognizes the importance of approaching the public's business in an environment of personal respect that places emphasis on the consideration of policy and avoids personalization of comments. Some general guidelines utilized by the City Council include:

- i. Discussion should focus on policy matters.
- ii. Personal criticism of members is inappropriate.
- iii. Proper decorum should be displayed as other members express their views.

9.21 Parliamentarian

The Council will nominate a parliamentarian in the same manner as they nominate a Mayor Pro Tempore. If the parliamentarian is not present for any reason at a meeting, the majority of members present will nominate a substitute parliamentarian for such meeting. The parliamentarian shall decide all questions of parliamentary procedure in accordance with the parliamentary rules contained in *Robert's Rules of Order* and *Mastering Council Meetings: A Guidebook for Elected Officials and Local Governments*. Before deciding any question of parliamentary procedure, the Mayor may request advice from the City Attorney or City Clerk or designee. In cases where serious errors in procedure are being used or being contemplated, the City Attorney should give advice even when it has not been requested.

Chapter 10
Procedures Administration

10.01 Biennial Review

The City Council will review and revise the City Council Standard Operating Procedures Manual as needed, or every two years.

10.02 Adherence to Protocol

- i. Each Council, Board, or Committee Member shall have the duty and obligation to review this Protocol Manual and be familiar with its provisions.
- ii. During City Council, Board, or Committee discussions, deliberations, and proceedings, the Mayor or the Chair will be primarily responsible to ensure that the City Council, Board or Committee Members, staff, and members of the public adhere to the Council's adopted Standard Operating Procedures Manual.

10.03 Applicability of Procedures Manual

The City Council Standard Operating Procedures Manual shall apply to the City Council and all appointed Boards and Commissions of the City.

Chapter 11
Additional Training and Resource Materials

The American Institute of Parliamentarians <https://aipparl.org/>

Macfarlane, A.G., Estep, A.L.: (2013). *Mastering Council Meetings: A Guidebook for Elected Officials and Local Governments*, Jurassic Parliament, Seattle, WA.

The National Association of Parliamentarians <https://www.parliamentarians.org/>

Robert, H. M. 1., Robert, S. C., Evans, W. J., Honemann, D. H., Balch, T. J., Seabold, D. E., & Gerber, S (2020), *Robert's Rules of Order: Newly Revised. 12th edition [50th anniversary]*, Public Affairs, New York, NY

South Carolina Municipal Association (2017), [*Forms and Powers of Local Governments*](#)

South Carolina Municipal Association (2017), [*Handbook for Municipal Elected Officials*](#)

South Carolina Municipal Association (2015) [*How to Conduct Effective Meetings*](#)

South Carolina Press Association (2017), [*Freedom of Information Act Guide*](#)